

01/16/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: ~~February~~ ^{March} 9, 2001

Water right number: 31-11432

MUD LAKE WATER USERS INC
1400 E 1500 N
PO BOX 68
TERRETON, ID 83450

Daytime Telephone Number: (208) 663-4359
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2-12-2001

SIGNATURE: *Keith Soderquist*

Please print your name:

MUD LAKE WATER USERS, INC.
P. O. BOX 68
TERRETON, ID 83450

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, (208) 525-7161

MEMORANDUM

To: Mud Lake Water Users General File
A31-332
A31-11430
A31-11432
Fr: Bryce Contor
Date: 2/23/2001
Re: Office visit

Today I visited in the office with chairman Jerry Messerli, retired chairman Garth Soderquist, and manager Shawn Grover.

We discussed the attached memo on loss calculations and total recommended volumes. I told them that the current recommendations totaled about 195,000 acre feet but that I felt this was an error. Based on the transfer, the calculations of actual need, and the calculations of capacity, I should have added a combined use limitation to the 174,195 acre feet authorized by transfer 5335.

There are two reasons for this proposed combined limitation: 1) My charge is to recommend the water rights as accurately as possible, and this appears to more accurately reflect historical usage. 2) The 174,195 acre feet figure is defensible against objection because it was approved in a post-1987 formal transfer, and any objectors have already had due process during that administrative action.

We carefully reviewed the calculations, and it appears that 174,195 acre feet is adequate to meet the irrigation needs, losses in canals from the lake to place of use, losses in the lake, and losses from the points of diversion to the lake. It is true that the company also holds surface rights, but there are years in which little or no surface water is available, so the well rights must be adequate to provide all the company's needs.

The three gentlemen here today felt this would be acceptable, but they want to take it back to the board. I suggested it might be worthwhile to have a professional engineer review the loss calculations, and told them I had to have any requests for change back by March 20.

The tentative decision is that unless the board and/or the consultant disagree, I will add the combined use limitation but otherwise recommend the rights as proposed in the preliminary. Because I didn't catch the need for the combined use limitation early-on, and include it on the preliminary report, I feel I shouldn't add it now if they disagree.

MEMORANDUM

To: Mud Lake Water Users General File

31-11430

31-332

31-11432

Fr: Bryce Contor

Date: 2/17/01

Re: Loss Calculations

I. Loss in Lake

Watermaster Records, 1996, show 29,730 acre ft. lake loss.

GW recommendations via lake total:

MLWU 24,261.3

Independent 4,109.0

+ Dobson

28,370.3 acres

$$\text{Loss/acre} = 29,730 / 28,370.3 = 1.05 \text{ acre ft/acre}$$

$$24,261.3 \times 1.05 = 25,474.4 \text{ acre feet}$$

II. Loss in Canals fr. Lake to Places of use

a) Jackett - $\frac{3 \text{ miles} \times 5280 \text{ ft} \times 20 \text{ ft}}{43560 \text{ ft}^2/\text{acre}} = 7.3 \text{ acres}$

b) Holley - $\frac{5 \text{ miles} \times 5280 \text{ ft} \times 25 \text{ ft}}{43560 \text{ ft}^2/\text{acre}} = 12.2 \text{ acres}$

c) Owsley - $\frac{14 \text{ miles} \times 5280 \text{ ft} \times 40 \text{ ft}}{43560 \text{ ft}^2/\text{acre}} = 67.9 \text{ acres}$

$$\text{Total } 87.4 \text{ acres} \times 0.2 \text{ in/hr}^* \times \frac{1 \text{ ft}}{12 \text{ in}} \times 24 \text{ hrs/day} = 35.0 \text{ g/day}$$

$$35 \text{ acre ft/day} \times 185 \text{ days} = 6,475 \text{ acre ft.}$$

III. Field headgate requirement

$$24,261.3 \times 3.5 = 84,914.6 \text{ acre ft.}$$

IV. Total Required in Lake (Delivered to Lake)

Lake loss	25,474.4	acre feet
Canal loss	6,475.0	acre ft
Field headgate	84,914.6	acre ft
	<u>116,864.0</u>	acre ft.

V. Required at Pump

Watermaster records indicate up to 39% loss in Independent / Jachett Ditch. Holby & Owsley wells are right on Camas Creek & therefore no loss is allowed. North Lake ditch loses up to 20.4% per USGS study.

These losses are pro-rated to required

MCWA p3

are lost by proportion of pumping capacity &/or original acres.

Assume North Lake $\approx \frac{1}{3}$ of Dowsley Capacity, X
17800 original Dowsley acres = 5933 acres

Fachett $\approx$ 3100 acres per merger documents.

$$\begin{aligned}\text{North Lake requirement} &= 116864 \times 5933 / 24261 = 28,600 \\ 28,600 / (100\% - 20.4\%) &= 35,930 \text{ acre ft}\end{aligned}$$

$$\begin{aligned}\text{Fachett Requirement} &= 116864 \times 3100 / 24261 = 14,933 \\ 14,933 / (100\% - 39\%) &= 24,480 \text{ acre ft}\end{aligned}$$

$$\text{Bybee/Holley} = 116864 - (28,600 + 14,933) = 73,331$$

Total Reg. @ diversions

Fachett	24,480
North Lake	35,930
Bybee/Holley	73,331
Total	133,741 acre ft.

III. Max volume during irr. Season at max rate

$$503 \times 1.9835 \times 185 = 184,575$$

VII. Required volume for Early pumping

Watermaster records show 26,394 ac-ft stored in lake in 1991.

Previous calculations showed requirement of 26,434^(from MLWU) required to fill lake in a dry year.

VIII. 61 day volume + 185-day volume at 1995 capacity

310 Owsley + Tacket (from 1995 early-pumping records)

47 Holley (from deced rates)
357 cfs

$$357 \times 1.9835 \times 61 = 43,195$$

$$357 \times 1.9835 \times 185 = 131,000$$

$$174,195$$

IX. Authorized volume per T. 5335 is 174,269.3

Proposed volume for Ben. use claims is an additional 21,434.

MLWU PS

Total proposed volume = 195,703 ←

Total capacity (1995) = 174,195 *

Total requirement @ well = 133,741 ←
2

12000

600

503

261

185
216

174000

246

707

360 cfr

44

25000

3.5

75000

12500

87500

170

125000 ←

90,000

25000

6

150,000

MEMORANDUM

To: A31- 11430

A31- 11432

Fr: Bryce Connor

Bryce

Date: 12/30/00

Re: Priority date and diversion rate

The allotment sheets back to 1931 confirm the practice of storing & accounting for storage of groundwater. Therefore the priority date of the beneficial use right for storage is the later of 1931 or the date of the diversion rights upon which the storage is based.

This results in the possibility of a ben. use right pre-dating Beverly. This is justified on the grounds that the ben use right for storage is simply a clarification of uses for rights that were affirmed by Beverly.

Claim 31-11430 is intended to reflect storage under the oldest rights, as listed in transfer 5335:

priority & diversion

(2)

31-327	00/00/000	110 cfs
31-328	00/00/000	100 cfs
31-329	00/00/000	50 cfs
31-330	00/00/000	80 cfs
31-331	9/10/1928	24 cfs
31-336 B	4/27/1932	11.05 cfs
31-337 B	12/15/1932	17.00 cfs
31-371	9/10/1928	23.00 cfs
31-2239	1/25/1930	40.00 cfs
		455.05 cfs

Note that the claim is only for 427 cfs.
Note also that the pending Preliminary Order Amending Transfer Approval sets the priority for the two largest rights @ 10/14/1940.

Therefore 31-11430 is recommended for 427 cfs with priority 10/14/1940. If the preliminary order is modified, the priority of recommendation 31-11430 will also need to be modified.

The transfer imposes a combined use limitation of 200 cfs during the irrigation season on 31-327, 31-328, 31-329, and 31-330. This is consistent with the provisions of Bawley. To preserve this intent, 31-11430

Priority & Diversion

(3)

Will also need an in-season limitation, as follows:

31-327	110 cfs
31-328	100 cfs
31-329	50 cfs
31-330	80 cfs
	<u>340</u> cfs

$340 - 200 = 140$ cfs in-season reduction

31-11430 limitation: $427 - 140 = 287$ cfs

31-11432 represents the sum of the "later" GW rights.

Excess of "early" diverted rights		$455.05 - 427 = 28.05$
31- 2265	5/22/ 1940	64.40
31- 2289	1/13/ 1949	3.20
31- 2290	2/14/ 1949	3.60
31- 2297	12/29/ 1949	6.00
31- 2310	9/24/ 1952	5.80
31- 2317A	2/28/ 1953	8.08
31- 2317B	10/27/ 1956	1.90
31- 2321	4/25/ 1953	1.92
31- 2341	9/3/ 1954	16.00

Priority & Diversion (4)

31-2342	9/3/1954	16.00
31-2343	9/3/1954	16.00
31-2344	9/3/1954	16.00
31-2345	9/3/1954	16.00
		202.95

Note that T 5335 also recognizes 31-2005, but as its priority is after 1963 I cannot recognize a beneficial use right based upon its diversion.

Right 31-11432 should be recommended therefore for 202.95 cfs with priority 9/3/1954, the priority of its latest component rights.

Transfer 5335 includes a total limitation of 503.21 cfs during the irrigation season, and a combined sum of diversion rates of 643.21 cfs. As these two beneficial use claims are not for additional diversion rate, but for storage of water diverted under other rights, these combined limitations must include 31-11430 & 31-11432.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
bcontor	12/30/00	Recommendation	See memo in paper file and documentation in special paper file "Mud Lake Storage." Note that this right is for storage of water diverted under existing rights listed in Transfer 5335 and is not for any additional diversion rate.

Dates:

Licensed Date:
 Claim Received Date: 09/29/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	1/1/01 8:29:30 AM	bcontor			In Process
POU	1/1/01 8:32:20 AM	bcontor			In Process
Priority Date	1/1/01 8:28:51 AM	bcontor			In Process
Quantity	12/30/00 10:20:52 AM	bcontor			In Process
Season	1/1/01 8:27:26 AM	bcontor			In Process
Source	1/1/01 8:30:30 AM	bcontor			In Process
Summary	1/1/01 8:40:18 AM		1/1/01 8:40:18 AM	bcontor	Complete
Use	1/1/01 8:23:09 AM	bcontor			In Process

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	1/1/01 8:29:29 AM	bcontor	1. (YES) The basis is beneficial use. 4. (YES) There is evidence that there has been a change in the Point of Diversion. 5. (YES) The change can be verified as an accomplished transfer. Comment for 5: GPS and field inspection, see file "Mud Lake Storage" 6. (YES) The file contains all the necessary information to verify the POD. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	1/1/01 8:32:18 AM	bcontor	1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (YES) There is evidence that there has been a change in the POU. 6. (YES) The change can be verified as an accomplished transfer. Comment for 6: GIS of current POU per 1987 NAPP 9. (YES) The file contains all the necessary information to verify the POU. 12. (NO) POU remark was not required.

Priority Date	1/1/01 8:28:49 AM	bcontor	13. (NO) POU condition was not required. 1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (NO) The priority date was not claimed after the date a permit was required for the source and water use. 10. (YES) The claim file contains sufficient evidence of priority date. 12. (YES) The claim is recommended. 14. (NO) Priority remark was not required.
Quantity	12/30/00 10:20:50 AM	bcontor	15. (NO) Priority condition was not required. 1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: See memo; summation of diversion rights from which this storage arises. 6. (YES) The source is ground water and the purpose of use requires a diversion volume limit. 8. (YES) Irrigation is a purpose of use. Comment for 8: See analysis in paper file "Mud Lake Storage." Volume is intended to be in addition to volume of rights in transfer 5335 and is required to satisfy need for additional water for storage and transmission losses. 9. (YES) Quantity remark was required. 10. (NO) Quantity condition was not required.
Season	1/1/01 8:27:24 AM	bcontor	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use. 15. (YES) Period of Use remark was required. 16. (NO) Period of Use condition was not required.
Source	1/1/01 8:30:29 AM	bcontor	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: Field inspeciton, see file "Mud Lake Storage." 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	1/1/01 8:40:16 AM	bcontor	1. (YES) The basis of the claim is beneficial use. 2. (NO) All the water being used for all the purposes is not being claimed and to the extent it was claimed. 4. (YES) A portion of the claim is being recommended. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Use	1/1/01 8:23:07 AM	bcontor	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.

Claim data entered by
Cheri Vanderveilen

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

(PDS only)

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 31-11432
Date Received: 9/29/00
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

MUD LAKE WATER USERS INC Phone: (208)663-4359

1400 E 1500 N
PO BOX 68
TERRETON ID 83450

2. Date of Priority:

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
07N	34E	13	NE	SW	SE		JEFFERSON
07N	34E	13	SW	SW	NE		JEFFERSON
06N	34E	1	NE	SW	SW		JEFFERSON
06N	34E	1	NE	SE	SW		JEFFERSON
06N	34E	2	NE	SW	NW		JEFFERSON
06N	35E	3	NE	NW	NW	4	JEFFERSON
06N	35E	4	NE	NW	NW	4	JEFFERSON
07N	34E	23	SE	NE	NE		JEFFERSON
07N	34E	23	NE	SE	NE		JEFFERSON
07N	34E	24	SW	NE	NE		JEFFERSON
07N	34E	24	NE	NW	NE		JEFFERSON
07N	34E	24	SW	NW	NW		JEFFERSON

07N	34E	34	SW	NW	NE		JEFFERSON
07N	34E	34	NW	SW	SW		JEFFERSON
07N	35E	13	SW	SW	SW		JEFFERSON
07N	35E	13	SW	SW	SW		JEFFERSON
07N	35E	13	SW	SW	SW		JEFFERSON
07N	35E	18	SW	SE	SW		JEFFERSON
07N	35E	19	NE	NW	NW	1	JEFFERSON
07N	35E	19	NW	SE	NW		JEFFERSON
07N	35E	22	SE	NE	SE		JEFFERSON
07N	35E	23	SW	NW	SW		JEFFERSON
07N	35E	25	NW	SW	SW		JEFFERSON
07N	35E	25	NW	SW	SW		JEFFERSON
07N	35E	25	NW	SW	SW		JEFFERSON
07N	35E	25	SW	SW	SW		JEFFERSON
07N	35E	25	SW	SW	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON
07N	35E	25	NE	SE	SW		JEFFERSON

07N	35E	25	SE	SE	SW	JEFFERSON
07N	35E	25	NW	NW	SE	JEFFERSON
07N	35E	25	NW	NW	SE	JEFFERSON
07N	35E	25	NW	NW	SE	JEFFERSON
07N	35E	25	SW	NW	SE	JEFFERSON
07N	35E	25	SW	NW	SE	JEFFERSON
07N	35E	25	SW	NW	SE	JEFFERSON
07N	35E	25	SE	NW	SE	JEFFERSON
07N	35E	25	NW	SW	SE	JEFFERSON
07N	35E	25	NW	SW	SE	JEFFERSON
07N	35E	25	NW	SW	SE	JEFFERSON
07N	35E	25	NW	SW	SE	JEFFERSON
07N	35E	25	NW	SW	SE	JEFFERSON
07N	35E	25	NW	SW	SE	JEFFERSON
07N	35E	26	NE	SE	SE	JEFFERSON
07N	35E	26	NW	SE	SE	JEFFERSON
07N	35E	34	SW	NW	SE	JEFFERSON
07N	35E	36	SE	NW	NW	JEFFERSON
07N	35E	36	SE	NW	NW	JEFFERSON
07N	35E	36	SE	NW	NW	JEFFERSON
07N	35E	19	NE	SW	NW	2 JEFFERSON
07N	35E	19	NW	NW	NW	1 JEFFERSON

5. Description of diverting works:

THIS CLAIM IS FOR ALL OF COMPANY'S WELLS AS LISTED IN CLAIM A31-11430 AND TRANSFER 5335.

6. Water is used for the following purposes:

Purpose
IRRIGATION STORAGE
21434

From To

C.F.S.
05/01 10/31

(or) A.F.A

IRRIGATION STORAGE
21434

05/01 10/31

7. Total Quantity Appropriated is:

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

11. Place of use in counties:

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

MUD LAKE WATER USERS STORAGE CLAIM.

15. Basis of Claim:

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

I do solemnly swear or affirm that I am _____ of
 _____ Title
 _____, that I have signed the foregoing
 _____ Organization
 document in the space below as _____ of
 _____ Title
 _____ and that the statements contained in the
 _____ Organization
 foregoing document are true and correct. _____
 _____ Signature of Authorized Agent

Date

Subscribed and sworn (or affirmed) before me this

Notary Public

My commission Expires _____

2

CLAIM AMENDED 12/27/2000 TO REFLECT FIELD WORK IDENTIFYING LOCATION OF POINTS OF DIVERSION, INJECTION, AND REDIVERSION.

15. Basis of Claim:

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of _____
Title

Mud Lake Water Users, Inc. that I have signed the foregoing
Organization

document in the space below as President of _____
Title

Mud Lake Water Users, Inc. and that the statements contained in the
Organization

foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

President - Mud Lake Water Users, Inc.
Title and Organization

12-27-2000
Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

Data Entry
all messed
up - ETI
app won't let
me fix it -
9/29/00 bac

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 31-11432
Date Received: 9/26/00
Receipt No: E 026208
Received By: Bac

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 28 2000

Department of Water Resources
Eastern Region

1. Name of Claimant(s)

MUD LAKE WATER USERS INC Phone: (208) 663-4359

1400 E 1500 N
PO BOX 68
TERRETON ID 83450

2. Date of Priority: 05/01/1957

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	34E	13	SW NE	JEFFERSON
07N	34E	23	NE NE	JEFFERSON
07N	34E	24	NE NE	JEFFERSON
07N	34E	24	NW NE	JEFFERSON
07N	34E	24	NW NW	JEFFERSON
07N	35E	13	SW SW	JEFFERSON
07N	35E	14	SE SE	JEFFERSON
07N	35E	18	SW SW 4	JEFFERSON
07N	35E	14	SE SE	JEFFERSON
07N	35E	19	NW NW 1	JEFFERSON
07N	35E	19	NW NW 1	JEFFERSON
07N	35E	19	SW NW 2	JEFFERSON

07N	35E	19	SE	NW	JEFFERSON
07N	35E	22	NE	SE	JEFFERSON
07N	35E	23	NW	SW	JEFFERSON
07N	35E	23	SW	SW	JEFFERSON
07N	35E	25	SW	SW	JEFFERSON
07N	35E	25	SW	SW	JEFFERSON
07N	35E	25	SW	SW	JEFFERSON
07N	35E	25	SW	SW	JEFFERSON
07N	35E	25	SW	SW	JEFFERSON
07N	35E	25	SE	SW	JEFFERSON
07N	35E	25	SE	SW	JEFFERSON
07N	35E	25	SE	SW	JEFFERSON
07N	35E	25	SE	SW	JEFFERSON
07N	35E	25	SE	SW	JEFFERSON
07N	35E	25	SE	SW	JEFFERSON
07N	35E	25	SE	SW	JEFFERSON
07N	35E	25	SE	SW	JEFFERSON
07N	35E	25	SE	SW	JEFFERSON
07N	35E	26	SE	SE	JEFFERSON
07N	35E	26	SE	SE	JEFFERSON
07N	35E	27	NW	NE	JEFFERSON
07N	35E	36	NE	NW	JEFFERSON
07N	34E	13	SE	SE	JEFFERSON

5. Description of diverting works:

Wells to canals to mud lake to canal to relift pumps to canals to place of use.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	05/01	10/31		21434
IRRIGATION FROM STORAGE	05/01	10/31		21434

7. Total Quantity Appropriated is:
200 C.F.S. and/or 21434 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SERVICE AREA OF MUD LAKE WATER USERS INC. SEE TRANSFER 5335.

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FOR STORAGE IN MUD LAKE OF WATER DIVERTED UNDER THE MUD LAKE WATER USERS GROUNDWATER RIGHTS WITH PRIORITIES BETWEEN 1931 AND 1957. IT IS NOT FOR ADDITIONAL DIVERSION RATE BUT TO CLARIFY THE HISTORICAL PRACTICE OF STORING DIVERTED WATER IN THE LAKE FOR LATER DELIVERY IN THE SAME IRRIGATION SEASON. THIS CLAIM AND CLAIM 31-11430 TOGETHER ARE FOR STORAGE OF 21434 ACRE FEET OF WATER, WHICH IS ADDITIONAL STORAGE ABOVE THE 5000 ACRE FEET OF WATER RIGHT 31-00332.

ALSO CLAIMED IS EARLY-SEASON PUMPING WHEN AUTHORIZED BY THE EARLY-SEASON PUMPING AGREEMENT AND THE WATERMASTER. THE SEASON OF USE FOR THE EARLY-SEASON PUMPING MAY BEGIN AS EARLY AS FEBRUARY 1 AND BEARS A PRIORITY OF JUNE 1, 1961.

Database given status "See Remarks" pending return of signed amended claim. B. Contor 9/20/2000.

15. Basis of Claim: Beneficial Use

16. Signature(s)

Garth Soderquist

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

For Organizations:

I do solemnly swear or affirm that I am President of
Title

Mud Lake Water Users, Inc that I have signed the foregoing
Organization

document in the space below as President of
Title

Mud Lake Water Users, Inc and that the statements contained in the
Organization

foregoing document are true and correct.

Garth Soderquist
Signature of Authorized Agent

President

MUD LAKE WATER USERS, INC.

Title and Organization

P. O. BOX 68

TERRETON, ID 83450

Date

9-27-2000

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 27 day

of September 2000

Shawna Bane

Notary Public

Residing at Terreton, Idaho

My commission Expires 5-24-02