

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: A43-07072

Date Received: 4/24/1989

Receipt No: 5006939

Received By: ADD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUBLETT IRRIGATION CO. 208-645-2305
Address: % DEE RASMUSSEN
H.C. 61 BOX 1128
MALTA, ID 83342

2. Date of Priority: APR 04, 1977

3. Source: SUBLETT CREEK & TRIBUTARIES Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	29E	3		NW	NE		CASSIA
		9	NW	NE	SW		CASSIA

5. Description of diverting works:
HEADGATES, RESERVOIR & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	15.250		
IRRIGATION STORAGE	01/01	12/31			2300.00
IRRIGATION FROM STORAGE	03/15	11/15			2300.00

7. Total Quantity Appropriated is:
15.250 C.F.S. (and/or) 2300.00 A.F.A.

8. Total consumptive use is 7410.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
12S	28E	33	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SE		IRR	37.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	37.0

Section Acres 314.0

13S	28E	2	NW		NW	4	IRR	39.0
			NW		SW		IRR	6.0
			SW		SW		IRR	37.0
			SE		SW		IRR	33.0
			SW		SE		IRR	15.0

Section Acres 130.0

3	NE		NE	1	IRR	38.0
	NW		NE	2	IRR	31.0
	SW		NE		IRR	40.0
	SE		NE		IRR	38.0
	NE		NW	3	IRR	38.0
	NW		NW	4	IRR	38.0
	SW		NW		IRR	40.0
	SE		NW		IRR	40.0
	NE		SW		IRR	40.0
	NW		SW		IRR	40.0
	SW		SW		IRR	40.0
	SE		SW		IRR	40.0
	NE		SE		IRR	40.0
	NW		SE		IRR	40.0
	SW		SE		IRR	40.0
	SE		SE		IRR	34.0

Section Acres 617.0

10	SE		NE		IRR	40.0
	NE		NW		IRR	39.0
	NW		NW		IRR	39.0
	SW		NW		IRR	40.0
	SE		NW		IRR	40.0

Section Acres 198.0

11	NE		NE		IRR	35.0
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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
13S	28E	11	NW	NE		IRR	39.0	
			SW	NE		IRR	19.0	
			SE	NE		IRR	35.0	
			NE	NW		IRR	35.0	
			NW	NW		IRR	17.0	
			SW	NW		IRR	40.0	
			SE	NW		IRR	1.0	
			SE	SW		IRR	40.0	
			Section Acres					261.0
		12	SW	NE		IRR	23.0	
			SE	NE		IRR	15.0	
			NW	NW		IRR	15.0	
			SW	NW		IRR	37.0	
			SE	NW		IRR	37.0	
			NE	SW		IRR	33.0	
			NW	SW		IRR	13.0	
			NE	SE		IRR	38.0	
			NW	SE		IRR	37.0	
			SW	SE		IRR	3.0	
			SE	SE		IRR	15.0	
			Section Acres					266.0
		14	NE	NW		IRR	40.0	
			SE	NW		IRR	40.0	
			Section Acres					80.0
29E		7	SW	NW		IRR	2.0	
			NE	SW		IRR	34.0	
			NW	SW	3	IRR	38.0	
			SW	SW	4	IRR	18.0	
			SE	SW		IRR	27.0	
			NE	SE		IRR	19.0	
			NW	SE		IRR	25.0	
			SW	SE		IRR	36.0	
			SE	SE		IRR	38.0	
			Section Acres					237.0
		8	NE	SW		IRR	20.0	
			NW	SW		IRR	20.0	
			SW	SW		IRR	40.0	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	29E	8	SE	SW		IRR	37.0
			NE	SE		IRR	22.0
			NW	SE		IRR	25.0
			SW	SE		IRR	25.0
						Section Acres	189.0
		9	NW	SW		IRR	12.0
						Section Acres	12.0
		17	NW	NE		IRR	3.0
			SW	NE		IRR	10.0
			NE	NW		IRR	20.0
			NW	NW		IRR	15.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	20.0
			NW	SW		IRR	15.0
			NW	SE		IRR	3.0
						Section Acres	166.0
						Total Acres	2470.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A43-02036, A43-02584

14. Remarks:

STORAGE WATER USED ON SAME LANDS AS LISTED UNDER DIRECT FLOW.
TOTAL CAPACITY OF RESERVOIR IS 2300 A.F.; A43-02584 COVERS THE
INITIAL ACRES SERVED BY SUBLETT DAM. THIS FILING SERVES THE
EXPANDED ACRES UNDER THE SYSTEM WITHOUT AN INCREASE IN STORAGE
AMOUNT.

15. Basis of Claim: PERMIT

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: 1 map

For Organizations:

I do solemnly swear or affirm that I am President of Sublett Irrigation Co, that I have signed the foregoing document in the space below as President of Sublett Irrigation Co and that the statements contained in the foregoing document are true and correct.

Doc. Wasserman
Signature of Authorized Agent

President Sublett Irrigation Co
Title and Organization

04/24/89
Date

State of Idaho)
County of Trim Falls) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of April 19 89

Doc. Monte
Notary Public

Seal

Residing at Kimberly, Id

My Commission Expires 6/30/92

A43-7072

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

PERMIT
FILE 43-7072

RE: ACRES IRRIGATED

DATE 3-30-93

NAME OF PARTY

ORSON & ROLAND ZOLLINGER

They came into the office to get a copy of the Application for permit and it was provided to them.

Their concern is in the number of acres being licensed and recommended in the SRBA claim.

They are going to contact the Sublett Irrigation Div. to clarify the Company's position of what is irrigated.

Water right number - 43-07072

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
13S	28E	3	SW NW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	3	SE NW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	3	NE SW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	3	NW SW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	3	SW SW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	3	SE SW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	3	NE SE		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	3	NW SE		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	3	SW SE		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	3	SE SE		34.0	01	IRRIGATION	(31) CASSIA	
13S	28E	10	SE NE		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	10	NE NW		39.0	01	IRRIGATION	(31) CASSIA	
13S	28E	10	NW NW		39.0	01	IRRIGATION	(31) CASSIA	
13S	28E	10	SW NW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	10	SE NW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	11	NE NE		35.0	01	IRRIGATION	(31) CASSIA	
13S	28E	11	NW NE		39.0	01	IRRIGATION	(31) CASSIA	
13S	28E	11	SW NE		19.0	01	IRRIGATION	(31) CASSIA	
13S	28E	11	SE NE		35.0	01	IRRIGATION	(31) CASSIA	
13S	28E	11	NE NW		35.0	01	IRRIGATION	(31) CASSIA	
13S	28E	11	NW NW		17.0	01	IRRIGATION	(31) CASSIA	
13S	28E	11	SW NW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	11	SE NW		1.0	01	IRRIGATION	(31) CASSIA	
13S	28E	11	SE SW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	SW NE		23.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	SE NE		15.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	NW NW		15.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	SW NW		37.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	SE NW		37.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	NE SW		33.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	NW SW		13.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	NE SE		38.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	NW SE		37.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	SW SE		3.0	01	IRRIGATION	(31) CASSIA	
13S	28E	12	SE SE		15.0	01	IRRIGATION	(31) CASSIA	
13S	28E	14	NE NW		40.0	01	IRRIGATION	(31) CASSIA	
13S	28E	14	SE NW		40.0	01	IRRIGATION	(31) CASSIA	
13S	29E	7	SW NW		2.0	01	IRRIGATION	(31) CASSIA	
13S	29E	7	NE SW		34.0	01	IRRIGATION	(31) CASSIA	
13S	29E	7	NW SW	3	38.0	01	IRRIGATION	(31) CASSIA	
13S	29E	7	SW SW	4	18.0	01	IRRIGATION	(31) CASSIA	
13S	29E	7	SE SW		27.0	01	IRRIGATION	(31) CASSIA	
13S	29E	7	NE SE		19.0	01	IRRIGATION	(31) CASSIA	
13S	29E	7	NW SE		25.0	01	IRRIGATION	(31) CASSIA	
13S	29E	7	SW SE		36.0	01	IRRIGATION	(31) CASSIA	
13S	29E	7	SE SE		38.0	01	IRRIGATION	(31) CASSIA	
13S	29E	8	NE SW		20.0	01	IRRIGATION	(31) CASSIA	
13S	29E	8	NW SW		20.0	01	IRRIGATION	(31) CASSIA	
13S	29E	8	SW SW		40.0	01	IRRIGATION	(31) CASSIA	

MICROFILMED

MAR 04 1993

Water right number - 43-07072

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13S	29E	8	SE SW		37.0	01	IRRIGATION	(31) CASSIA
13S	29E	8	NE SE		22.0	01	IRRIGATION	(31) CASSIA
13S	29E	8	NW SE		25.0	01	IRRIGATION	(31) CASSIA
13S	29E	8	SW SE		25.0	01	IRRIGATION	(31) CASSIA
13S	29E	9	NW SW		12.0	01	IRRIGATION	(31) CASSIA
13S	29E	17	NW NE		3.0	01	IRRIGATION	(31) CASSIA
13S	29E	17	SW NE		10.0	01	IRRIGATION	(31) CASSIA
13S	29E	17	NE NW		20.0	01	IRRIGATION	(31) CASSIA
13S	29E	17	NW NW		15.0	01	IRRIGATION	(31) CASSIA
13S	29E	17	SW NW		40.0	01	IRRIGATION	(31) CASSIA
13S	29E	17	SE NW		40.0	01	IRRIGATION	(31) CASSIA
13S	29E	17	NE SW		20.0	01	IRRIGATION	(31) CASSIA
13S	29E	17	NW SW		15.0	01	IRRIGATION	(31) CASSIA
13S	29E	17	NW SE		3.0	01	IRRIGATION	(31) CASSIA

Total Acres: 2470.0

+ - - Diversion Means - HEADGATES, RESERVOIR & DITCHES.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
No Remarks found.+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.+ - - - - - Conditions of Approval - - - - -
01C - A flow measurement port or other device as specified by the
- Department shall be installed by the permit holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.
03A - The rate of diversion of water for irrigation under this permit
- and all other water rights on the same land shall not exceed 0.02
- cubic feet per second for each acre of land.+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000+ - - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - 09/22/87 05/28/88 CONVERT 05/01/89 CURTIS 01/11/90 CURTIS

MICROFILMED
MAR U 4 1993

Water right number - 43-07072

Prefix Translation: WATER RIGHT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 05/01/1989	Field Exam Made	- 00/00/0000	Field Exam Fee	- R
Approved/Denied	- 05/15/1979	Protested Date	- 00/00/0000	Swan Falls	- X
Proof Made Date	- 04/25/1989	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 05/20/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- A
Decree Date	- 00/00/0000	Presumption Flag	-		

MICROFILMED
MAR U 4 1993

Water Right Number - 43-07072

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SUBLETT IRRIGATION CO.

1 - HC 61 BOX 1128

2 -

3 -

City- MALTA

State- ID Zip- 83342

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
04/04/1977 17 SOUTHERN P - PERMIT+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SUBLETT CREEK+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)
13S 29E 3 NW NE (31) CASSIA
13S 29E 9 NE SW (31) CASSIA+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 15.250
02 - IRRIGATION STORAGE 01/01 12/31 2300.00
03 - IRRIGATION FROM STORAGE 03/15 11/15 2300.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
15.250 2300.00+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
12S 28E 33 NE NW 40.0 01 IRRIGATION (31) CASSIA
12S 28E 33 NW NW 40.0 01 IRRIGATION (31) CASSIA
12S 28E 33 SW NW 40.0 01 IRRIGATION (31) CASSIA
12S 28E 33 SE NW 40.0 01 IRRIGATION (31) CASSIA
12S 28E 33 NE SE 37.0 01 IRRIGATION (31) CASSIA
12S 28E 33 NW SE 40.0 01 IRRIGATION (31) CASSIA
12S 28E 33 SW SE 40.0 01 IRRIGATION (31) CASSIA
12S 28E 33 SE SE 37.0 01 IRRIGATION (31) CASSIA
13S 28E 2 NW NW 4 39.0 01 IRRIGATION (31) CASSIA
13S 28E 2 NW SW 6.0 01 IRRIGATION (31) CASSIA
13S 28E 2 SW SW 37.0 01 IRRIGATION (31) CASSIA
13S 28E 2 SE SW 33.0 01 IRRIGATION (31) CASSIA
13S 28E 2 SW SE 15.0 01 IRRIGATION (31) CASSIA
13S 28E 3 NE NE 1 38.0 01 IRRIGATION (31) CASSIA
13S 28E 3 NW NE 2 31.0 01 IRRIGATION (31) CASSIA
13S 28E 3 SW NE 40.0 01 IRRIGATION (31) CASSIA
13S 28E 3 SE NE 38.0 01 IRRIGATION (31) CASSIA
13S 28E 3 NE NW 3 38.0 01 IRRIGATION (31) CASSIA
13S 28E 3 NW NW 4 38.0 01 IRRIGATION (31) CASSIAMICROFILMED
MAR 04 1993

04/12/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: **43-7072**

NAME AND ADDRESS: SUBLETT IRRIGATION CO
C/O DEE RASMUSSEN
3590 SUBLETT RD
MALTA, ID 83342

SOURCE: SUBLETT CREEK TRIBUTARY: SINKS

QUANTITY: 15.25 CFS
6470 AFY

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA
PER ACRE AT THE FIELD HEADGATE FOR IRRIGATION OF THE LANDS
ABOVE.

PRIORITY DATE: 04/04/1977

POINT OF DIVERSION: T13S R29E S3 LOT 2 SENWNE Within CASSIA County
T13S R29E S9 NWNESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	15.25 CFS 6,470.00 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County
T13s R28e S3 SESE 2426

2426 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 2426 ACRES IN A
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2584, 43-
10800 & 43-11148.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2426 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

PLACE OF USE IS WITHIN SUBLETT IRRIGATION CO SERVICE
BOUNDARY.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE
APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR
APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO
ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT
IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN
THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY
APPROPRIATION PROCESS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 43-07072

RECEIVED
APR 11 2001
Department of Water Resources
Southern Region

Priority: April 04, 1977

Maximum Diversion Rate: 15.25 CFS
Maximum Diversion Volume: 6,470.0 AF

It is hereby certified that SUBLETT IRRIGATION CO
HC 61 BOX 1128
MALTA ID 83342 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated April 04, 1977; and has
submitted Proof of Beneficial Use on April 25, 1989. An examination indicates that the works have a
diversion capacity of 43.92 cfs of water from:

SOURCE

SUBLETT CREEK

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	15.25 CFS	6,470.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SUBLETT CREEK NW¼NE¼SW¼ Sec. 9, Twp 13S, Rge 29E, B.M., CASSIA County
SUBLETT CREEK L2 SE¼NW¼NE¼ Sec. 3, Twp 13S, Rge 29E, B.M., CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S 28E 33					40.0	40.0	40.0	40.0					37.0	40.0	40.0	37.0	314.0
13S 28E 2						39.0			6.0	37.0	33.0			15.0			130.0
						L4											
13S 28E 3	38.0	31.0	40.0	37.0	38.0	38.0	40.0	40.0	40.0	33.0	33.0	40.0	40.0	40.0	40.0	34.0	602.0
	L1	L2			L3	L4											
13S 28E 10	18.0	35.0		40.0	39.0	32.0	33.0	33.0									230.0
13S 28E 11	34.0	40.0	19.0	35.0	35.0	18.0	40.0	4.0				40.0					265.0
13S 28E 12			26.0	13.0		13.0	39.0	37.0	30.0	12.0			38.0	39.0	3.0	15.0	265.0
13S 28E 14					40.0	11.0	31.0	31.0									113.0
13S 29E 7			1.0				11.0	3.0	38.0	36.0	1.0	9.0	20.0	30.0	12.0	25.0	186.0
							L2				L3	L4					
13S 29E 8									25.0	25.0	40.0	33.0	14.0	30.0	22.0	1.0	190.0
13S 29E 9									1.0	15.0							16.0
13S 29E 17					20.0	15.0	40.0	40.0									115.0

Total Acres: 2426

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 43-07072

SRBA added
CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

2. Right 43-02484 is also diverted through the points of diversion described above. *(43-2584)*

3. Right 43-02036 is also diverted through the point of diversion located in NWNESW, Sec. 9, Twp. 13S, Rge. 29E. *(SRBA CLAIM # 43-10800)*

WRONG # 4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 6TH day of April, 2001.

Acting for

[Signature]
KARL J. DREHER
Director

*✓ update to
SRBA rec'd
4/12/01
scc*

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

PERMIT

03/09/2001

RIGHT NUMBER: 43-7072

NAME AND ADDRESS: SUBLETT IRRIGATION CO
C/O DEE RASMUSSEN
3590 SUBLETT RD
MALTA, ID 83342

SOURCE: SUBLETT CREEK TRIBUTARY: SINKS

QUANTITY: 15.25 CFS

PRIORITY DATE: 04/04/1977

POINT OF DIVERSION: T13S R29E S3 LOT 2 SENWNE Within CASSIA County
T13S R29E S9 NWNESW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
15.25 CFS

PLACE OF USE:

(LINK TO BORDER) No way to
Select?

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 2426 ACRES IN A
SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2584, 43-
10800 & 43-11148.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 2426 ACRES
WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

PLACE OF USE IS WITHIN SUBLETT IRRIGATION CO SERVICE
BOUNDARY.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY
PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE
PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY
IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

DRAFT AS PERMIT

09/27/2000

DRAFT

RIGHT NUMBER: 43-7072

NAME AND ADDRESS: SUBLETT IRRIGATION CO
C/O DEE RASMUSSEN
HC 61 BOX 1128
MALTA, ID 83342

address OK

SOURCE: SUBLETT CREEK TRIBUTARY: SINKS

QUANTITY: 15.25 CFS
2300 AFY TO BE CONFIRMED W/ LICENSE DATA.

> why more storage?

PRIORITY DATE: 04/04/1977

POINT OF DIVERSION: T13S R29E S3 LOT 2 SENWNE Within CASSIA County
T13S R29E S9 NWNESW Within CASSIA County

POD'S ADDED CORRECTLY TO GIS SHAPES...

No POD LISTS!! Link is there. 3/9/01 SCC

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 12-31	2,300.0 AFY
IRRIGATION	04-01 10-31	15.25 CFS
IRRIGATION FROM STORAGE	04-01 10-31	2,300.0 AFY

CHECK SEASON W/ LICENSE.

> actual acres added?

Call to Kay W. No!

Sublett licensed yet? 2/5/01

Remarks:

K06 - limit acres?
J03 - POD in SIC.
EIA - comb. 2426

Drgs
CC 83
CC 84

PLACE OF USE:

IRRIGATION Within CASSIA County

T12S R28E S33	NENW	40	T12S R28E S33	NWNW	40
T12S R28E S33	SENW	40	T12S R28E S33	SWNW	40
T12S R28E S33	NESE	39	T12S R28E S33	NWSE	40
T12S R28E S33	SESE	38	T12S R28E S33	SWSE	39
T13S R28E S10	SENE	39	T13S R28E S10	SENW	39
T13S R28E S10	SWNW	38	T13S R28E S10	NENE	39
T13S R28E S10	NWNE	39	T13S R28E S10	NENW	39
T13S R28E S10	NWNW	38	T13S R28E S11	SENW	2.3
T13S R28E S11	SWNW	39	T13S R28E S11	SESW	39
T13S R28E S11	NENE	35	T13S R28E S11	NWNE	40
T13S R28E S11	NENW	37	T13S R28E S11	NWNW	20
T13S R28E S11	SENE	33	T13S R28E S11	SWNE	18
T13S R28E S11	NESE	0.7	T13S R28E S12	NWNW	15
T13S R28E S12	SENE	14	T13S R28E S12	SWNE	29
T13S R28E S12	SENW	39	T13S R28E S12	SWNW	40
T13S R28E S12	NESE	39	T13S R28E S12	NWSE	39
T13S R28E S12	NESW	27	T13S R28E S12	NWSW	11
T13S R28E S12	SESE	11	T13S R28E S12	SWSE	1.8
T13S R28E S14	NENW	39	T13S R28E S14	NWNW	39
T13S R28E S14	SENW	39	T13S R28E S14	SWNW	39
T13S R28E S2	NWSW	20	T13S R28E S2	SESE	2
T13S R28E S2	SWSE	15	T13S R28E S2	SESW	32
T13S R28E S2	SWSW	39	T13S R28E S2	NWNW	36
T13S R28E S3	SENE	37	T13S R28E S3	SWNE	39
T13S R28E S3	SENW	39	T13S R28E S3	SWNW	38
T13S R28E S3	NESE	39	T13S R28E S3	NWSE	39
T13S R28E S3	NESW	39	T13S R28E S3	NWSW	38
T13S R28E S3	SESE	39	T13S R28E S3	SWSE	39
T13S R28E S3	SESW	39	T13S R28E S3	SWSW	38
T13S R28E S3	NENE	37	T13S R28E S3	NWNE	35
T13S R28E S3	NENW	38	T13S R28E S3	NWNW	37
T13S R29E S17	NENW	19	T13S R29E S17	NWNW	18
T13S R29E S17	SENW	32	T13S R29E S17	SWNW	37
T13S R29E S18	NENE	1.5	T13S R29E S7	NESE	19
T13S R29E S7	SESE	39	T13S R29E S7	NWSE	24
T13S R29E S7	NESW	32	T13S R29E S7	SWSE	35
T13S R29E S7	SESW	27	T13S R29E S7	SWNW	1.2
T13S R29E S7	NWSW	38	T13S R29E S7	SWSW	17
T13S R29E S8	NESE	21	T13S R29E S8	NWSE	23
T13S R29E S8	NESW	21	T13S R29E S8	NWSW	21
T13S R29E S8	SWSE	21	T13S R29E S8	SESW	38
T13S R29E S8	SWSW	41	T13S R29E S9	NWSW	11

2563.5 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. _____ IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF _____ ACRES IN A SINGLE
IRRIGATION SEASON.

>>>> BOUNDARY POU NEEDS TO BE ADDED TO GIS AND DESCRIBED W/IN THE POU?

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

09/25/00 10:09:10

Page 1

Water Right Number - 43-07072

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SUBLETT IRRIGATION CO.

1 - HC 61 BOX 1128

2 -

3 -

City- MALTA

State- ID Zip- 83342

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/04/1977 17 SOUTHERN P - PERMIT

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
SUBLETT CREEK

Point of Diversion							Diversion Name	Diversion Rate	Diversion No.
TwN	Rng	Sec	Tract	Lot	RFlg	County			
13S	29E	3	NW NE			(31) CASSIA			
		9	NE SW			(31) CASSIA			

Code		Description	Period From	Period To	Diversion Rate	Diversion Volume
01	-	IRRIGATION	03/15	11/15	15.250	
02	-	IRRIGATION STORAGE	01/01	12/31		2300.00
03	-	IRRIGATION FROM STORAGE	03/15	11/15		2300.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
15.250 2300.00 0.0

Place of Use								County
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	
12S	28E	33	NE NW		40.0	01	IRRIGATION	(31) CASSIA
12S	28E	33	NW NW		40.0	01	IRRIGATION	(31) CASSIA
12S	28E	33	SW NW		40.0	01	IRRIGATION	(31) CASSIA
12S	28E	33	SE NW		40.0	01	IRRIGATION	(31) CASSIA
12S	28E	33	NE SE		37.0	01	IRRIGATION	(31) CASSIA
12S	28E	33	NW SE		40.0	01	IRRIGATION	(31) CASSIA
12S	28E	33	SW SE		40.0	01	IRRIGATION	(31) CASSIA
12S	28E	33	SE SE		37.0	01	IRRIGATION	(31) CASSIA
13S	28E	2	NW NW	4	39.0	01	IRRIGATION	(31) CASSIA
13S	28E	2	NW SW		6.0	01	IRRIGATION	(31) CASSIA
13S	28E	2	SW SW		37.0	01	IRRIGATION	(31) CASSIA
13S	28E	2	SE SW		33.0	01	IRRIGATION	(31) CASSIA
13S	28E	2	SW SE		15.0	01	IRRIGATION	(31) CASSIA
13S	28E	3	NE NE	1	38.0	01	IRRIGATION	(31) CASSIA
13S	28E	3	NW NE	2	31.0	01	IRRIGATION	(31) CASSIA
13S	28E	3	SW NE		40.0	01	IRRIGATION	(31) CASSIA
13S	28E	3	SE NE		38.0	01	IRRIGATION	(31) CASSIA
13S	28E	3	NE NW	3	38.0	01	IRRIGATION	(31) CASSIA

Water right number - 43-07072

Prefix Translation: WATER RIGHT

+ - - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
13S	28E	3	NW NW	4	38.0	01	IRRIGATION	(31)	CASSIA
13S	28E	3	SW NW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	3	SE NW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	3	NE SW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	3	NW SW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	3	SW SW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	3	SE SW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	3	NE SE		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	3	NW SE		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	3	SW SE		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	3	SE SE		34.0	01	IRRIGATION	(31)	CASSIA
13S	28E	10	SE NE		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	10	NE NW		39.0	01	IRRIGATION	(31)	CASSIA
13S	28E	10	NW NW		39.0	01	IRRIGATION	(31)	CASSIA
13S	28E	10	SW NW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	10	SE NW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	11	NE NE		35.0	01	IRRIGATION	(31)	CASSIA
13S	28E	11	NW NE		39.0	01	IRRIGATION	(31)	CASSIA
13S	28E	11	SW NE		19.0	01	IRRIGATION	(31)	CASSIA
13S	28E	11	SE NE		35.0	01	IRRIGATION	(31)	CASSIA
13S	28E	11	NE NW		35.0	01	IRRIGATION	(31)	CASSIA
13S	28E	11	NW NW		17.0	01	IRRIGATION	(31)	CASSIA
13S	28E	11	SW NW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	11	SE NW		1.0	01	IRRIGATION	(31)	CASSIA
13S	28E	11	SE SW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	SW NE		23.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	SE NE		15.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	NW NW		15.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	SW NW		37.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	SE NW		37.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	NE SW		33.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	NW SW		13.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	NE SE		38.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	NW SE		37.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	SW SE		3.0	01	IRRIGATION	(31)	CASSIA
13S	28E	12	SE SE		15.0	01	IRRIGATION	(31)	CASSIA
13S	28E	14	NE NW		40.0	01	IRRIGATION	(31)	CASSIA
13S	28E	14	SE NW		40.0	01	IRRIGATION	(31)	CASSIA
13S	29E	7	SW NW		2.0	01	IRRIGATION	(31)	CASSIA
13S	29E	7	NE SW		34.0	01	IRRIGATION	(31)	CASSIA
13S	29E	7	NW SW	3	38.0	01	IRRIGATION	(31)	CASSIA
13S	29E	7	SW SW	4	18.0	01	IRRIGATION	(31)	CASSIA
13S	29E	7	SE SW		27.0	01	IRRIGATION	(31)	CASSIA
13S	29E	7	NE SE		19.0	01	IRRIGATION	(31)	CASSIA
13S	29E	7	NW SE		25.0	01	IRRIGATION	(31)	CASSIA
13S	29E	7	SW SE		36.0	01	IRRIGATION	(31)	CASSIA
13S	29E	7	SE SE		38.0	01	IRRIGATION	(31)	CASSIA
13S	29E	8	NE SW		20.0	01	IRRIGATION	(31)	CASSIA

Water right number - 43-07072

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
13S	29E	8	NW SW		20.0	01	IRRIGATION	(31)	CASSIA
13S	29E	8	SW SW		40.0	01	IRRIGATION	(31)	CASSIA
13S	29E	8	SE SW		37.0	01	IRRIGATION	(31)	CASSIA
13S	29E	8	NE SE		22.0	01	IRRIGATION	(31)	CASSIA
13S	29E	8	NW SE		25.0	01	IRRIGATION	(31)	CASSIA
13S	29E	8	SW SE		25.0	01	IRRIGATION	(31)	CASSIA
13S	29E	9	NW SW		12.0	01	IRRIGATION	(31)	CASSIA
13S	29E	17	NW NE		3.0	01	IRRIGATION	(31)	CASSIA
13S	29E	17	SW NE		10.0	01	IRRIGATION	(31)	CASSIA
13S	29E	17	NE NW		20.0	01	IRRIGATION	(31)	CASSIA
13S	29E	17	NW NW		15.0	01	IRRIGATION	(31)	CASSIA
13S	29E	17	SW NW		40.0	01	IRRIGATION	(31)	CASSIA
13S	29E	17	SE NW		40.0	01	IRRIGATION	(31)	CASSIA
13S	29E	17	NE SW		20.0	01	IRRIGATION	(31)	CASSIA
13S	29E	17	NW SW		15.0	01	IRRIGATION	(31)	CASSIA
13S	29E	17	NW SE		3.0	01	IRRIGATION	(31)	CASSIA

Total Acres: 2470.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +	
No Remarks found.	

+ - - - - Old Water Right Numbers - - - - - +	
No Old Water Right Numbers found.	

+ - - - - Conditions of Approval - - - - - +	
01C - A flow measurement port or other device as specified by the	
- Department shall be installed by the right holder to provide for	
- the installation of measuring equipment and the determination of	
- the rate of diversion by the Department.	
03A - The rate of diversion of water for irrigation under this right	
- and all other water rights on the same land shall not exceed 0.02	
- cubic feet per second for each acre of land.	

+ - - - - Decree Plaintiff - - - +		+ - - - - Decree Defendant - - - +		+ - Decree Date - +	
				00/00/0000	

+ - - - - Comments - - - - - +	
No Comments Found	

+ - - Audit Fields - 09/22/87 05/28/88 CONVERT 05/01/89 CURTIS 01/11/90 CURTIS 06/22/95 ABATES
10/10/96 MBALDWIN

Water right number - 43-07072

Prefix Translation: WATER RIGHT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 05/01/1989	Field Exam Made - 07/13/1993	Field Exam Fee - R
Approved/Denied - 05/15/1979	Protested Date - 00/00/0000	Swan Falls - X
Proof Made Date - 04/25/1989	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 10/10/1996	Verified Date - 05/20/1985	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended - A
Presumption Flag -	Name Connector -	POU Ownership Flag-
SRBA Decreed Flag -		

9/27/00 ADM & sec
— call to S. Curtis @ S.O. to ask about
License... will begin to finalize a
Record for licensing.

Clelland, Steve

From: Clelland, Steve
Sent: Friday, March 02, 2001 2:57 PM
To: Walker, Kay
Cc: Larson, Mark
Subject: RE: SUBLETT IRRIGATION COMPANY

Hi Kay,

Here is the latest update to the Sublett Irrigation Co. shape files. The first is the ACTUAL irrigated POU as found with GIS and a meeting with the Board of Directors.



sublett.dbf



sublett.shp



sublett.shx

Actual Irrigated acres:

Next is the shape I sent to you earlier... it has been revised as of today (3-2-01). This is the BORDER shape for the Permissible Place of Use (PPU). It does include lands that are not or have not been irrigated.



sublett-border.dbf



sublett-border.sbn



sublett-border.sbx



sublett-border.shp



sublett-border.shx

PPU Border shape:

I hope this explains things better for you. I am still trying to cook up the final recommendations for their claims. This is a pressing priority for our region so I will be working to get results ASAP.

I am not sure what your msg. below was trying to tell me... I did understand the part about the pivot and the Border was changed to address that. Looking forward to hearing (or seeing) your final License for 43-7072.

steve

PS: Mark, this is for your record update.

-----Original Message-----

From: Walker, Kay
Sent: Tuesday, February 20, 2001 3:58 PM
To: Clelland, Steve
Cc: Walker, Kay
Subject: SUBLETT IRRIGATION COMPANY

Hi, Steve... I started looking at the shape file for Sublett Irrigation and found we have discrepancy between place of use Mel identified and the shape file you sent up to me. There is no irrigation in the SWSE, Sec. 10, and N1/2SW, SWSW, Sec. 11, T13S, R28E. Also, you have a pivot in Sec. 17 - Mel only found irrigation in the NW1/4 of Sec. 17, T13S, R29E. Should I use your shape and have ArcView do the acres as your shape determines? Let me know.
Thanks. Kay

will need to compare ~~claims~~ claims
that also have subletting shares
and add a "limit" to their
recommendation (not to exceed...
when combined with...)

ORIGINAL

(Copied here from small
notepad sheets
See 4/12/00)

1:00 1/24th.

1/16/96

Sublett strip.

file a new claim for extra
→ CFS (historical) and tell
us what extra acres
that includes at that
priority date

A 43-
10800

1914 - B.U. instead of license
to get earlier priority date

A 43-
2584

1939 - claims say storage 1/
2300 cfs, Poland says
they can store 2500 cfs

Irrigation parts claim 17.2 cfs

15.25
32.45

a new
claim → { measured @ 40 some cfs ?
10 cfs short on flow (100%)
200 Ac. short on storage

ORIGINAL

Storage

Live & low

Dir. Vol. $4 \times 860 = 3440$

Cons. Use. $3 \times 860 =$

1420 Ac.

2300 AF

2300 AF

2408 - 1420

* when combined
in 2300 AF.

Dir. Vol. $4(2408 - 860) =$

Cons. Use. $3(2408 - 860) =$

Mill may split into Parts A & B

A for Live & low
B for Storage

AJ 1017 acres
860 → 1017?
L 43-02306
I/R

CFS

17.2

AF

P/U

860 acres

Acres found

(AJ 1492 acres) 1420 according to license

L 43-02584

stor.
for from stor.

2300 AF

1420 acres

2300 AF

up in P/U

(AJ 2470 acres) $2408 - 1420 =$
A 43-07072 $2408 - ? =$

15.25

2300 AF

2300 AF

2408

Permit 43-07072

for.
stor. $2408 - 1420 =$
for from stor. $2408 - ? =$

measured 40.08 cfs

APU

FROM: Allen Merritt

DATE: January 28, 1999

TO: Sublett Files, Doug Jones

SUBJECT: Meeting with members

On 1/27/99 I met with Dee Rasmussen, Roland Zollinger & Lyle Adams and we discussed several issues. They were most concerned about being forced into a "measuring district" &/or the requirement to measure and report this year pursuant to "management rules" They gave me a copy of a letter dated 11/9/98 sent to the director regarding this matter and indicated they had not received a response. They indicated that they were also getting pressure from Jay Harper/ 43B Water District to join with them. They were exploring if they were already in the district, ect.

We reviewed the code regarding "Measuring Districts" and "Water Districts" and I told them that my understanding was that since Sublett Creek is not decreed and it sinks and they have not historically be regulated by the 43B watermaster that they were not part of that district. I told them that probably before they would become part of either type of district there would most likely be some type of hearing. Also to be in a WD it appeared to me their rights would need to be decreed. We called Tim Luke and he indicated that he would make sure the Sublett Irrig Co would be put on the mailing list for updates on the "Management Rules". He updated us on the status of the rules and essentially they are still being revised. Tim indicated that most likely the trib basins to ESPA would not be measuring or reporting this year.

During our meeting I provided them a copy of revised 42-219 if the code regarding describing place of use for company. I told them with the revision I understand someone from SRBA will be contacting them to describe their service area. I have created a shape file on arcview in "**basins/43/allen work area/sublett**" describing the 2470 acres under license as a starting point.

One other question they had was that some of them have received decrees for domestic wells but many of them still have not. I looked on the database and found some "R" records still appear to be un-decreed. I told them I could not explain it since I though AJ had finished D&S for their basin. This needs to be checked out.

Sublett Irrigation Company
Sublett Route
Malta ID 83342

November 9, 1998

Mr. Karl J. Dreher
Idaho Department of Water Resources
1301 N. Orchard St.
Boise ID 83706

Dear Mr. Dreher;

As water users who are concerned about protecting our rights along with the rights of others, we would like to make the following suggestions: We would like to ask the department to exempt Sublett Irrigation Company from inclusion of any water measurement districts.

The reason for this request is that we already have our own watermaster and have measured our water usage for more than 50 years. We would be glad to furnish a copy of our water ledgers from prior year and future years at the department's request. We see no benefit to the Irrigation Company or the Water Resource Department by our inclusion in any water measurement district. It seems that this would cause an unnecessary expense to our stockholders.

We look foreword to hearing a reply from the department.

Thank You.

Sincerely

Dee Rasmussen, President

FROM: Allen Merritt

DATE: October 10, 1996

TO: Application for Permit 43-07072 in name of Sublett
Irrigation Company

SUBJECT: Field Exam Completion and Recommendation

The field review for licensing of this permit was coordinated with allocation (Mel Schulte) and adjudication (Jeanie Robertson). Note that an SRBA claim has been filed on this permit. A review of the other water rights and adjudication records associated with the Sublett Irrigation Company is as follows:

WR

43-02036 License
Priority: 5/2/1930
Amt: 17.2 cfs for Irrig.
Use: Irrigation of 860 acres

43-02584 License
Priority: 2/15/1939
Amt: 2300 AF Storage
2300 AF Irrig from Storage
Use: P/U within lands of Sublett
Irrigation Co. No acres
listed.

SRBA

A43-10800 Beneficial Use
Priority: 4/1/1914
Amt: 17.2 cfs for Irrig.
2300 AF Storage
2300 AF Irrig from Storage
Use: Irrigation of 1017 acres
***Replaces Lic 43-02036

A43-02584 License
Priority: 2/15/1939
Amt: 2300 AF Storage
2300 AF Irrig from Storage
Use: Irrigation of 1492 acres

A43-11148 Beneficial Use
Priority: 5/31/1941
Amt: 11.47 cfs for Irrig.
200 AF Storage
200 AF Irrig from Storage
Use: Irrigation of 1492 acres

There is merit found for the SRBA claims filed by the Sublett Irrigation Company and likely will be recommended very similar to the way they were claimed. In the review it has been found that the present system provides irrigation water to a total of 2426 acres as listed by Mel in his land list and evidenced by the aerial maps. We measured the reasonable capacity of the natural flow that is normally diverted for irrigation and found that the capacity of the system is 43.92 cfs (See 6/20/95 memo). The documented total storage capacity of Sublett reservoir is 2742 AF (See Sublett Dam Summary Table from Dam Safety). All rights including this proposed license when combined should be limited to no more than:

43.92 cfs for natural flow irrigation
2742 AF storage capacity for Sublett Reservoir
2426 acres irrigated.

The applicant has filed an amendment but it has never been processed. This should be modified or used as the licensing amendment.

We discussed the matter of amending the various SRBA claims to place the claimed acres into a PPU of 2426 acres for all claims. They considered this but at this time wish to preserve the various classes of priority on the lands as they were developed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

April 19, 1996

Dee Rassmussen, President
Sublett Irrigation Co
HC 61 Box 1128
Malta, ID 83342

Dear Dee:

As we discussed in my office last Wednesday, 4/17/96, the idea that shareholders can move water around or change the place of use without first filing a transfer with the department is not correct. The Sublett Irrigation Company presently has water rights with an identified place of use and the water must be used on the lands identified under these rights. Please reference §42-219 (Issuance of license), §42-220 (Effect of License) and §42-108 and §42-222 (Transfer statutes).

As we discussed there is basis in law to allow certain entities such as large irrigation companies or districts which supply water to more than 25,000 acres or which are Carey Act developments to move water around internally without filing a transfer with the department. Please reference §42-219 and §42-2501 which discusses this matter. It does not appear that the Sublett Irrigation Company qualifies unless the company's rights are transferred into a permissible place of use.

Please find enclosed copies of the statutes referenced above. If you have further questions let me know.

Sincerely,

Allen Merritt, PE
Southern Region Manager

File with AT (12/12)

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE CUSTOMER
April 17, 1996 3:40pm SUBLETT IRRIGATION CO. BOARD MEMBERS
A43-11148

SUBJECT: NEW CLAIM

phone call (.) walk-in (X)

They filed this new claim to pick up the additional 11.47 cfs which were previously unclaimed yet measured by Corey and Allen in 1995, and the extra 200 afa of storage in the reservoir which were not covered in their other rights. A late fee was not assessed as the department initiated the claim and they had filed all their other claims in a timely manner.

A72-07072

At this point there is some opposition from company members as far as establishing a PPU for this Permit, but the Board intends to present the idea to the other members again. In the meantime, the department will process this permit without a PPU at this time.

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

February 23, 1996 2:00pm SUBLETT IRRIGATION CO. BOARD MEMBERS

A43-02584, A43-07072, A43-10800

SUBJECT: QUESTIONS ON AMENDING OLD OR FILING NEW CLAIM AND PPP???
phone call (.) walk-in (x)

The Board Members had an appointment with Allen Merritt and myself to discuss questions they had on their claims to help them decide whether to amend an existing claim or file a new one.

A43-02036 was originally filed based on the License with the priority date of May 21, 1909 for 17.2 cfs on 1,017 ares. They later amended this claim to add storage of 2300 afa and change the basis to beneficial use with a priority date of Apr. 1, 1914, based on information they found in the micro-fiche files of the original field exam. It was then renumbered to A43-10800.

A43-02584 is based on a License for storage rights of 2300 afa and increased the acres to 1492.

A43-07072 is based on a permit which the Department is getting close to Licensing. It is for 15.25 cfs for irrigation and 2300 afa for storage on 2470 acres. *(2470 Ac. recommended by Mel)*

Allen and Corey did a discharge measurement from Sublett Dam on June 20, 1995 and calculated the discharge to be 43.92 cfs. 32.45 cfs have been claimed, leaving approximately 11.47 cfs unclaimed. They also state that the dam is capable of storing 2500 afa instead of 2300 afa. The question is how to deal with the extra cfs and afa and what priority date to claim?

They are also considering a PPU for the new permit, which could give them flexibility to move the water around during times of

shortage, but they are not sure how the earlier right holders in the company may feel about that.

They decided to take the information back to the other members and make a decision later. In the meantime, they will attempt to locate information which will support a priority date and storage capabilities. They again looked at our micro-fiche files and found some information which may support the storage amount of 2500 afa at the original field exam...

From: DWR60::AMERRITT 20-JUN-1995 15:05:06.08
To: MSCHULTE
CC: AMERRITT *Adm*
Subj: DISCHARGE MEASUREMENT FROM SUBLETT DAM

THIS DAY COREY AND I INSPECTED SUBLETT DAM. AT THE TIME OF THE INSPECTION THE RESERVOIR LEVEL WAS JUST A FEW INCHES FROM THE CREST OF THE SPILLWAY. DURING THE INSPECTION THE OWNERS OPENED THE GATE TO DEMONSTRATE THE MAXIMUM RESONABLE DIVERSION THRU THE DAM. WE MEASURED THE FLOW AT THE PARSHALL FLUME APPROX. 3/8 MILE BELOW THE DAM.

THE PARSHALL FLUME IS FABRICATED FROM SHEET METAL WITH STANDARD DIMENSIONS. THE THROAT DESIGN WAS 3.00 FEET BUT THE TOP MEASURED 2.98 FEET. AT THE INITIAL FLOW WITH THE GATE FULLY OPEN AT THE DAM THE FLOWS OVERTOPPED THE FLUME WITH SOME FLOW GOING AROUND THE FLUME. THE FLUME'S UPSTREAM GAGE AT THE TOP OF THE FLUME READS 2.50 FEET. THEY THEN REDUCED THE FLOW WHERE THE FLUME CONTAINED THE ENTIRE FLOW OF THE CREEK AND THE GAGE WAS AT 2.30 FEET. BY USING THE EQUATION (17) FOUND ON PAGE 66 OF THE BUREAU OF RECLAMATION WATER MEASUREMENT MANUAL IT IS CALCULATE THE DISCHARGE TO BE 43.92 CFS.

ALLEN

COMMUNICATION DOCUMENTATION

Claim No. _____

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 10/26/94Contact Person(s) See Rasmussen, Roland Zollinger, and two other
Bd. members from the Sublett Irrigation Co.Nature of Contact office visit

Substance of Communication they came in with some questions
of the USFS and BLM filings, ^{on} and ^{as to} how they might
affect their claims. There were two in particular that
they wanted a note made to the file: A43-04217 and
A43-11096. They both seemed to be the same claim,
except for different priority dates. Also, the diversion
rates claimed for stockwater and wildlife did not add
up to the total diversion rate claimed. I made "I" records
for both claim and notes in "Comments." They are also working
on a ^{License} transfer with Mel and he had found some discrepancies on
some of the acres claimed. We gave them copies of his notes &
maps and they agreed to try to straighten things out and
get back with us. I figure I can use the maps for my
recommendation of the rights...

COMMUNICATION DOCUMENTATION

Claim No. _____

Page No. _____ / _____

Substance of Communication (continued) _____

12/28/94 The members were in again to go over the maps with Mel and J. We came to agreements on the areas in the different sections and Mel will proceed with License and I can use the maps and Mel's findings for my recommendations of the claims.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 43-07072

1. Owner: Sublett Irrigation Co. Phone No. _____

Current Address: C/o Dee Rasmussen; HC61, Box 1128, Malta ID 83342

2. Accompanied by: Dee Rasmussen, Roland Zollinger EXAM DATE: 7-13-1993

Address: Same Phone No. 645-2305

Relationship to Permit Holder: President

3. Source: Sublett Creek tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 43-02584 overlaps 1420 ac.

2. Other water rights with the same point of diversion: 43-02036

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NE	3	13S	29E	Cassia	Orthophoto Quad map-exam
			NE	SW	9	13S	29E	"	" " " "

2. Place(s) of Use: See Attached **Indicate Method of Determination**

TWP	RGE	SEC	NE		NW	SW	SE	Totals
			NE	NW				

Not recommended to be
high or positive, to be
"conditioned" by S.O.

The other two rights
(43-02584 & 43-02036)
should probably be
amended to a FPU
same as this transfer?

NARRATIVE, REMARKS, COMMENTS
SUBLETT IRRIGATION CO.
PERMIT 43-07072

The diversion system consists of Sublett Creek , Sublett Reservoir, Sublett Creek below the reservoir, two diversion structures in the creek, two main delivery ditches and a series of small ditches, ponds and pumps located on the property of the Sublett Irrigation Co shareholders.

Sublett Creek flows into Sublett Reservoir and is licensed for 2300 acre feet. A headgate releases water back into Sublett Creek to be used downstream for irrigation. About one-fourth mile below the dam an in stream 3' Parshall flume is used as a measuring device. The flume's gage registered 2.16' at the time of the exam which convert's to a 40.08 cfs flow. About one mile below the flume an in stream structure diverts all of the creek water to two ditches that parallel the Sublett Creek valley, one on the North side and the other on the South. The two gages at the ditches registered 1.16' and 1.0'.

From the two main ditches a series of small ditches and or ponds with pumps are used by the irrigation company shareholders to apply the water by gravity or sprinklers to the places of use. The live flow and storage water used within the diversion system is used within the land owned by the shareholders of the irrigation company. If water is not beneficially applied it is stored for later use.

The annual volume recommended for this permit of 6473.2 AFA when combined with an assumed annual volume for right 43-02036 of 3440 AFA and the AFA for the storage right 43-02584 exceeds 4 AFA. This right should be conditioned accordingly.

The final land list developed for this report was in cooperation with the principals of Sublett Irrigation Co. and the adjudication staff. Corresponding adjudication claims will be amended to utilize a PPU for the same land list used in this report.

MTS

Sublett Irrigation Co.
Land list.

[illegible]

Gage Reading in Feet	Flume Target Width in Inches							
	3"	6"	9"	12"	15"	24"	30"	48"
Discharge in Cubic Feet per Second								
1.60				8.18	12.97	16.58	22.24	35.05
1.62				8.34	12.60	16.90	21.23	34.28
1.64				8.49	12.83	17.22	21.58	34.98
1.66				8.65	13.08	17.55	22.04	35.60
1.68				8.81	13.31	17.88	22.52	36.28
1.70				8.97	13.57	18.21	23.01	36.96
1.72				9.12	13.81	18.54	23.50	37.65
1.74				9.29	14.06	18.88	23.99	38.34
1.76					14.31	19.21	24.48	39.04
1.78					14.58	19.55	24.98	39.74
1.80					14.81	19.90	25.01	40.45
1.82					15.08	20.24	25.45	41.16
1.84					15.32	20.59	25.88	41.88
1.86					15.59	20.98	26.32	42.60
1.88					15.85	21.28	26.76	43.32
1.90					16.10	21.63	27.20	44.05
1.92					16.38	21.99	27.65	44.79
1.94					16.63	22.35	28.10	45.53
1.96					16.90	22.70	28.55	46.27
1.98					17.17	23.06	29.00	47.02
2.00					17.42	23.43	29.46	47.77
2.02					17.70	23.79	29.91	48.52
2.04					17.98	24.16	30.36	49.29
2.06					18.25	24.52	30.81	50.05
2.08					18.52	24.89	31.26	50.82
2.10					18.78	25.27	31.71	51.59
2.12					19.04	25.64	32.16	52.37
2.14					19.32	26.01	32.74	53.15
2.16					19.60	26.39	33.23	53.94
2.18					19.88	26.77	33.72	54.72
2.20					20.17	27.30	34.21	55.52
2.22					20.42	27.59	34.69	56.28
2.24					20.71	27.98	35.18	57.12
2.26					21.00	28.36	35.66	57.93
2.28					21.28	28.75	36.15	58.74
2.30					21.60	29.15	36.64	59.55
2.32					21.89	29.54	37.12	60.37
2.34					22.18	29.94	37.61	61.20
2.36					22.47	30.33	38.10	62.03
2.38					22.77	30.73	38.59	62.86
2.40					23.06	31.13	39.08	63.69
2.42					23.33	31.54	39.57	64.53
2.44					23.64	31.94	40.07	65.37
2.46					23.94	32.35	40.56	66.21
2.48					24.27	32.76	41.06	67.05
2.50					24.58	33.17	41.56	67.89
2.52								68.73
2.54								69.57
2.56								70.41
2.58								71.25
2.60								72.09
2.62								72.93
2.64								73.77
2.66								74.61
2.68								75.45
2.70								76.29
2.72								77.13
2.74								77.97
2.76								78.81
2.78								79.65
2.80								80.49
2.82								81.33
2.84								82.17
2.86								83.01
2.88								83.85
2.90								84.69
2.92								85.53
2.94								86.37
2.96								87.21
2.98								88.05
3.00								88.89

43-07072

7-14-93

40.08 cFs

ARMCO DRAINAGE & METAL PRODUCTS, INC.
 Rocky Mountain Division
 Denver, Colorado • Salt Lake City, Utah • Boise, Caldwell, Jerome
 Twin Falls, Idaho • El Paso, Texas • Myssa, Ontario, Oregon
 Albuquerque, New Mexico

ALTN 0106 3M 4-88 R.P.

LITHO IN U.S.A.

3. **Delivery System Diagram:** Include all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

See Attached ASCS
and Ortho Photo Road Maps.

Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
In place staff gauge in 3' Parshall Flume						

2. Measurements:

Staff gauge in 3' Parshall Flume measured 2.16' - Staff gauge at South ditch diversion measured 1.16' and staff gauge at North ditch diversion - 1.8'

E. NARRATIVE/REMARKS/COMMENTS

The Irrigation Storage and Irrigation from Storage components are licensed under 43-02584. Only the additional live flow diversion is justified under this permit.

See Attached For additional.

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

*2.16' on 3' Parshall Dume = 40.08 gfs.***G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 2426 \times 4 = 9704 \text{ afa}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 15.25 \times 214 \times 1.9835 = 6,473.2$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 6,473.2$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Irrigation</i>	<i>4-1</i>	<i>10-31</i>	<i>15.25 gfs.</i>	<i>6,473.2 afa</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>15.25 cfs</i>	<i>6,473.2 afa</i>

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ____ None
* ☒ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other
* *Amendment on file to reflect the P/U described in this report.*

I. AUTHENTICATION

Field Examiner's Name

McSchulte

Date

6-21-95

Reviewer _____

Date _____

SEAL

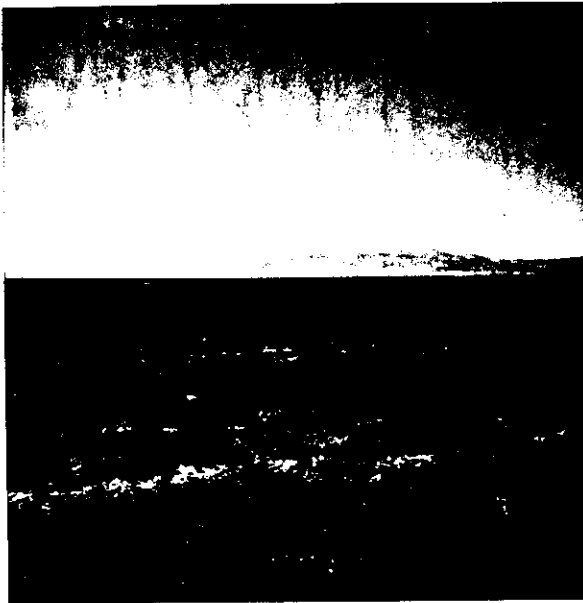
43-7072

#1
Valve wheel on top of dam



7-14-93

#2
Part of P14.



7-14-93

43-7072

#3

Parshall Flume and
staff guage used for
measurement. View from
inlet side.



7-14-93

#4

Parshall Flume looking
at outlet.

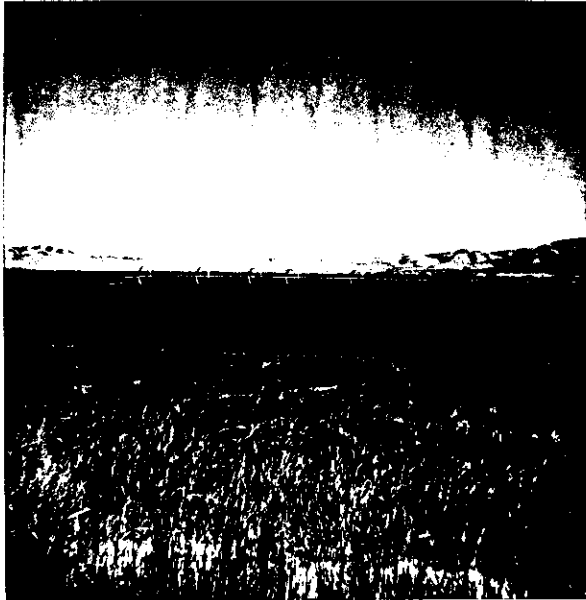


7-14-93

43-7072

#5-

Part of P/U.



7-14-93



Subblett Irr. Co. Res.

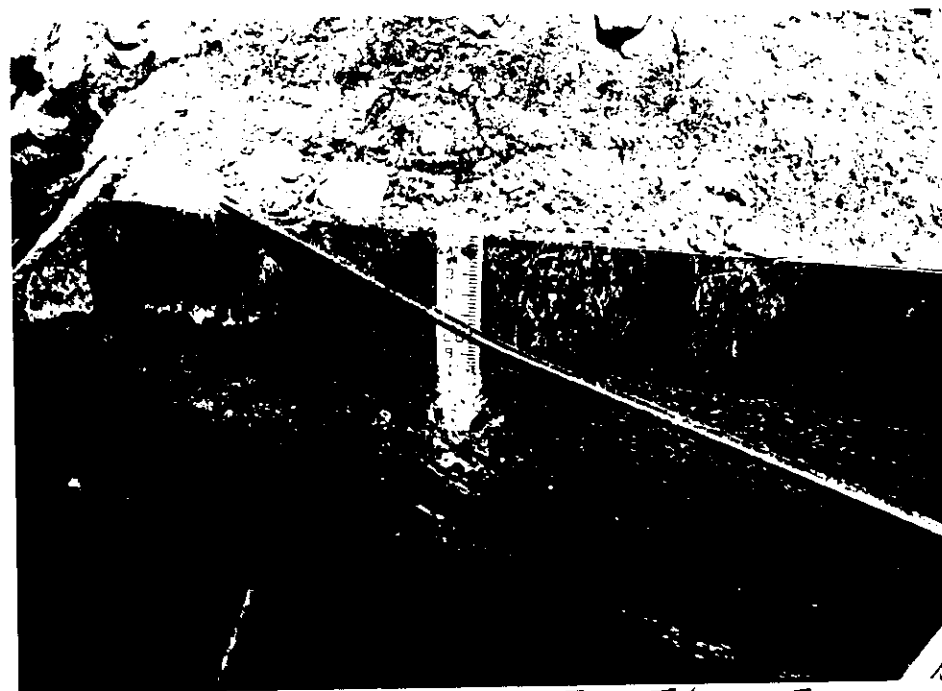


PARSHAL FLUME

7-13-89.



OUTLET of Res.



STAFF GAGE OF FLUME

