State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 16, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LEVEL CANAL CO INC
C/O WILFRIED SCHMITT
HC 63 BOX 2585
MONTEVIEW ID 83435

RE: NOTICE OF ERROR

Dear Mr. Schmitt:

Water Agent Bryce Contor has finished reviewing your Notice of Error for water right numbers 31-00005, [redacted] and 31-11335, and has adjusted the claims accordingly.

Enclosed for your records are copies of the recommendations and an aerial photo of the property.

If you have any questions feel free to contact Bryce Contor at this office.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		COPY INCLUDED IN FILE?
(X) ORTHOPHOTOQUAD	DATE OF PHOTO 1967 (W88) 1980 (W38, W39, W89)	IDWR ID NO. W38, W39, W88 + W89	Y(X) N( )
( ) TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y( ) N( )
(X) NAPP	DATE OF PHOTO 1987	IDWR ID NO. W38 SW 4SE W88 NE W39SW	Y( ) N(X)
(X) ASCS AERIAL PHOTO	DATE OF PHOTO 1987		Y(X) N( )
( ) ASCS COLOR SLIDE	DATE OF PHOTO		Y( ) N( )
( ) BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y( ) N( )
(X) TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY 1899		Y(X) N( )
( ) SCS SOIL SURVEY MAP	DATE ISSUED		Y( ) N( )
( ) SUBDIVISION PLAT MAP	DATE OF MAP		Y( ) N( )
( ) OTHER	DATE		Y( ) N( )
( ) OTHER	DATE		Y( ) N( )
( ) OTHER	DATE		Y( ) N( )

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION		NO. OF PAGES	NOTES
( ) LICENSING FIELD EXAM	DATE OF FIELD EXAM			
( ) WATER RIGHT LICENSE	DATE LICENSE SIGNED			
(X) IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED	5-12-1932	4+	4 pages + large map
( ) SYSTEM DESCRIPTION	DATE DRAWN			
(X) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN	7-14-94	4	
( ) SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED			
( ) HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED			
( ) CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED			
( ) FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED			
(X) OTHER Field Notes	DATE	7-14-94	2	
( ) OTHER	DATE			

P.O.U. Analysis - Level Canal

CA 5-23-96

Level Canal Decreed Rights

31-00189	22.4 cfs	N½	Sec. 1	6N	33E	320
		NW¼	Sec. 6	6N	34E	160
			Sec 36	7N	33E	640
		W½	Sec. 31	7N	34E	320
						1440

The affidavits submitted by M.M. Owsley and Bertha I. Owsley describe the p.o.u. for this right as shown above, which is the same as was decreed. The transfer was for a change in p.o.d. and should not be construed to reduce the p.o.u. as shown in Water Allocations records. Therefore, this right is for the irrigation of 1440 acres within the level canal's system.

31-00005	1.60 cfs	W½NW¼	Sec. 36	7N	3E	80
						80

The transfer application states that this right was "Purchased to place on grounds not covered with water but within District." Therefore the level canal's rights are as follows:

A31-00189	22.4 cfs	1440 ac.	within 1636.7ac. p.p.o.u.
A31-00005	1.6 cfs	80 ac.	within 1636.7ac. p.p.o.u.
	Enlargement Right 1.7 cfs	116.7 ac	within 1636.7 ac. p.p.o.u.
	24.0 cfs	1636.7 ac	GIS shows 1636.7

CA 10-30-00

A31-00189

S. Scale 1" = 1600 NW. OF SEC. 6, T. 6 N. R. 34 E. E½, E½-SW¼, SW¼-SW¼ OF SEC. 31, T. 7 N. R. 33 E.

County Road

Road

M. M. OWSLEY

House

House

BERTHA OWSLEY

Mrs. BERTHA OWSLEY

36 31 32 33 34 35 36 31

T. 7 N.
T. 6 N.

Old Canal

County Road

Level School County Road

Old Pumping Plant

Old Canal

N. 30° W. 200'

S. 89° 40' W. 653'

West 1100'

S. 52° W. 96'

West 6500'

End of Canal 0+00 2+00

NEW DISCHARGE CANAL

County Road

Tie 40.37 from 34

67+00 67+00 79+00

Begin of Discharge Canal 85+53
End of Intake

142+49 = 85+53

131+20

S. 21° 45' W. 249'

S. 40° 15' W. 400'

S. 45° 50' W. 740'

N. 74° 40' W. 4008'

Tie S. 37° 20' E. 710'

88+52

NEW INTAKE

N. 83° 00' W. 6852'

22+00 20+00

South 2630'

N. 87° 40' W. 2000'

Begin of Intake 0+00 0+00

MUD LAKE

Elev. 93.00 Oct. 19, 1931.

T. 7 N.
T. 6 N.

1 6 5 4 3 2 1 6

County Road

R. 33 E.
R. 34 E.

R. 34 E.
R. 35 E.

Note:-
Began surveying for Intake, on Oct. 19, 1931.

Began excavation with dragline at station 25 on Oct. 22, 1931, of Intake.

CONTRACTED WORK			
Section	Sta. to Sta.	Class	Cu. Yds.
Intake	0+00 to 142+51	Exc.	37,249
Canal	67 to 85+45	Emb.	5,856
	Total		43,105

PROFILE OF CANAL
1.62 Miles

Enters Old Canal

B.M. on pipe Elev. 99.76 Sta. 1+40, of Stake

Elev. 104.20 103.20 101.20

Top of Bank
Water Line 1000 Inch Capacity

105E48 104.43 102.48

Bottom

n=.015

n=.012

Elev. 106 105 104 103 102 101 100 99 90

93.60

90.30

12" Lift 142+49 = 85+53

0 10 20 30 40 50 60 70 80 140

Stations

PROFILE OF INTAKE
2.70 Miles

Elev. 106

Normal ground on E. side
Bottom of old Staley Intake

Ground Surface

Water Line for 1000 Inch Capacity

n=.015

n=.01

Bottom Grade Line

96.78 94.68 93.30 95.60

Mud Lake Extreme High Water Mark El. 100.0

Mud Lake El. 93.00 On Oct. 19, 1931, Low Water.

140 130 120 110 100 90 80 70 60 50 40 30 22 20 10 0

Stations

Slopes 1½ to 1

T 8 T

CANAL CROSS-SECTION STA. 0 TO 85.

Slopes 2 to 1

10'

INTAKE CROSS SECTION STA. 7 TO 142

STA.	BOTTOM WIDTH
0+00	22 Feet
1	22 "
2	20 "
3	18 "
4	16 "
5	14 "
6	12 "
142+46	15 "

Form 13-A

A31-00189

31-0189

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,
County of Jefferson } ss.

Mr. M.M.Owsley, being first duly sworn, deposes and says: That his postoffice address is Lamer Idaho; That he is the owner of and using a certain water right, bearing date of priority of September 17, 1912, for 22.4 cubic feet per second of the waters of Mud Lake, County of Jefferson, State of Idaho, decreed to Bertha I.Owsley, by decree of Judge C.C.Cavanah, of the United States Judicial District of the State of Idaho, in and for the County of Court Dist. of Idaho in the case of Ernest Sauve vs. W.H.Abbott et.al said decree bearing date of February 25 1931, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 66, in the County of Jefferson, and State of Idaho, to-wit: N½ Sec 1 T 6N R33 E & NW ¼ Sec.6 T 6 R 34 East & entire section 36 T 7 N R 33 East and the W½ Sec.31 T 7 R 34 East.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: Agent for Bertha I.Owsley

That said waters are now diverted from said stream in the NW ¼ NW ¼ of Sec. 33, Twp. 7 N., Range 34 E., and conducted to the above described lands through the Bertha I. Owsley ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in SE ¼ of SE ¼, Sec. 33, Twp. 7 N., Range 34 E., and thereafter conduct same to the above described land through the New Bertha I.Owsley ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: Draft on the waters of MUD Lake in recent years has so reduced the elevation of the lake surface that water is no longer available at the present point of diversion in the later part of the irrigation season.

That no one will be injured by such change and that such change will be made at affiant's own risk.

M.M. Owsley,
Affiant.

Subscribed and sworn to before me this 3rd day of May, 1932

J. Ross N. Hays
Notary Public.
Residing at Dubois, Idaho.

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit. There are on other users of water intrested in exhisting ditch.

Form 13-A

Request #133

Affidavit for Change of Point of Diversion of Decreed Water Right

RECEIVED
MAY 16 1932
DEPARTMENT OF RECLAMATION

STATE OF ~~IDAHO~~ Montana, } ss.
County of Madison }

her
Bertha I. Owsley, being first duly sworn, deposes and says: That ~~his~~ postoffice address is Twin Bridges, Montana; That he is the owner of and using a certain water right, bearing date of priority of Sept. 17th, 19 12, for 22.4 cubic feet per second of the waters of Mud Lake, County of Jefferson, State of Idaho, decreed to Bertha I. Owsley, by decree of Judge C. C. Cavanah, of the United States Judicial District of the State of Idaho, in and for the County of ..., in the case of Sauve' vs. Abbott said decree bearing date of Nov. 1st 1928, Mud Flats Dist for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 36, in the County of Jefferson, and State of Idaho, to-wit: North half Sec. 1 Tp. 6 N. R. 33 E. B. M., 320 acres; Northwest Quarter of Section 6, Tp. 6 N. R. 34 E. B. M., 160 acres, Entire Sec. 36 Tp. 7 N. R. 33 E. B. M., and the West half of Sec. 31 Tp. 7 N. R. 34 E. B. M., 320 acres.

She That ~~he~~ is the person (~~or representative of the corporation~~) to whom such right was issued, (~~or has become the owner thereof in the following manner:~~)

That said waters are now diverted from said stream Lake in the NW ¼ NW ¼ of Sec. 33, Twp. 7 N., Range 34 E.B.M., and conducted to the above described lands through the Owsley ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in SE ¼ of SE ¼, Sec. 33, Twp. 7 N., Range 34 E. B. M. and thereafter conduct same to the above described land through the Owsley ditch, as per map above referred to:

That ~~his~~ Her reasons for desiring to make such change are as follows: Makes a shorter and better intake from the lake in periods of low water and the elevation of the new pump site is more favorable; reduce seepage and evaporation.

That no one will be injured by such change and that such change will be made at affiant's own risk.

Bertha I. Owsley.
Affiant.

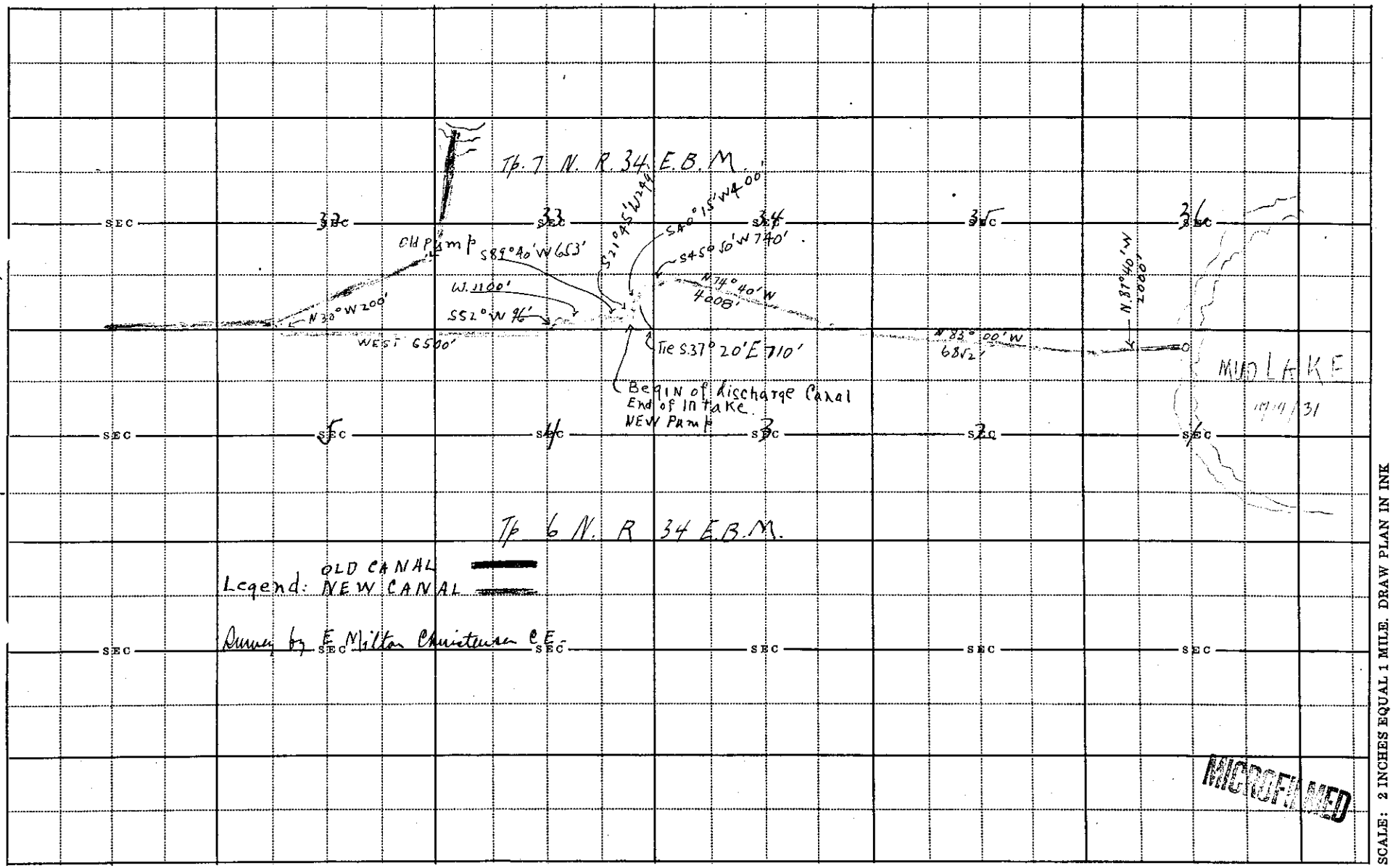
Subscribed and sworn to before me this 4th day of May, 19 32.

Lynn Comfort
NOTARY PUBLIC for the State of Montana,
Residing at Twin Bridges, Montana.
My commission Expires June 15th, 1934

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

Form No. 0

NAME OF APPLICANT Burt Owsley — Tim Bridges 1924



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

MICROFILMED

May 12, 1932

Re: CHANGE OF POINT OF DIVERSION No. 133
Bertha A. Owsley Water Right
Mud Lake

Mr. DAVID I. GARDNER
Dubois
I d a h o

Dear Sir:

Regarding the application for change of point of diversion of the BERTHA A. OWSLEY water right from Mud Lake: Section 563 provides that a change in the point of diversion may be made if no one is injured thereby

At the time of our field inspection on May 1, it was mutually agreed between us that no one would be injured by allowing this application. You are, therefore, authorized to permit Mr. Owsley to divert his water at the new station.

Very truly yours,

Assistant Commissioner
of Reclamation

RECEIVED

Level Canal Co.

CLAIM IDENTIFICATION NO. ____________

PLACE OF USE OVERLAP REVIEW

CLAIM NO.	TWN	RNG	SEC	NE NE	NE NW	NE SW	NE SE	NW NE	NW NW	NW SW	NW SE	SW NE	SW NW	SW SW	SW SE	SE NE	SE NW	SE SW	SE SE	TOTAL ACRES
Claimed	6N	33E	1	40	40	40	40	40	40	40	40	40	40	40	40					
			11			5	25													
			12					40	40	25	40									
		34E	6					40	40	40	40									
	7N	33E	36	40	40	40	40	40			40	40	40	40	40	40	40	40	40	
		34E	31					40	40	40	40	40	40	40	40					
																				1695
Found	6N	33E	1	Lot 1 38	Lot 2 39	40	36	Lot 3 39	Lot 4 38	39	40	40	39	38	39					465
			11	17	2															19
			12					39	38	24	40									141
		34E	6					Lot 3 39	Lot 4 34	Lot 5 39	40									152
	7N	33E	36	39	39	40	40	39			40	40	39	38	39	40	40	39	37.5	549.5
		34E	31					39	Lot 1 38	Lot 2 39	40	40	Lot 3 39	Lot 4 35.5	39					309.5
																				1636

CANAL

LAKE

CRYSTAL

Level Canal

Level Canal Co.

BOUNDARY AREA

WATER MANAGEMENT DISTRICT

R.O.D.

Storage Bin

Pumping Pl.

Well

BM 4785

BM 4783

BM 4784

BM 4781

BM 4782

BM 4786

T 44 S

T 45 S

T 46 S

T 47 S

T 7N

T 6N

R 33 E

R 34 E

R 35 E

R 36 E

R 37 E

R 38 E

R 39 E

R 40 E

R 41 E

R 42 E

R 43 E

R 44 E

R 45 E

R 46 E

R 47 E

R 48 E

R 49 E

R 50 E

R 51 E

R 52 E

R 53 E

R 54 E

R 55 E

R 56 E

R 57 E

R 58 E

R 59 E

R 60 E

R 61 E

R 62 E

R 63 E

R 64 E

R 65 E

R 66 E

R 67 E

R 68 E

R 69 E

R 70 E

R 71 E

R 72 E

R 73 E

R 74 E

R 75 E

R 76 E

R 77 E

R 78 E

R 79 E

R 80 E

R 81 E

R 82 E

R 83 E

R 84 E

R 85 E

R 86 E

R 87 E

R 88 E

R 89 E

R 90 E

R 91 E

R 92 E

R 93 E

R 94 E

R 95 E

R 96 E

R 97 E

R 98 E

R 99 E

R 100 E

R 101 E

R 102 E

R 103 E

R 104 E

R 105 E

R 106 E

R 107 E

R 108 E

R 109 E

R 110 E

R 111 E

R 112 E

R 113 E

R 114 E

R 115 E

R 116 E

R 117 E

R 118 E

R 119 E

R 120 E

R 121 E

R 122 E

R 123 E

R 124 E

R 125 E

R 126 E

R 127 E

R 128 E

R 129 E

R 130 E

R 131 E

R 132 E

R 133 E

R 134 E

R 135 E

R 136 E

R 137 E

R 138 E

R 139 E

R 140 E

R 141 E

R 142 E

R 143 E

R 144 E

R 145 E

R 146 E

R 147 E

R 148 E

R 149 E

R 150 E

R 151 E

R 152 E

R 153 E

R 154 E

R 155 E

R 156 E

R 157 E

R 158 E

R 159 E

R 160 E

R 161 E

R 162 E

R 163 E

R 164 E

R 165 E

R 166 E

R 167 E

R 168 E

R 169 E

R 170 E

R 171 E

R 172 E

R 173 E

R 174 E

R 175 E

R 176 E

R 177 E

R 178 E

R 179 E

R 180 E

R 181 E

R 182 E

R 183 E

R 184 E

R 185 E

R 186 E

R 187 E

R 188 E

R 189 E

R 190 E

R 191 E

R 192 E

R 193 E

R 194 E

R 195 E

R 196 E

R 197 E

R 198 E

R 199 E

R 200 E

R 201 E

R 202 E

R 203 E

R 204 E

R 205 E

R 206 E

R 207 E

R 208 E

R 209 E

R 210 E

R 211 E

R 212 E

R 213 E

R 214 E

R 215 E

R 216 E

R 217 E

R 218 E

R 219 E

R 220 E

R 221 E

R 222 E

R 223 E

R 224 E

R 225 E

R 226 E

R 227 E

R 228 E

R 229 E

R 230 E

R 231 E

R 232 E

R 233 E

R 234 E

R 235 E

R 236 E

R 237 E

R 238 E

R 239 E

R 240 E

R 241 E

R 242 E

R 243 E

R 244 E

R 245 E

R 246 E

R 247 E

R 248 E

R 249 E

R 250 E

R 251 E

R 252 E

R 253 E

R 254 E

R 255 E

R 256 E

R 257 E

R 258 E

R 259 E

R 260 E

R 261 E

R 262 E

R 263 E

R 264 E

R 265 E

R 266 E

R 267 E

R 268 E

R 269 E

R 270 E

R 271 E

R 272 E

R 273 E

R 274 E

R 275 E

R 276 E

R 277 E

R 278 E

R 279 E

R 280 E

R 281 E

R 282 E

R 283 E

R 284 E

R 285 E

R 286 E

R 287 E

R 288 E

R 289 E

R 290 E

R 291 E

R 292 E

R 293 E

R 294 E

R 295 E

R 296 E

R 297 E

R 298 E

R 299 E

R 300 E

R 301 E

R 302 E

R 303 E

R 304 E

R 305 E

R 306 E

R 307 E

R 308 E

R 309 E

R 310 E

R 311 E

R 312 E

R 313 E

R 314 E

R 315 E

R 316 E

R 317 E

R 318 E

R 319 E

R 320 E

R 321 E

R 322 E

R 323 E

R 324 E

R 325 E

R 326 E

R 327 E

R 328 E

R 329 E

R 330 E

R 331 E

R 332 E

R 333 E

R 334 E

R 335 E

R 336 E

R 337 E

R 338 E

R 339 E

R 340 E

R 341 E

R 342 E

R 343 E

R 344 E

R 345 E

R 346 E

R 347 E

R 348 E

R 349 E

R 350 E

R 351 E

R 352 E

R 353 E

R 354 E

R 355 E

R 356 E

R 357 E

R 358 E

R 359 E

R 360 E

R 361 E

R 362 E

R 363 E

R 364 E

R 365 E

R 366 E

R 367 E

R 368 E

R 369 E

R 370 E

R 371 E

R 372 E

R 373 E

R 374 E

R 375 E

R 376 E

R 377 E

R 378 E

R 379 E

R 380 E

R 381 E

R 382 E

R 383 E

R 384 E

R 385 E

R 386 E

R 387 E

R 388 E

R 389 E

R 390 E

R 391 E

R 392 E

R 393 E

R 394 E

R 395 E

R 396 E

R 397 E

R 398 E

R 399 E

R 400 E

R 401 E

R 402 E

R 403 E

R 404 E

R 405 E

R 406 E

R 407 E

R 408 E

R 409 E

R 410 E

R 411 E

R 412 E

R 413 E

R 414 E

R 415 E

R 416 E

R 417 E

R 418 E

R 419 E

R 420 E

R 421 E

R 422 E

R 423 E

R 424 E

R 425 E

R 426 E

R 427 E

R 428 E

R 429 E

R 430 E

R 431 E

R 432 E

R 433 E

R 434 E

R 435 E

R 436 E

R 437 E

R 438 E

R 439 E

R 440 E

R 441 E

R 442 E

R 443 E

R 444 E

R 445 E

R 446 E

R 447 E

R 448 E

R 449 E

R 450 E

R 451 E

R 452 E

R 453 E

R 454 E

R 455 E

R 456 E

R 457 E

R 458 E

R 459 E

R 460 E

R 461 E

R 462 E

R 463 E

R 464 E

R 465 E

R 466 E

R 467 E

R 468 E

R 469 E

R 470 E

R 471 E

R 472 E

R 473 E

R 474 E

R 475 E

R 476 E

R 477 E

R 478 E

R 479 E

R 480 E

R 481 E

R 482 E

R 483 E

R 484 E

R 485 E

R 486 E

R 487 E

R 488 E

R 489 E

R 490 E

R 491 E

R 492 E

R 493 E

R 494 E

R 495 E

R 496 E

R 497 E

R 498 E

R 499 E

R 500 E

R 501 E

R 502 E

R 503 E

R 504 E

R 505 E

R 506 E

R 507 E

R 508 E

R 509 E

R 510 E

R 511 E

R 512 E

R 513 E

R 514 E

R 515 E

R 516 E

R 517 E

R 518 E

R 519 E

R 520 E

R 521 E

R 522 E

R 523 E

R 524 E

R 525 E

R 526 E

R 527 E

R 528 E

R 529 E

R 530 E

R 531 E

R 532 E

R 533 E

R 534 E

R 535 E

R 536 E

R 537 E

R 538 E

R 539 E

R 540 E

R 541 E

R 542 E

R 543 E

R 544 E

R 545 E

R 546 E

R 547 E

R 548 E

R 549 E

R 550 E

R 551 E

R 552 E

R 553 E

R 554 E

R 555 E

R 556 E

R 557 E

R 558 E

R 559 E

R 560 E

R 561 E

R 562 E

R 563 E

R 564 E

R 565 E

R 566 E

R 567 E

R 568 E

R 569 E

R 570 E

R 571 E

R 572 E

R 573 E

R 574 E

R 575 E

R 576 E

R 577 E

R 578 E

R 579 E

R 580 E

R 581 E

R 582 E

R 583 E

R 584 E

R 585 E

R 586 E

R 587 E

R 588 E

R 589 E

R 590 E

R 591 E

R 592 E

R 593 E

R 594 E

R 595 E

R 596 E

R 597 E

R 598 E

R 599 E

R 600 E

R 601 E

R 602 E

R 603 E

R 604 E

R 605 E

R 606 E

R 607 E

R 608 E

R 609 E

R 610 E

R 611 E

R 612 E

R 613 E

R 614 E

R 615 E

R 616 E

R 617 E

R 618 E

R 619 E

R 620 E

R 621 E

R 622 E

R 623 E

R 624 E

R 625 E

R 626 E

R 627 E

R 628 E

R 629 E

R 630 E

R 631 E

R 632 E

R 633 E

R 634 E

R 635 E

R 636 E

R 637 E

R 638 E

R 639 E

R 640 E

R 641 E

R 642 E

R 643 E

R 644 E

R 645 E

R 646 E

R 647 E

R 648 E

R 649 E

R 650 E

R 651 E

R 652 E

R 653 E

R 654 E

R 655 E

R 656 E

R 657 E

R 658 E

R 659 E

R 660 E

R 661 E

R 662 E

R 663 E

R 664 E

R 665 E

R 666 E

R 667 E

R 668 E

R 669 E

R 670 E

R 671 E

R 672 E

R 673 E

R 674 E

R 675 E

R 676 E

R 677 E

R 678 E

R 679 E

R 680 E

R 681 E

R 682 E

R 683 E

R 684 E

R 685 E

R 686 E

R 687 E

R 688 E

R 689 E

R 690 E

R 691 E

R 692 E

R 693 E

R 694 E

R 695 E

R 696 E

R 697 E

R 698 E

R 699 E

R 700 E

R 701 E

R 702 E

R 703 E

R 704 E

R 705 E

R 706 E

R 707 E

R 708 E

R 709 E

R 710 E

R 711 E

R 712 E

R 713 E

R 714 E

R 715 E

R 716 E

R 717 E

R 718 E

R 719 E

R 720 E

R 721 E

R 722 E

R 723 E

R 724 E

R 725 E

R 726 E

R 727 E

R 728 E

R 729 E

R 730 E

R 731 E

R 732 E

R 733 E

R 734 E

R 735 E

R 736 E

R 737 E

R 738 E

R 739 E

R 740 E

R 741 E

R 742 E

R 743 E

R 744 E

R 745 E

R 746 E

R 747 E

R 748 E

R 749 E

R 750 E

R 751 E

R 752 E

R 753 E

R 754 E

R 755 E

R 756 E

R 757 E

R 758 E

R 759 E

R 760 E

R 761 E

R 762 E

R 763 E

R 764 E

R 765 E

R 766 E

R 767 E

R 768 E

R 769 E

R 770 E

R 771 E

R 772 E

R 773 E

R 774 E

R 775 E

R 776 E

R 777 E

R 778 E

R 779 E

R 780 E

R 781 E

R 782 E

R 783 E

R 784 E

R 785 E

R 786 E

R 787 E

R 788 E

R 789 E

R 790 E

R 791 E

R 792 E

R 793 E

R 794 E

R 795 E

R 796 E

R 797 E

R 798 E

R 799 E

R 800 E

R 801 E

R 802 E

R 803 E

R 804 E

R 805 E

R 806 E

R 807 E

R 808 E

R 809 E

R 810 E

R 811 E

R 812 E

R 813 E

R 814 E

R 815 E

R 816 E

R 817 E

R 818 E

R 819 E

R 820 E

R 821 E

R 822 E

R 823 E

R 824 E

R 825 E

R 826 E

R 827 E

R 828 E

R 829 E

R 830 E

R 831 E

R 832 E

R 833 E

R 834 E

R 835 E

R 836 E

R 837 E

R 838 E

R 839 E

R 840 E

R 841 E

R 842 E

R 843 E

R 844 E

R 845 E

R 846 E

R 847 E

R 848 E

R 849 E

R 850 E

R 851 E

R 852 E

R 853 E

R 854 E

R 855 E

R 856 E

R 857 E

R 858 E

R 859 E

R 860 E

R 861 E

R 862 E

R 863 E

R 864 E

R 865 E

R 866 E

R 867 E

R 868 E

R 869 E

R 870 E

R 871 E

R 872 E

R 873 E

R 874 E

R 875 E

R 876 E

R 877 E

R 878 E

R 879 E

R 880 E

R 881 E

R 882 E

R 883 E

R 884 E

R 885 E

R 886 E

R 887 E

R 888 E

R 889 E

R 890 E

R 891 E

R 892 E

R 893 E

R 894 E

R 895 E

R 896 E

R 897 E

R 898 E

R 899 E

R 900 E

R 901 E

R 902 E

R 903 E

R 904 E

R 905 E

R 906 E

R 907 E

R 908 E

R 909 E

R 910 E

R 911 E

R 912 E

R 913 E

R 914 E

R 915 E

R 916 E

R 917 E

R 918 E

R 919 E

R 920 E

R 921 E

R 922 E

R 923 E

R 924 E

R 925 E

R 926 E

R 927 E

R 928 E

R 929 E

R 930 E

R 931 E

R 932 E

R 933 E

R 934 E

R 935 E

R 936 E

R 937 E

R 938 E

R 939 E

R 940 E

R 941 E

R 942 E

R 943 E

R 944 E

R 945 E

R 946 E

R 947 E

R 948 E

R 949 E

R 950 E

R 951 E

R 952 E

R 953 E

R 954 E

R 955 E

R 956 E

R 957 E

R 958 E

R 959 E

R 960 E

R 961 E

R 962 E

R 963 E

R 964 E

R 965 E

R 966 E

R 967 E

R 968 E

R 969 E

R 970 E

R 971 E

R 972 E

R 973 E

R 974 E

R 975 E

R 976 E

R 977 E

R 978 E

R 979 E

R 980 E

R 981 E

R 982 E

R 983 E

R 984 E

R 985 E

R 986 E

R 987 E

R 988 E

R 989 E

R 990 E

R 991 E

R 992 E

R 993 E

R 994 E

R 995 E

R 996 E

R 997 E

R 998 E

R 999 E

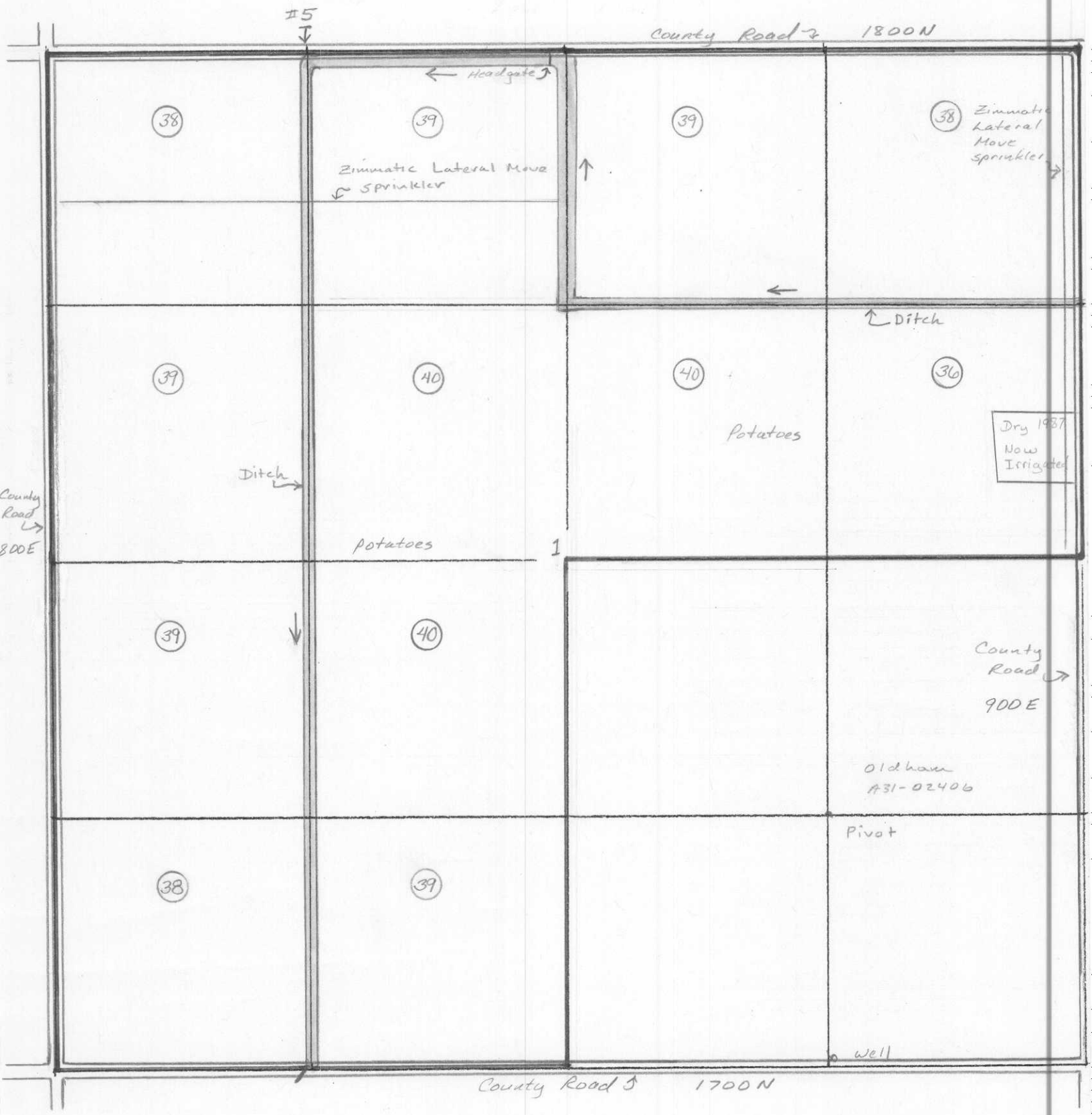
R 1000 E

AdjForm2

Claim Number A31-00005 A31-00189

Level Canal Co.

1 of 6



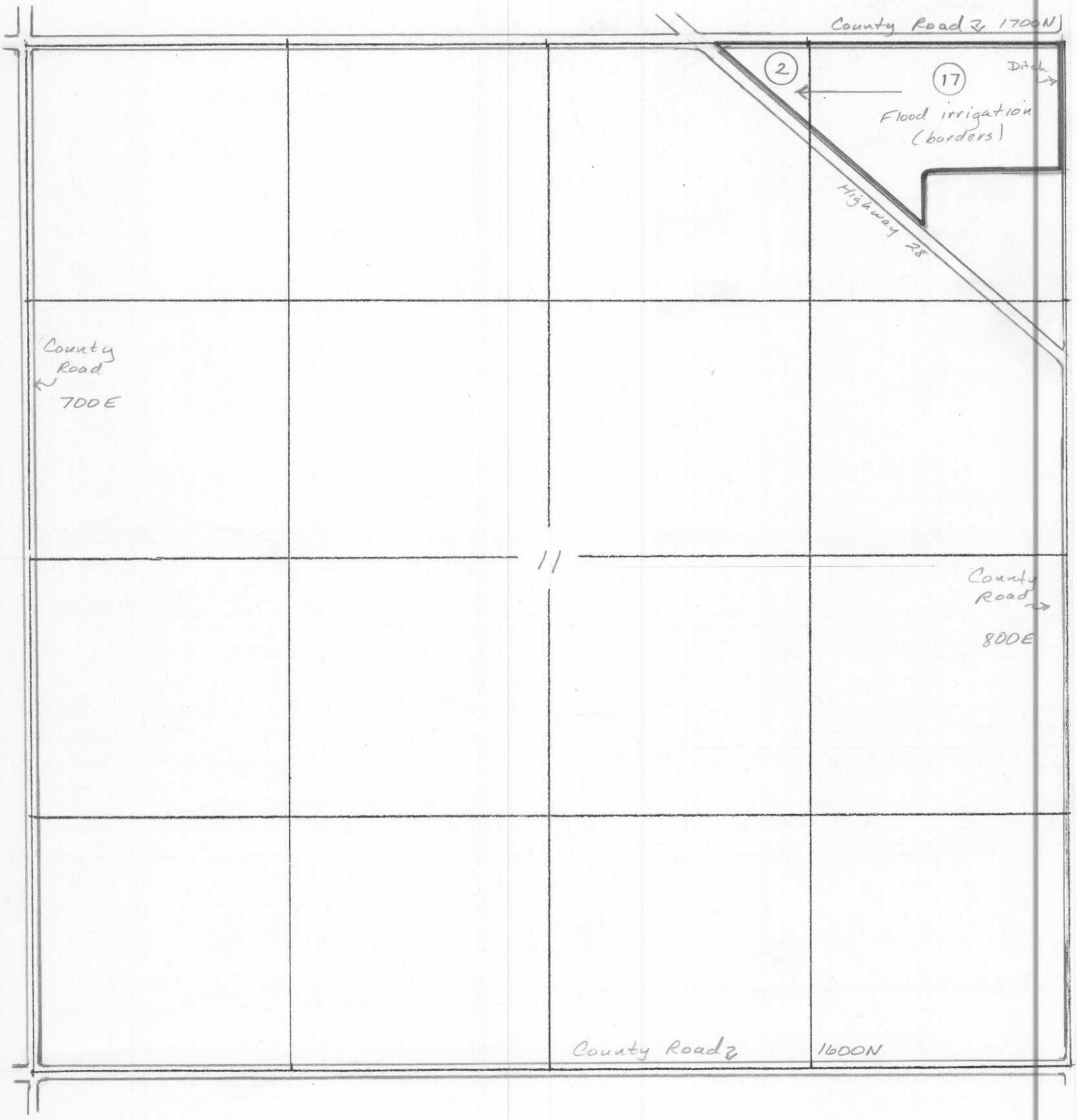
Scale 8.0" = 1.0 Mile

Township 6N Range 33E Section 1 DATE 7-1-94

OPQ MAP # W38 & W88 NAPP # W-38 SE AGENT Fritschle & Norquest

AdjForm2 Claim Number A31-00189 A31-00005 Level Canal Co.

2 of 6



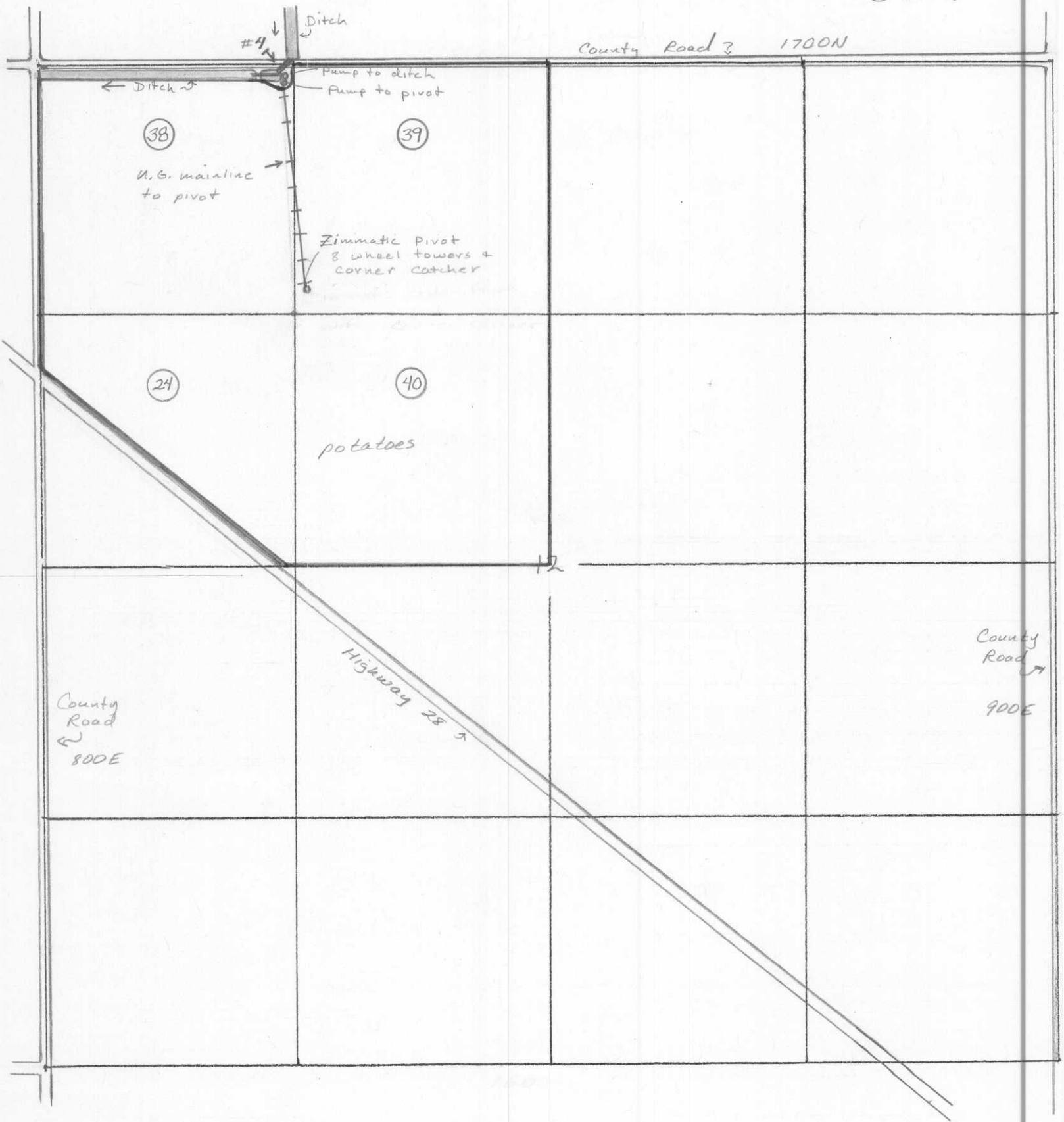
Scale 8.0" = 1.0 Mile

Township 6N Range 33E Section 11 DATE 7-14-94

OPQ MAP # W88 NAPP # W88 NE AGENT Fritschle & Norquest

AdjForm2 Claim Number A31-00005 A31-00189 Level Canal Co.

3 of 6



Scale 8.0" = 1.0 Mile

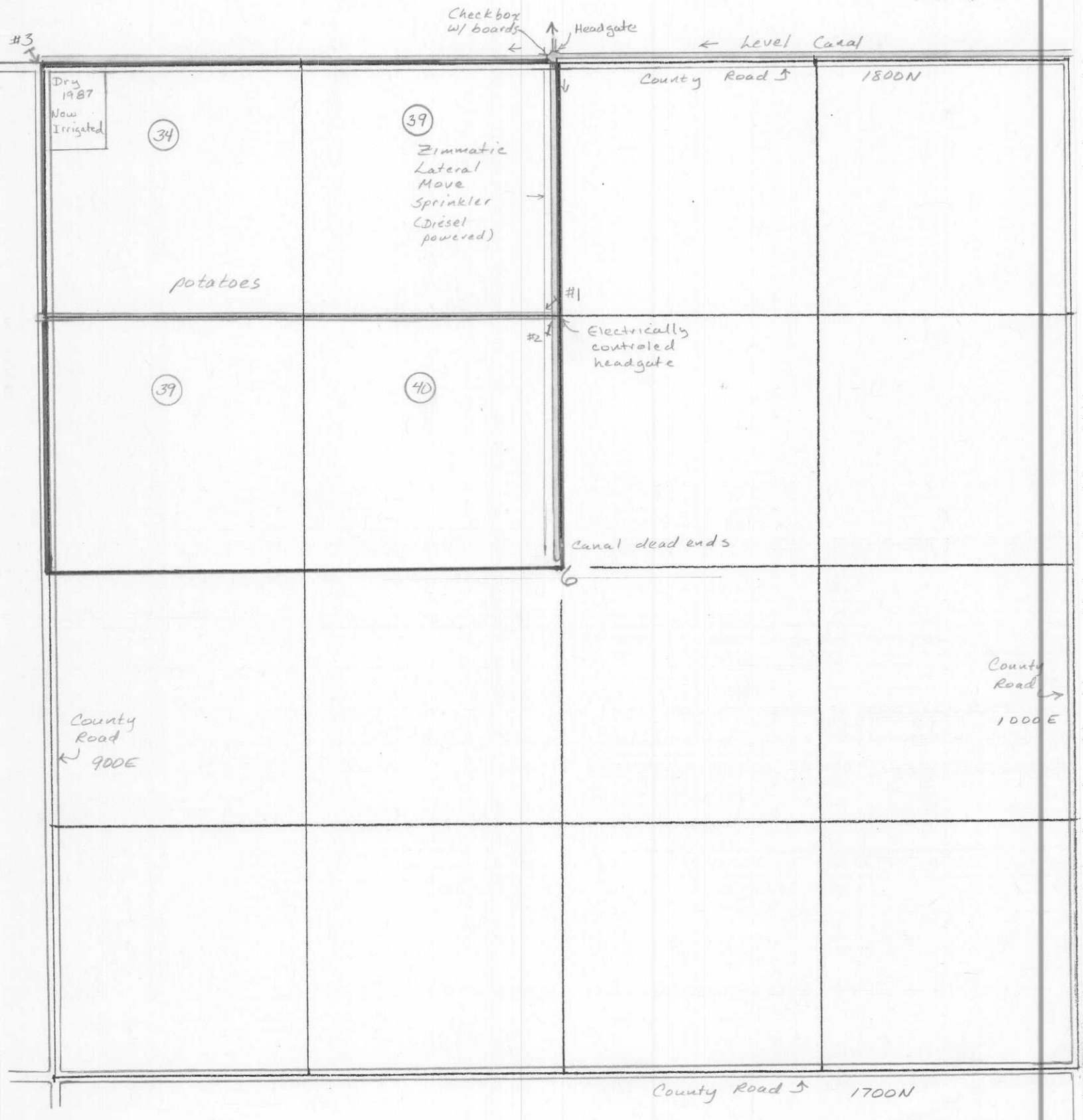
Township 6N Range 33E Section 12 DATE 7-14-94

OPQ MAP # W88 NAPP # W88 NE AGENT Fritschle & Norquest

AdjForm2

Claim Number A31-00005 A31-00189

Level Canal Co.
4 of 6



Scale 8.0" = 1.0 Mile

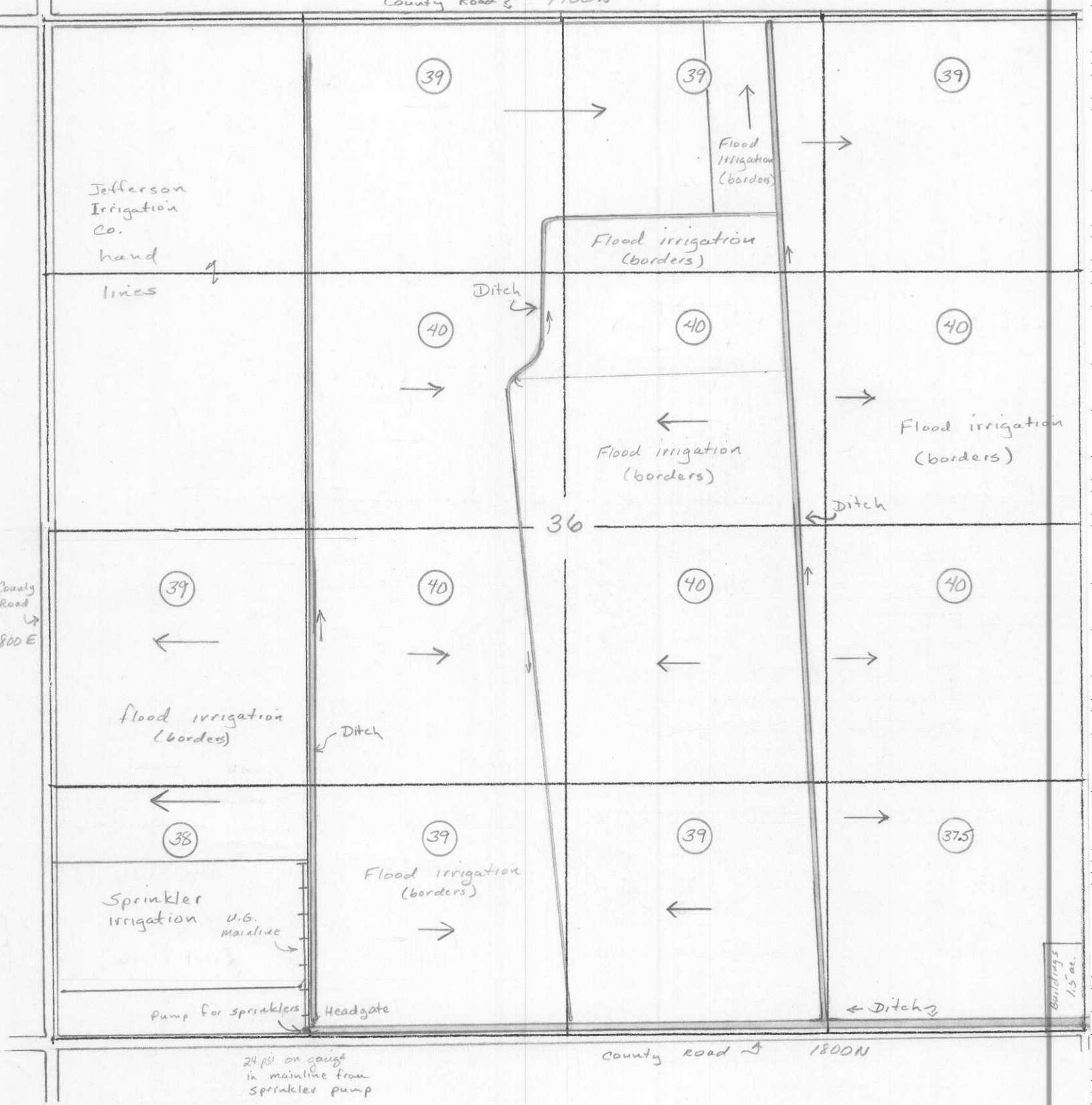
Township 6N Range 34E Section 6 DATE 7-14-94

OPQ MAP # W38 NAPP # W38 SW AGENT Fritschle & Norquest

AdjForm2

Claim Number A31-00005 A31-00189

Level Canal Co.
5 of 6



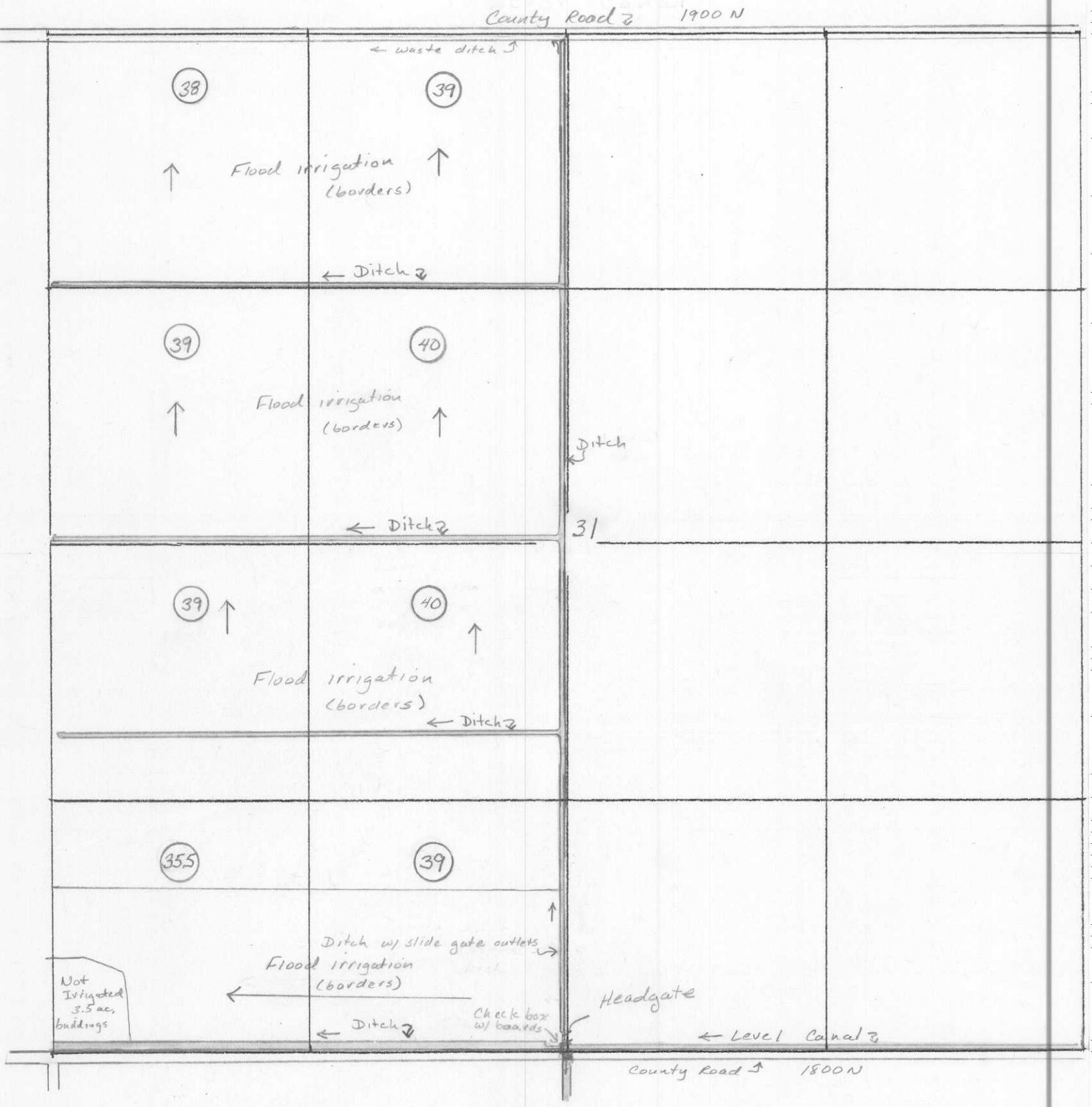
Scale 8.0" = 1.0 Mile

Township 7N Range 33E Section 36 DATE 7-14-94

OPQ MAP # W38 NAPP # W38SE AGENT Fritschle & Norquest

AdjForm2 Claim Number A31-00189 A31-00005

Level Canal Co.
6 of 6



Scale 8.0" = 1.0 Mile

Township 7N Range 34E Section 31 DATE 7-14-94

OPQ MAP # W38 NAPP # W38SE AGENT Fritschler Norquest

e No. 33 East of the Boise Meridian Idaho.

6N
33E

d D c C b B a A

S. 89° 53' E.

3	2	1	4	3	2	1	4	3	2	1	4	3	2	1	
39.20	39.30	39.39	39.44	39.45	59.45	39.46	39.48	39.51	39.55	39.58	39.65	39.75	39.85	39.95	

80 80 80 80 80 80 80 80 80.00 Y

S. 0° 1' E. 79.72 | S. 0° 2' E. 79.73 | S. 0° 3' E. 79.80

Sec. 4. 637.00 | Sec. 3. 637.80 | Sec. 2. 638.12 | Sec. 1. 639.20

N. 89° 56' W. 79.91 | N. 89° 51' W. 80.06 | N. 89° 50' W. 80.09 | N. 89° 52' W. 80.07 — Y

Sec. 9. 640 | Sec. 10. 640 | Sec. 11. 640 | Sec. 12. 640 — x

N. 0° 2' W. | N. 0° 2' W. | N. 0° 2' W.

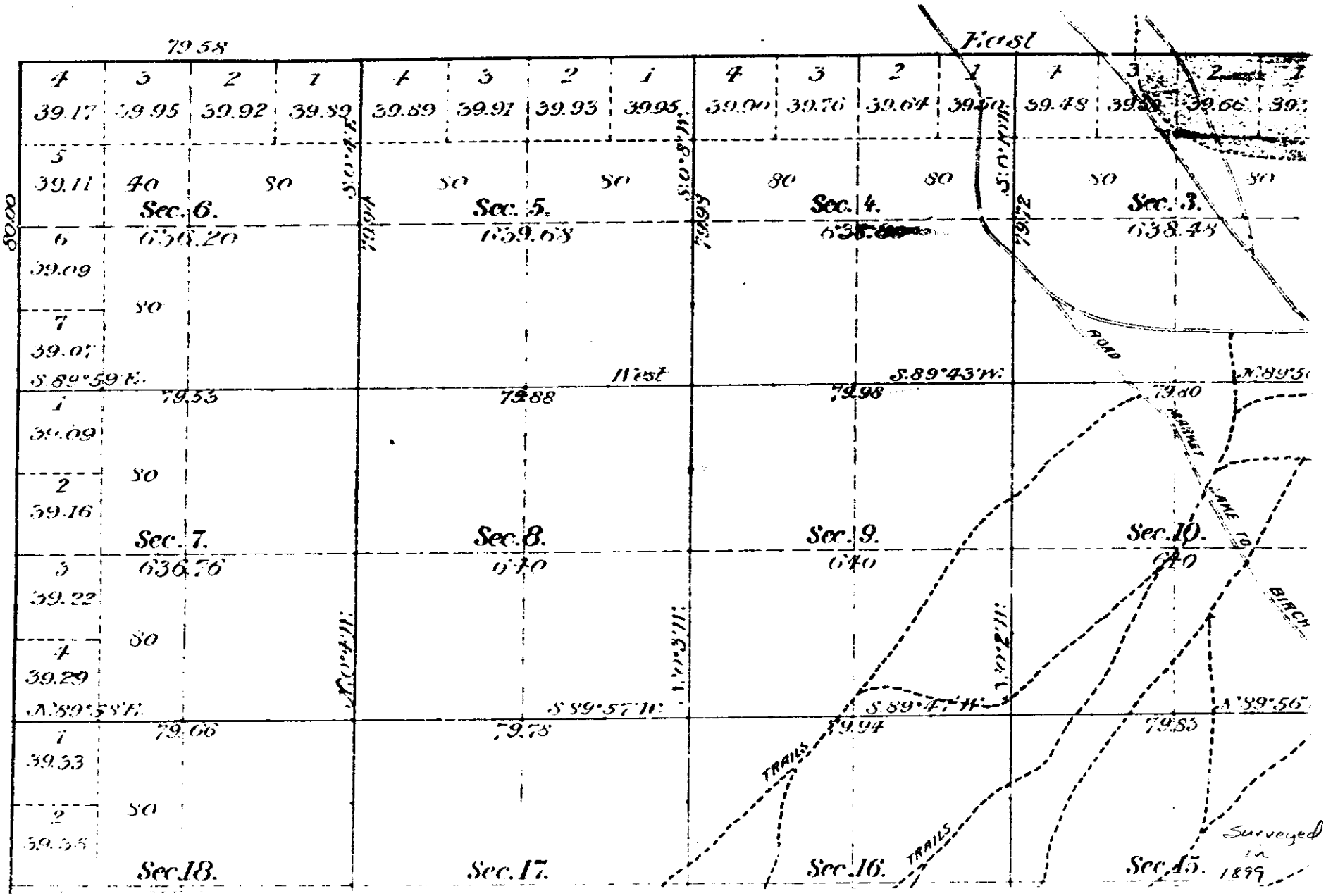
N. 89° 50' W. 79.97 | N. 89° 49' W. 80.06 | N. 89° 48' W. 80.07 | N. 89° 50' W. 80.10 — X

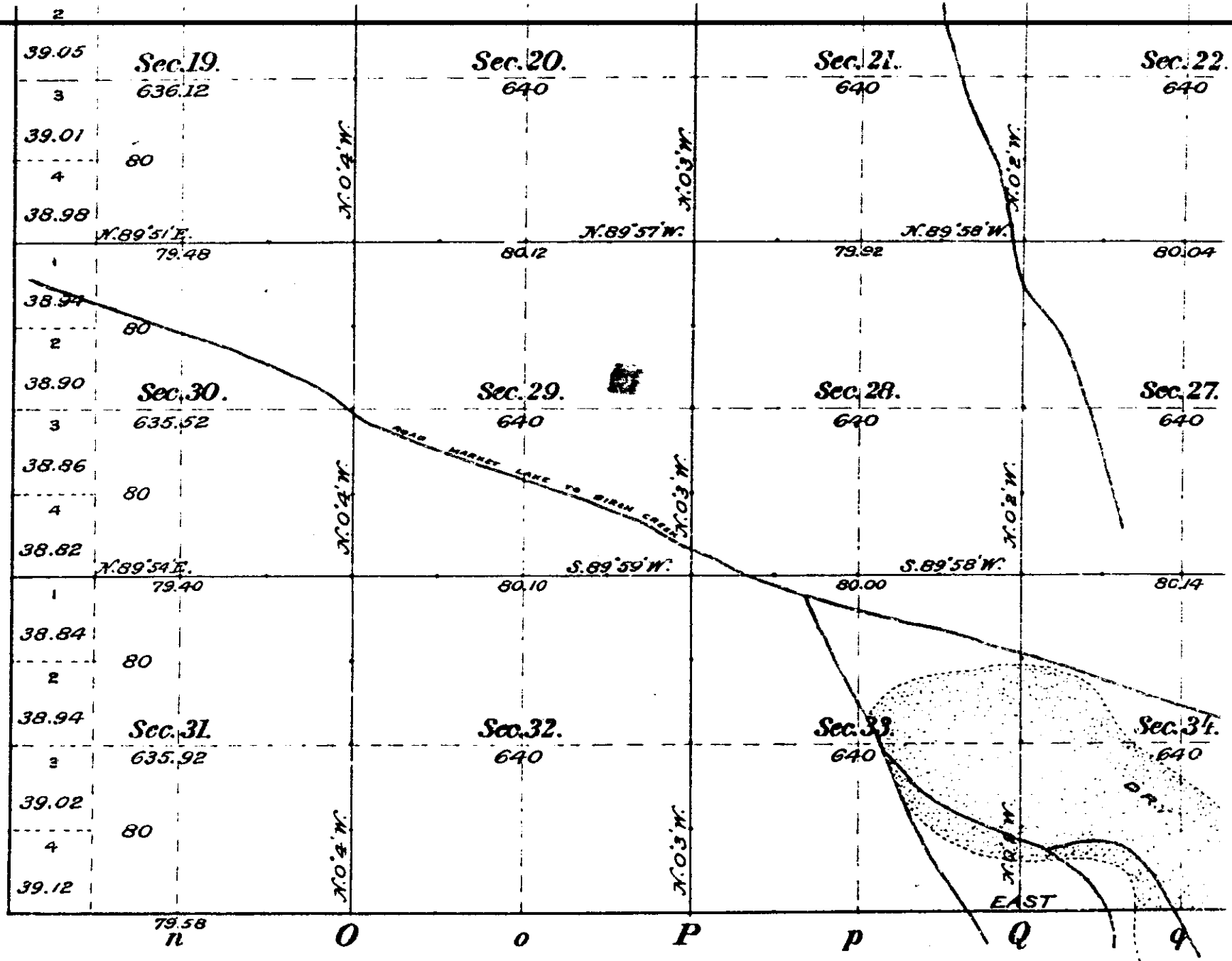
Sec. 16. 640 | Sec. 15. 640 | Sec. 14. 640 | Sec. 13. 640 — W

Meand
Posts

Surveyed in 1899

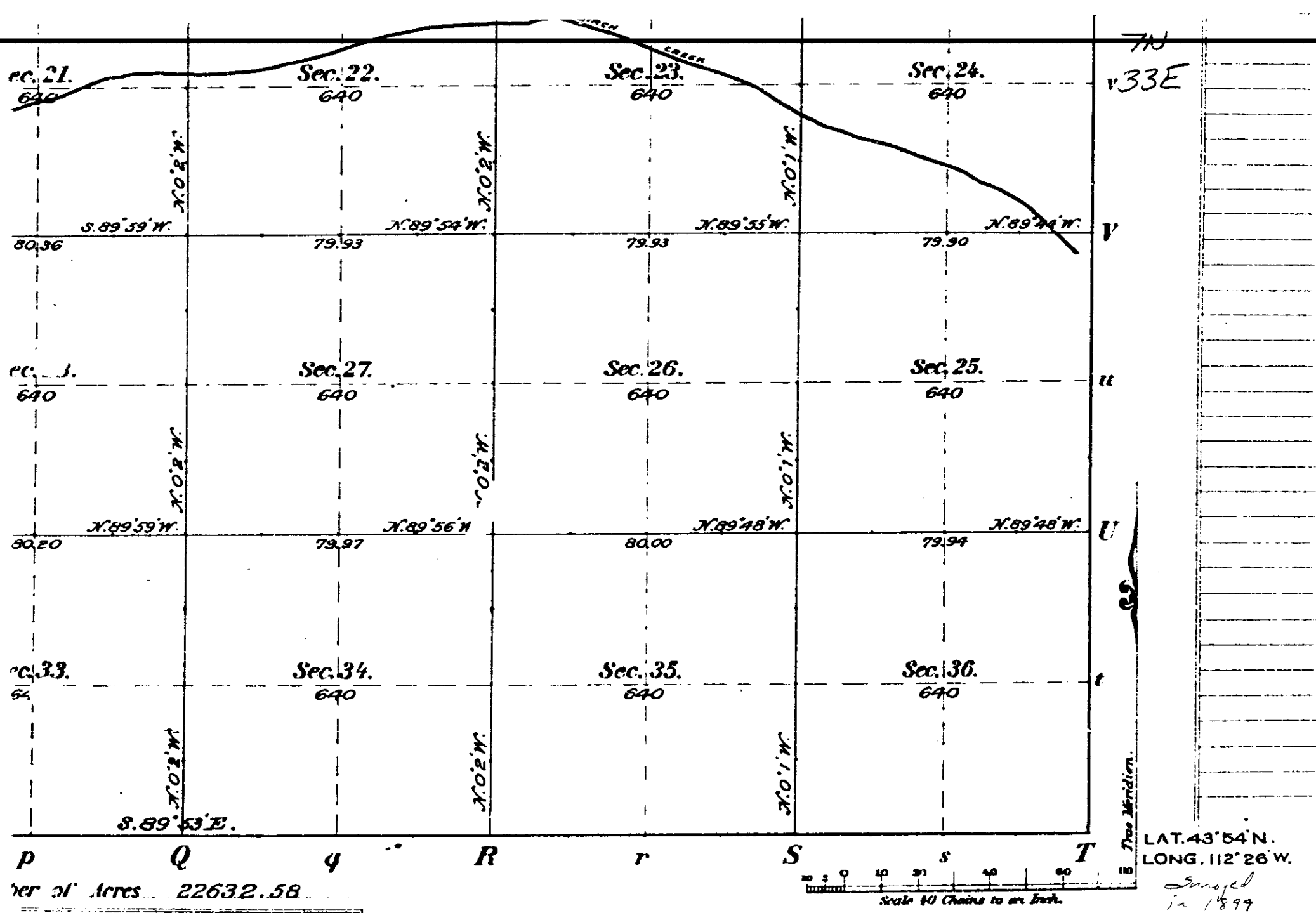
Township No 6 North, Range No 34 East of the L





Area of Watersurface: 498.90 Acr. – of Public Land: 22515.79 Acr. – **Total number of Acres** 23014.69

Surveys Designated	By Whom Surveyed	Date of Contract	Amount of Surveys M.	Ch.	Lks.	When Surveyed	Mean Declination
S. W. and N. Township lines	Wm. Alley & Jay Turley	No. 199 April 3. 1899	17	15	53	May 23 - June 1, 1899	
Subdivisions			59	24	10	June 5-8. 1899	18°20' E.



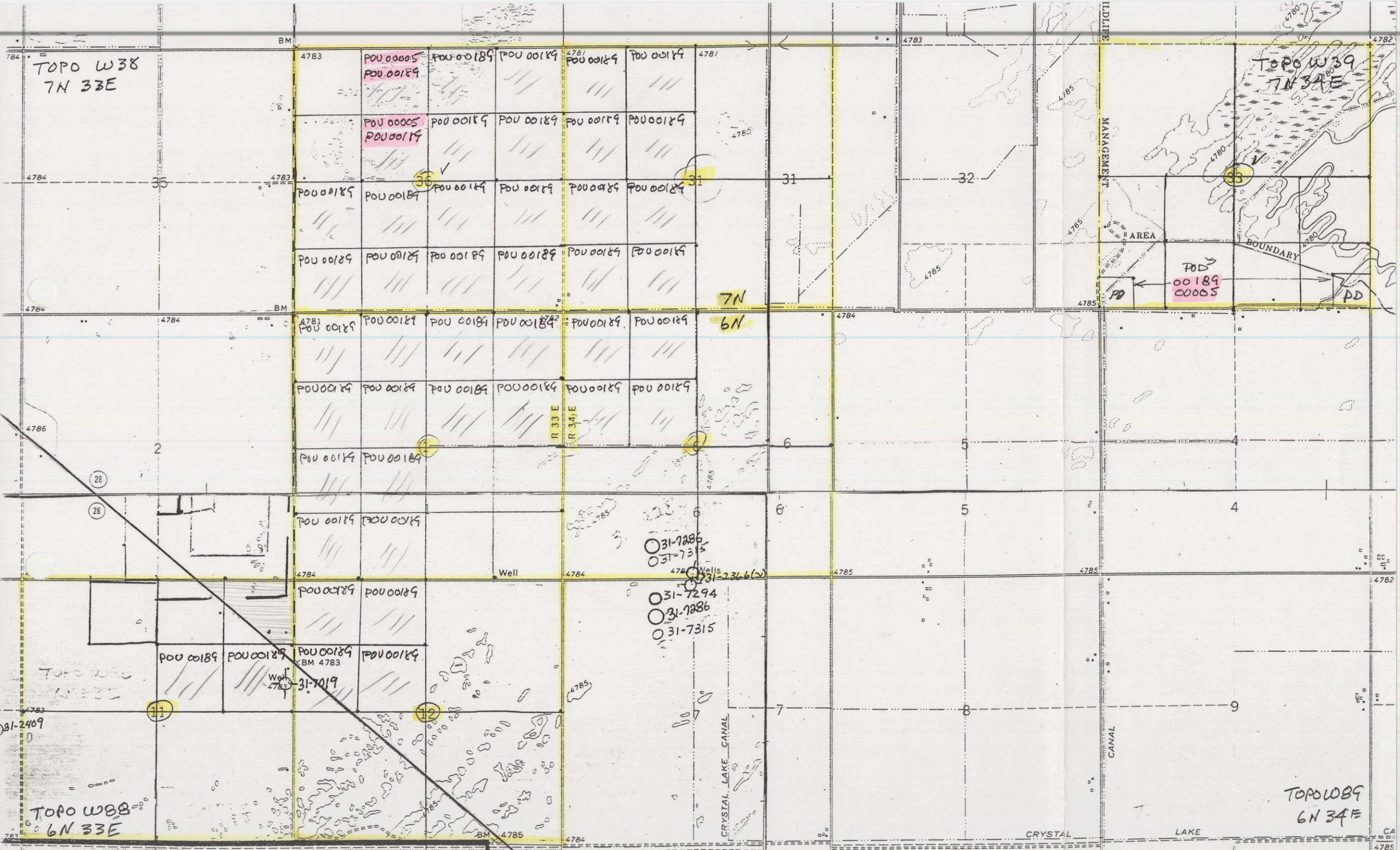
7N
33E

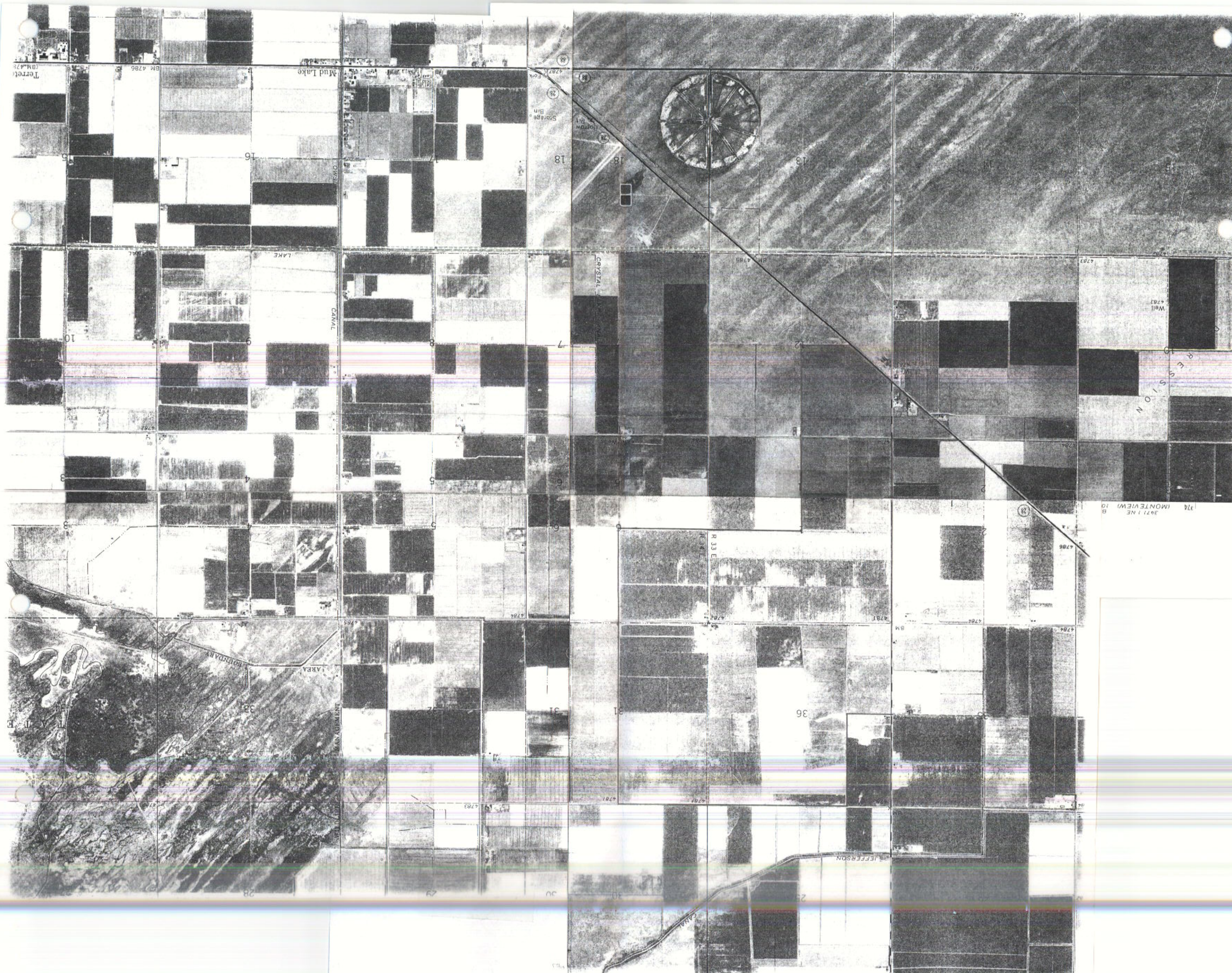
Surveyed in 1899

...ber of Acres 22632.58

When Surveyed	Mean Declination
...1-7, 1899	
...10-15, 1899	18°30'E.

The above Map of Township No. 7 North of Range No. 3
Boise Meridian Idaho, is strictly conf...
...notes of the surveys thereof on file in this Office which have been exa...


TOPO W38
7N 33E
TOPO W39
7N 34E
TOPO W88
6N 33E
TOPO W89
6N 34E
POU 00005
POU 00189
POD
00189
00005
PD
7N
6N
R 33 E
R 34 E
MANAGEMENT
AREA
BOUNDARY
CRYSTAL LAKE CANAL
CRYSTAL
LAKE
Well
31-7019
31-2409
31-7886
31-7315
31-2366(2)
31-7294
BM 4783
BM 4785


Mud Lake
CANAL
LAKE
CRYSTAL
R 34 E
R 33 E
BOUNDARY
AREA
JEFFERSON
CANAL
MAIN AUGMENT
Well
Storage Bin
(MONTEVIEW)

3471 I NE B
(MONTEVIEW) 10

R 33 E
R 34 E

T A T E

AREA BOUNDARY

MANAGEMENT

CANAL

LAKE

CRYSTAL

Well
4783

Well

Wells

Borrow Pit

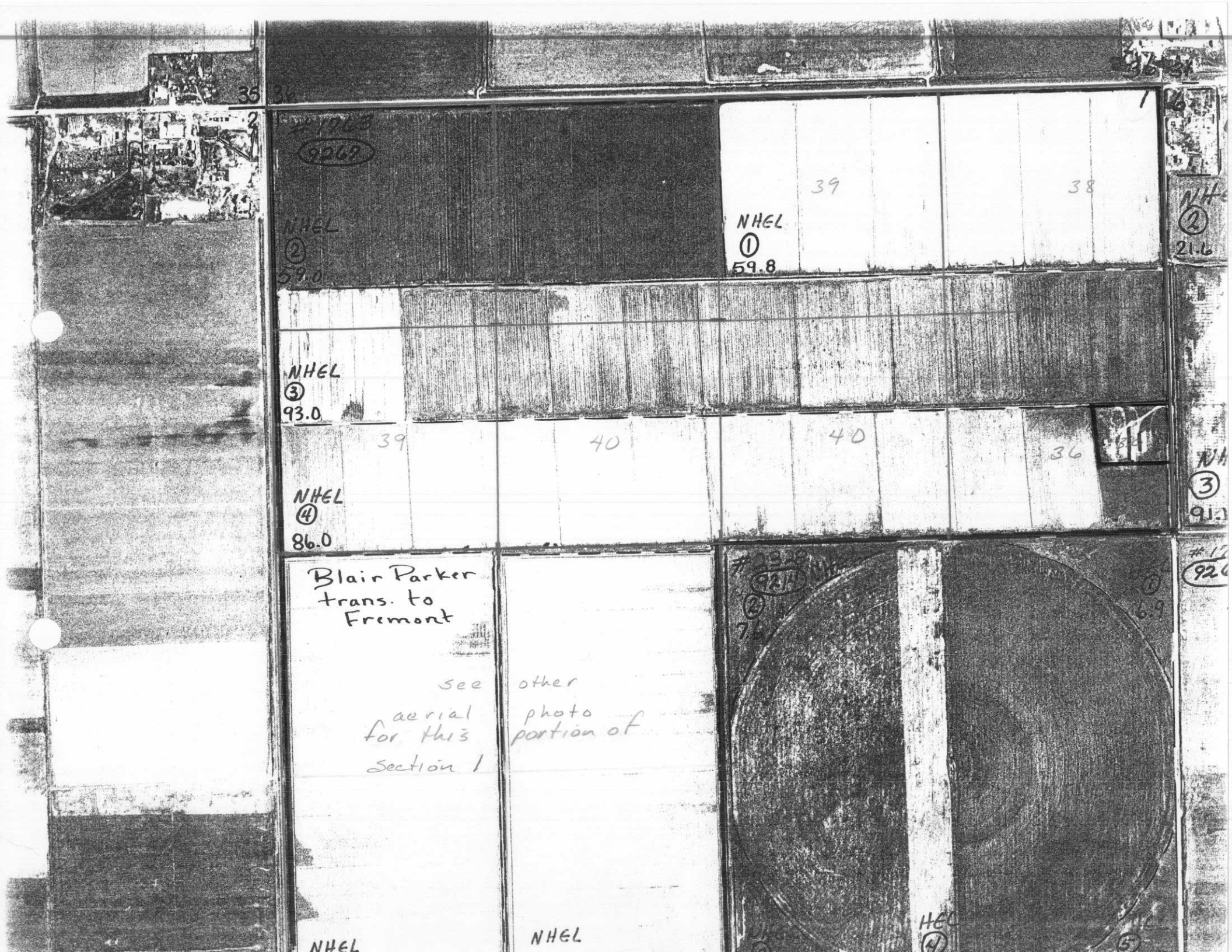
Storage Bin

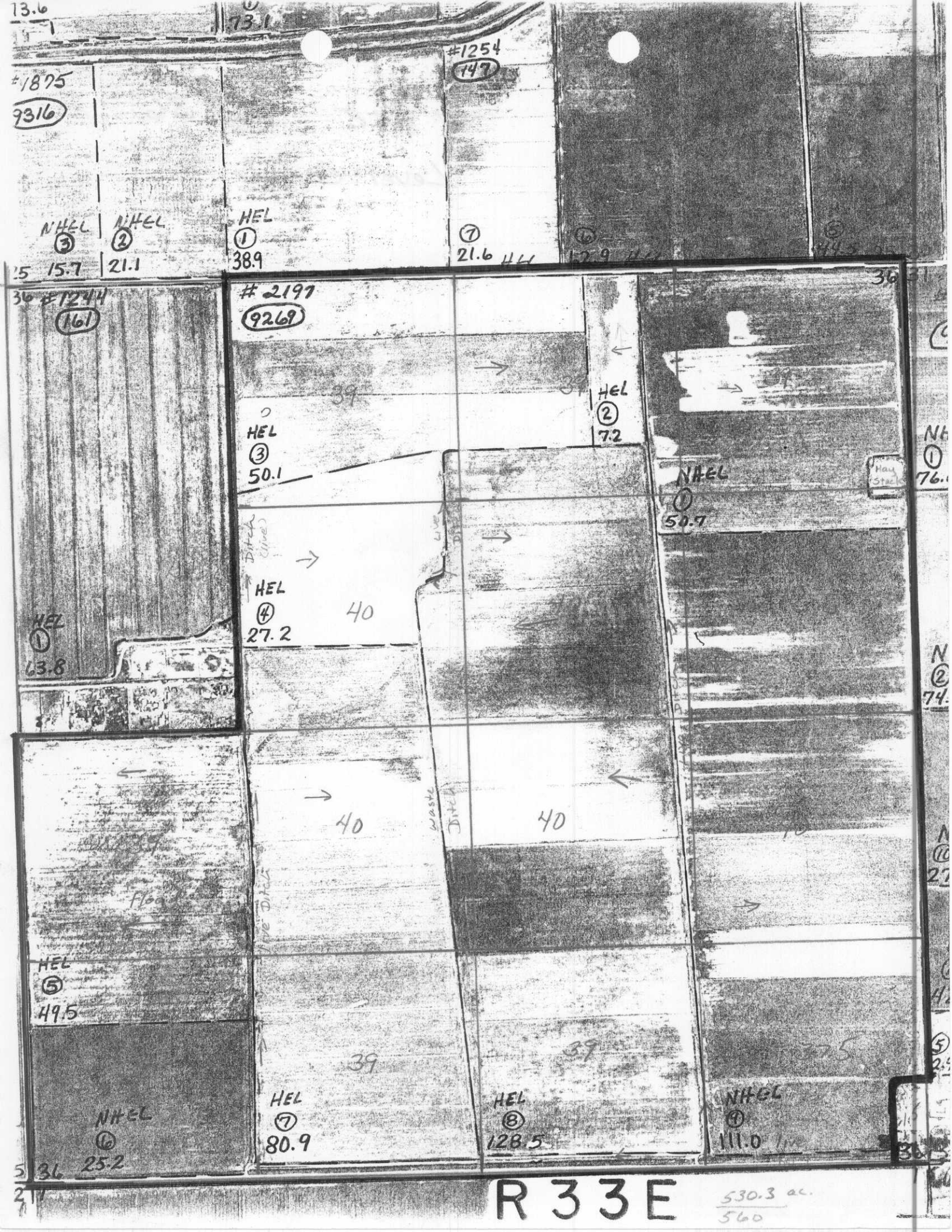
BM 4783

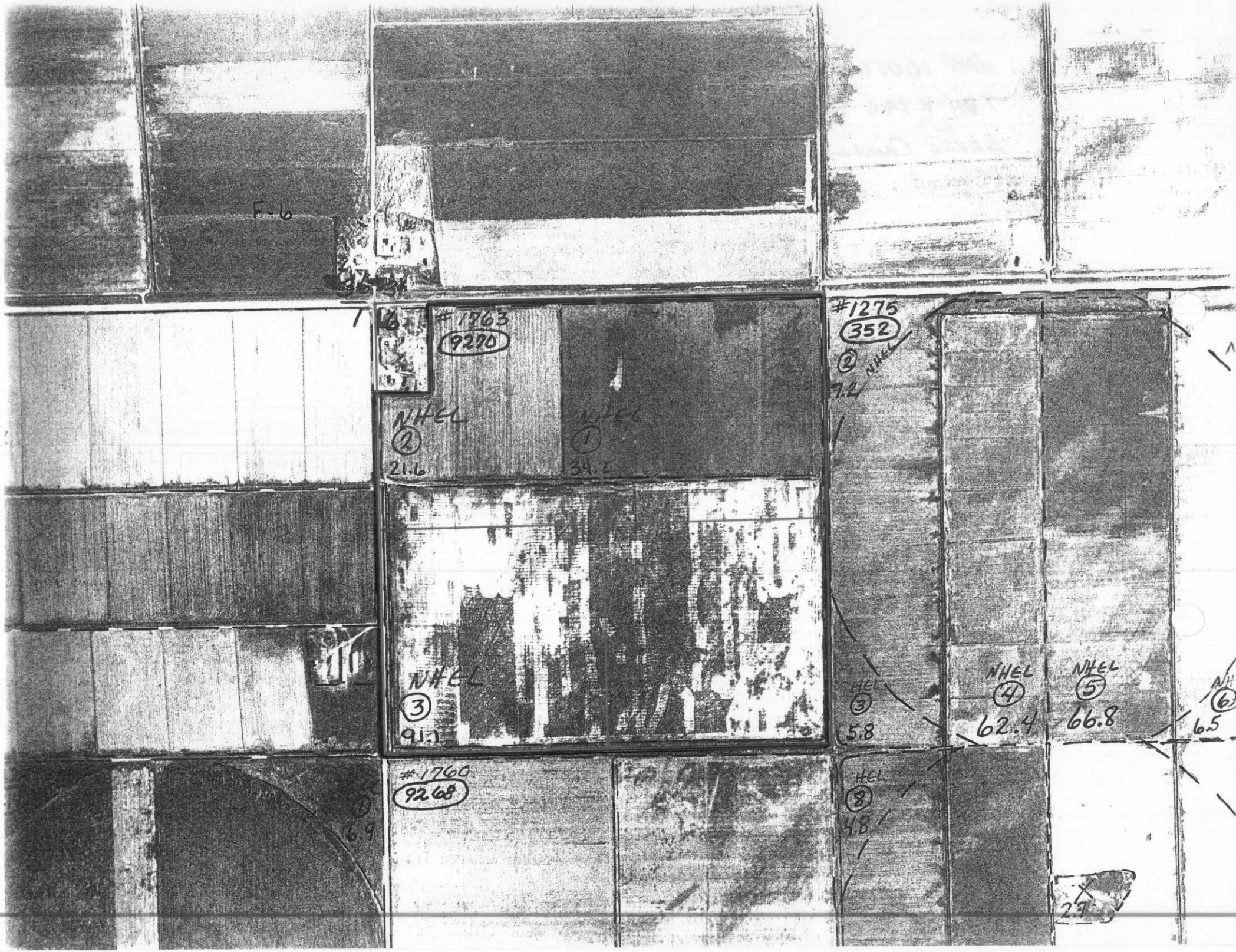
BM 4785

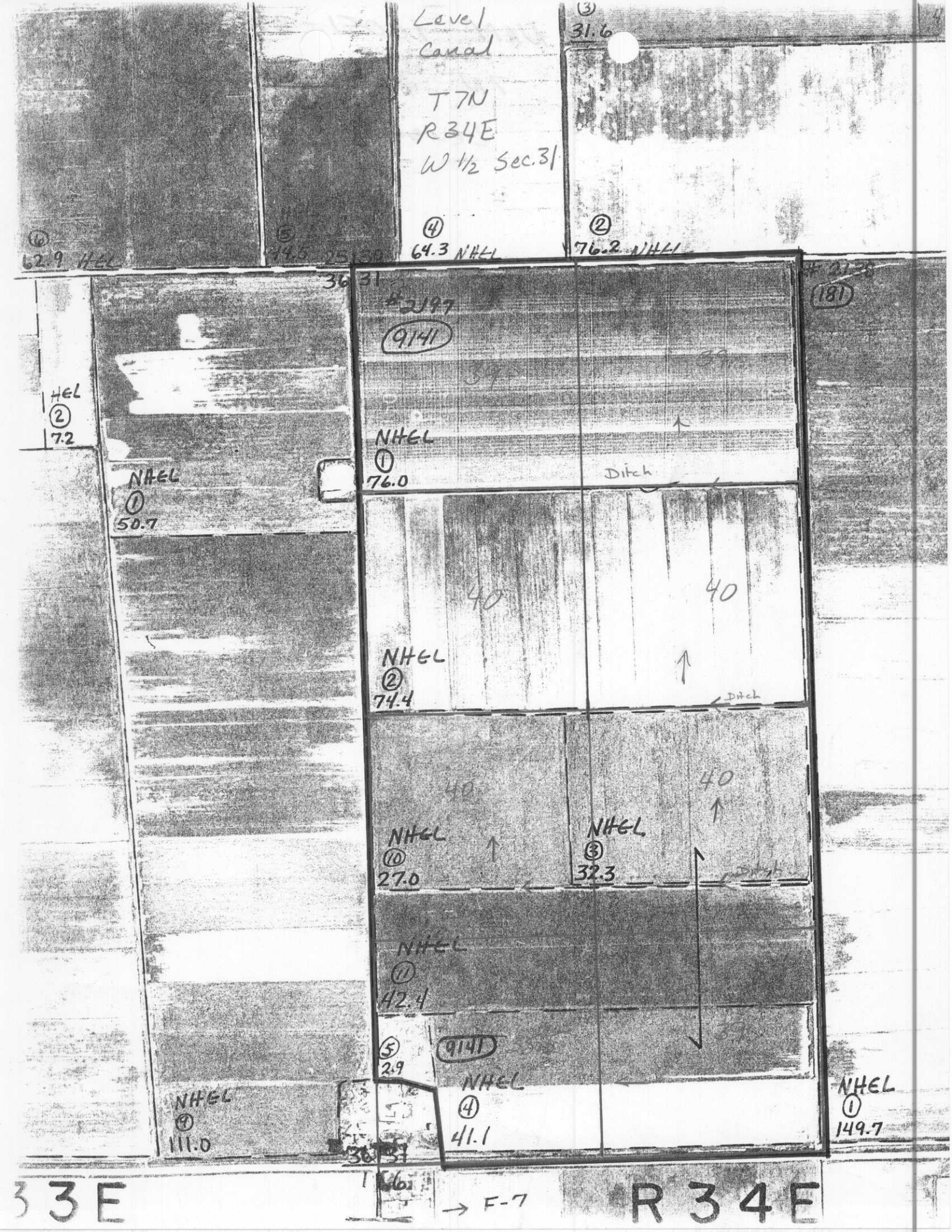
BM

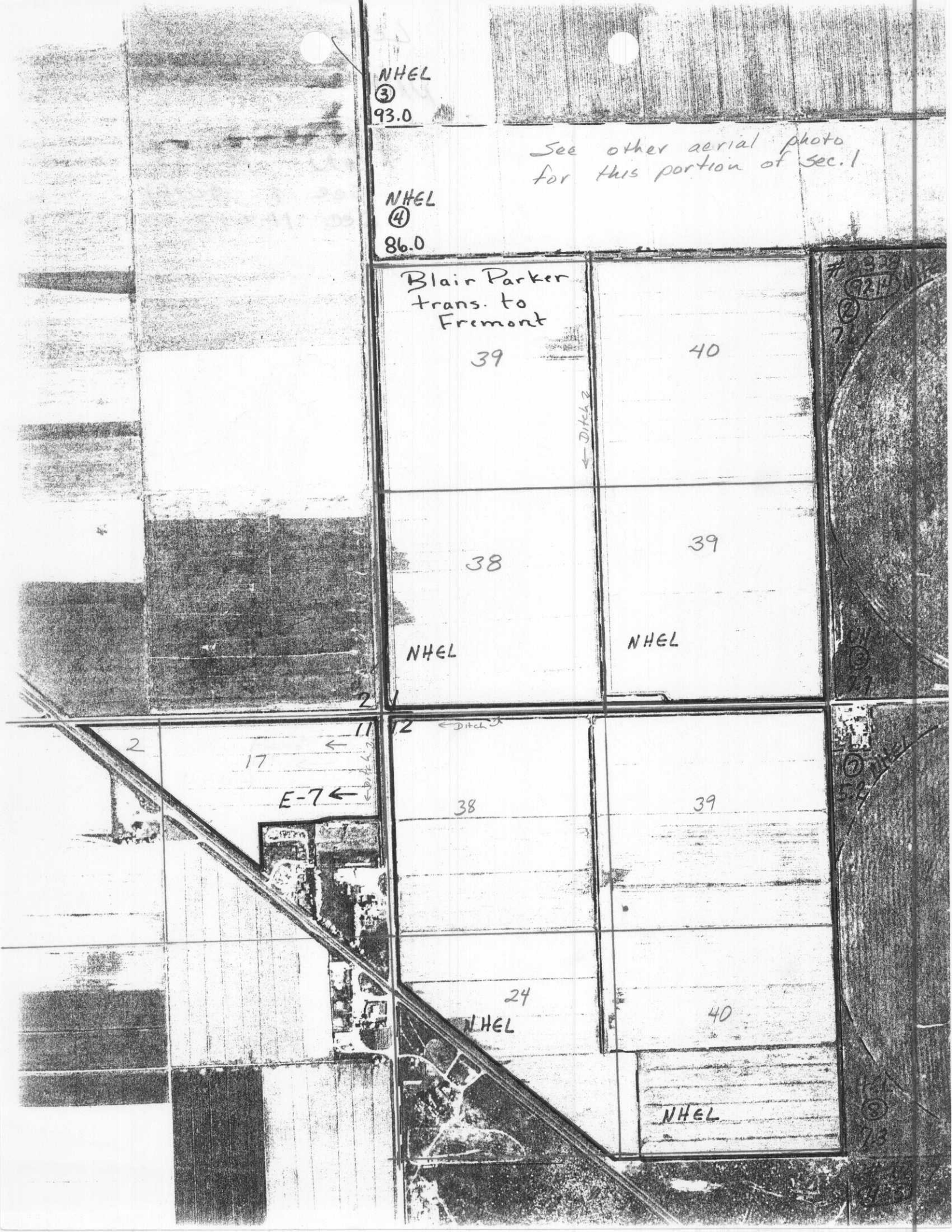
4781 4782 4783 4784 4785 4786


NHEL
(2)
59.0
NHEL
(1)
59.8
NHEL
(3)
93.0
NHEL
(4)
86.0
Blair Parker
trans. to
Fremont
see other
aerial photo
for this portion of
section 1
NHEL


#1875
9316
NHEL ③ 15.7
NHEL ② 21.1
HEL ① 38.9
#1254
147
⑦ 21.6 HEL
#1244
161
HEL ① 63.8
#2197
9269
HEL ③ 50.1
HEL ② 7.2
HEL ④ 27.2
NHEL ① 50.7
Hay Stack
Ditch
Waste Ditch
Pipe Ditch
HEL ⑤ 49.5
NHEL ⑥ 25.2
HEL ⑦ 80.9
HEL ⑧ 128.5
NHEL ④ 111.0
39
40
Flood
36
R 33 E
530.3 ac.
560


F-6
#1963
9270
NHEL
2
21.6
NHEL
1
34.2
#1275
352
2
NHEL
7.4
NHEL
3
5.8
NHEL
4
62.4
NHEL
5
66.8
#1760
9268
6.9
HEL
8
4.8
2.9


Level
Canal
T 7N
R 34E
W 1/2 Sec. 31
⑥ 62.9 HEL
⑤ 14.5
④ 64.3 NHEL
③ 31.6
② 76.2 NHEL
#3197
(9141)
HEL ② 7.2
NHEL ① 50.7
NHEL ① 76.0
Ditch
NHEL ② 74.4
Ditch
NHEL ⑩ 27.0
NHEL ③ 32.3
Ditch
NHEL ⑪ 42.4
⑤ 2.9
(9141)
NHEL ⑨ 111.0
NHEL ④ 41.1
NHEL ① 149.7
(181)
3 3 E
→ F-7
R 34 E


NHEL
③
93.0
See other aerial photo for this portion of sec. 1
NHEL
④
86.0
Blair Parker trans. to Fremont
39
40
Ditch
38
39
NHEL
NHEL
2
1
11
12
Ditch
2
17
E-7
38
39
24
NHEL
40
NHEL

TOPO W38
7N 33E

TOPO W39
7N 34E

TOPO W88
6N 33E

TOPO W89
6N 34E

JEFFERSON CANAL

WILDLIFE MANAGEMENT AREA

STATE BOUNDARY

Level Canal Co.

POD 00189 00005

31-7286
31-7315
31-2366(x)
31-7294
31-7286
31-7315
31-7019

Well

BM 4783

BM 4785

R 33 E

R 34 E

7N

6N

CRYSTAL LAKE CANAL

CRYSTAL LAKE CANAL

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 31-189 V2

WATER RIGHT NUMBER: 31-189 V2

Owner Type	Name and Address
Original Owner	BERTHA I OWSLEY
	, ZZ
Current Owner	LEVEL CANAL CO INC C/O WILFRIED SCHMITT HC 63 BOX 2585 MONTEVIEW, ID 83435 (208)663-4679

Priority Date: 09/17/1912

Basis: Decreed

Status: Active

Source	Tributary
MUD LAKE	SINKS

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION STORAGE	01/01	12/31		5,510.40 AF
IRRIGATION FROM STORAGE	04/01	10/31		5,510.40 AF
		Total Diversion:		5,510.40 AF

Location of Point(s) of Diversion

MUD LAKE NW1/4SW1/4SW1/4 Sec. 34, Twp 07N, Rge 34E, B.M.

JEFFERSON County

Place of Use

IRRIGATION FROM STORAGE Within JEFFERSON County

T06N R33E S01 Lot	1 NENE 40.0	T06N R33E S01 Lot	2 NWNE 40.0
T06N R33E S01	SWNE 40.0	T06N R33E S01	SENE 40.0
T06N R33E S01 Lot	3 NENW 40.0	T06N R33E S01 Lot	4 NWNW 39.0
T06N R33E S01	SWNW 39.0	T06N R33E S11	NENE 23.0
T06N R33E S11	NWNE 2.0	T06N R33E S11	SENE 0.1
T06N R33E S01	SENW 40.0	T06N R33E S01	NESW 40.0
T06N R33E S01	NWSW 39.0	T06N R33E S01	SWSW 38.0
T06N R33E S01	SESW 39.0	T06N R33E S12	NENW 39.0
T06N R33E S12	NWNW 39.0	T06N R33E S12	SWNW 25.0
T06N R33E S12	SENW 40.0	T06N R34E S06 Lot	3 NENW 40.0
T06N R34E S06 Lot	4 NWNW 39.0	T06N R34E S06 Lot	5 SWNW 39.0
T06N R34E S06	SENW 40.0	T07N R33E S36	NENE 40.0
T07N R33E S36	NWNE 40.0	T07N R33E S36	SWNE 40.0
T07N R33E S36	SENE 40.0	T07N R33E S36	NENW 40.0
T07N R33E S36	SENW 40.0	T07N R33E S36	NESW 40.0
T07N R33E S36	NWSW 39.0	T07N R33E S36	SWSW 38.0
T07N R33E S36	SESW 38.0	T07N R33E S36	NESE 40.0
T07N R33E S36	NWSE 40.0	T07N R33E S36	SWSE 38.0
T07N R33E S36	SESE 36.0	T07N R34E S31	NENW 40.0
T07N R34E S31 Lot	1 NWNW 39.0	T07N R34E S31 Lot	2 SWNW 39.0
T07N R34E S31	SENW 40.0	T07N R34E S31	NESW 40.0
T07N R34E S31 Lot	3 NWSW 39.0	T07N R34E S31 Lot	4 SWSW 33.0
T07N R34E S31	SESW 37.0		

Total Acres: 1656.1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 31-189 V2

IRRIGATION STORAGE same as IRRIGATION FROM STORAGE

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. E20 USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.
4. C18 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.
5. C19 THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT NUMBER 307626.

Remarks:

1. Explanatory FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 22.4 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).
2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.
3. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
4. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 31-5 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1440 ACRES IN A SINGLE IRRIGATION SEASON.
5. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1656.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

Comments:

1. aruberry 8/8/2001 version 2
Comment: Version 2 created by B Contor on A Ruberry account to adjust remarks to accomodate SF5 for settlement of objection on overlapping right 31-11335.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 31-189 V2

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector: OR
Water District Number: 31
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Summary	8/8/2001 3:16:11 PM		8/8/2001 3:16:11 PM	aruberry	Active

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
Summary	8/8/2001 3:16:09 PM	aruberry	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 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.

AJ recommendation 31-189
B. Coulton 11/1/00

1. Name : Level Canal
2. Priority : 9/17/1912
3. Source: Mud Lake
4. PD : 7N 34E 34 NW SW SW
5. Diversion works: Dredged channel from PD to relift pump station to canal.
6. Water use:
   Irrigation Storage 1/1 - 12/31 5510.4 acre feet
   Irrigation from Storage 4/1 - 10/31 5510.4 acre feet
7. Total Quantity 5510.4 acre feet

10. POU same as 31-5 and 31-11335, 1653.1 acres.

Conditions: C18 Conjunctive Mgt
C03 Δ POD
C05 Δ POU
E20 Combined w/ Dvdependent Water Users

Remarks:
QNT E05 This right & 31-11335 limited to 5510.4 afa.
POUI K06 This right limited to 1440 acres.
E14 This right w/ 31-5 and 31-11335 limited to 1653.1 acres.
EXP K01 31-11335 is an enlargement of this right

EXP Volume calculated @ 22.4 cfs x 2 cfs/day
x 123 days.

Bertha I. Owaley

1912 - September 17 22.4 c.f.s. 31 189 ✓ Source: Mud Lake.

Point of Diversion: Approximately 1000 feet East of Section corner of Sections 28, 29, 32, and 33, Township 7 North, Range 34 East, B.M.

For use on the following described land, to-wit: The North Half of Section 1, Township 6 North, Range 33 East, B. M. - 320 acres;

The Northwest Quarter of Section 6, Township 6 North, Range 34 East, B.M. - 160 acres;

The entire Section 36, Township 7 North, Range 33 East, B. M., and the West Half of Section 31, Township 7 North, Range 34 East, B. M. - 320 acres.

22.4 x 123 11

look

640

6N 33E 1	N½	320
6N 34E 6	NW	160
7N 33E 36	all	640
7N 34E 31	W½	320
		1440

No. 98

****

Claim A31-189

Doc Source Swave v Abbott Decree

Date 10/30/00 Sig. BOC

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Level Canal Co.
c/o Wilfrie
d Schmitt
HC 63 Box 2585
Monteview, Idaho 83435

Independent Water Users of Mud Lake
c/o Don Parker
2032 W 4200 S
Rexburg, Idaho 83440

Re: Place of Use

Dear Mr. Schmitt and Mr. Parker:

Enclosed are draft maps of the tentative place of use for water rights under the Level Canal and Independent Water Users.

Please review them carefully and contact me if there are problems or concerns.

Especially please look at the enclosed detail map of lands in T6N R33E Section 11. The yellow shape north of the Salmon Highway and West of the Monteview Highway is the place of use I believe should be recommended. The blue shape behind Holdaway's place is the place of use that is claimed. I need to know which of these is correct. If the yellow shape is correct, I'll need to prepare amended claims for your signatures. There will be no fee.

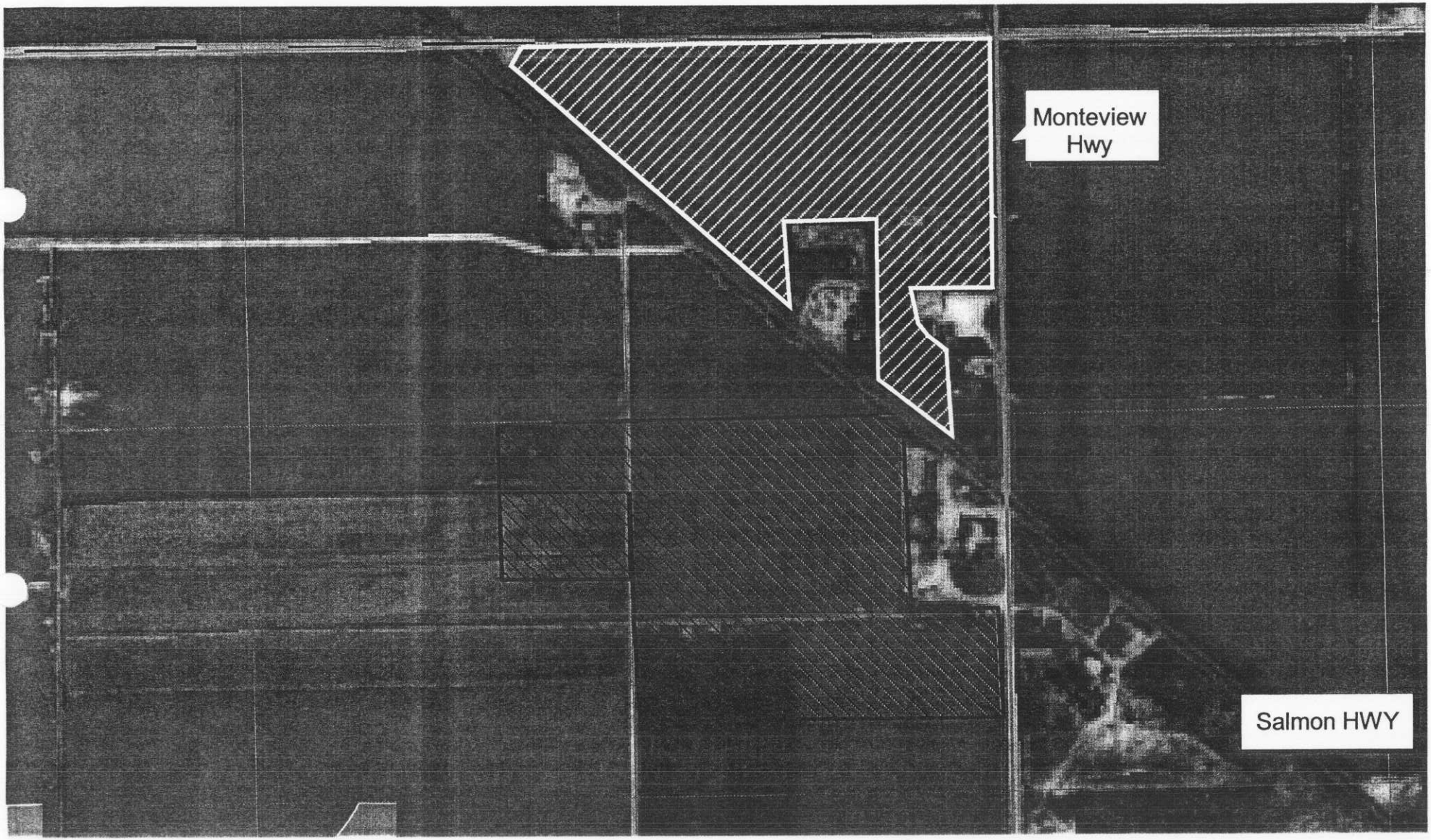
I'll be out of town on Wednesday, Thursday, and Friday. You may call me at home , 663-4853, this weekend, or you may call me at the office, 525-7161, next week.

Sincerely,

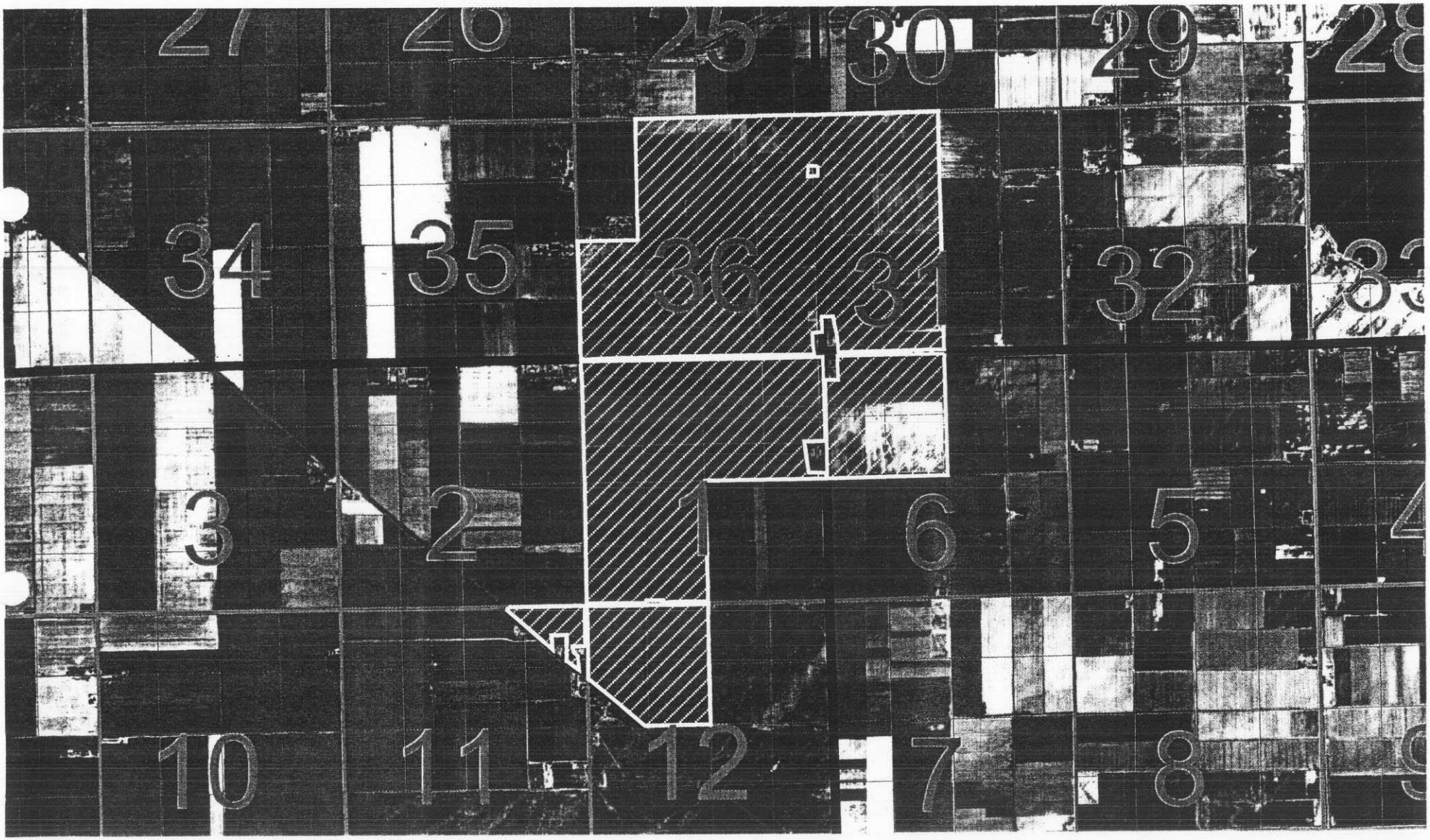
Bryce A. Contor

Bryce A. Contor
Senior Water Resource Agent

Level Canal/Independent Water Users Place of Use Question
October 9, 2000
Yellow - Presumed Place of Use. Blue - Claimed Place of Use



Working Map of Level Canal Place of Use - October 9, 2000



Working Map of Independent Water Users Place of Use
October 9, 2000 - Version 1



Form 12-A

31-0189

Affidavit for Change of Point of Diversion of Decreed Water Right

STATE OF IDAHO,
County of Jefferson } ss.

Mr. M.M.Owsley, being first duly sworn, deposes and says: That his postoffice address is Lamer Idaho; That he is the owner of and using a certain water right, bearing date of priority of September 17, 1912, for 22.4 cubic feet per second of the waters of Mud Lake, County of Jefferson, State of Idaho, decreed to Bertha I.Owsley, by decree of Judge C.C.Cavanah, of the United States ~~Judicial~~ District ~~of~~ the ~~State of Idaho, for and for the County of~~ Court Dist.of Idaho in the case of Ernest Sauve vs. W.H.Abbott et.al said decree bearing date of ~~February 25~~ 1931, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 68, in the County of Jefferson, and State of Idaho, to-wit: N½ Sec 1 T 6N R33 E & NW ¼ Sec.6 T 6 R 34 East & entire section 36 T 7 N R 33 East and the W½ Sec.31 T 7 R 34 East.

That he is the person (or representative of the corporation) to whom such right was issued, (or has become the owner thereof in the following manner: Agent for Bertha I.Owsley

That said waters are now diverted from said stream in the NW ¼ NW ¼ of Sec. 33, Twp. 7 N., Range 34 E., and conducted to the above described lands through the Bertha I. Owsley ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in SE ¼ of SE ¼, Sec. 33, Twp. 7 N., Range 34 E., and thereafter conduct same to the above described land through the New Bertha I.Owsley ditch, as per map above referred to:

That his reasons for desiring to make such change are as follows: Draft on the waters of MUD Lake in recent years has so reduced the elevation of the lake surface that water is no longer available at the present point of diversion in the later part of the irrigation season.

That no one will be injured by such change and that such change will be made at affiant's own risk.

M.M.Owsley.
Affiant.

Subscribed and sworn to before me this 3rd day of May, 1932

John H. Hays
Notary Public.
Residing at Lamer Idaho

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit. There are on other users of water intrested in exhisting ditch.

Form 11-A

Affidavit for Change of Point of Diversion of Decreed Water Right

RECEIVED
MAY 16 1932
DEPARTMENT OF RECLAMATION

STATE OF ~~IDAHO~~ Montana,
County of Madison } ss.

Bertha I. Owsley, her being first duly sworn, deposes and says: That ~~his~~ postoffice address is Twin Bridges, Montana; That he is the owner of and using a certain water right, bearing date of priority of Sept. 17th, 19 12, for 22.4 cubic feet per second of the waters of Mud Lake, County of Jefferson, State of Idaho, decreed to Bertha I. Owsley, by decree of Judge C. C. Cavanah, of the United States Judicial District of the State of Idaho, in and for the County of ..... in the case of Sauve' vs. Abbott said decree bearing date of Nov. 1st 1928, for the purpose of irrigating the following described lands, situate, lying and being in Water Dist. No. 36, in the County of Jefferson, and State of Idaho, to-wit: North half Sec. 1 Tp. 6 N. R. 33 E. B. M., 320 acres; Northwest Quarter of Section 6. Tp. 6 N. R. 34 E. B. M., 160 acres. Entire Sec. 36 Tp. 7 N. R. 33 E. B. M., and the East half of Sec. 31 Tp. 7 N. R. 34 E. B. M., 320 acres.

She That ~~he~~ is the person (~~or representative of the corporation~~) to whom such right was issued, (~~or has become the owner thereof in the following manner~~)

That said waters are now diverted from said stream in the NW¼ NW ¼ of Sec. 33, Twp. 7 N., Range 34 E.B.M., and conducted to the above described lands through the Owsley ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said water from the point above described to a point located in SE ¼ of SW ¼, Sec. 33, Twp. 7 N., Range 34 E. B. M. and thereafter conduct same to the above described land through the Owsley ditch, as per map above referred to:

That ~~his~~ Her reasons for desiring to make such change are as follows: Makes a shorter and better intake from the lake in periods of low water and the elevation of the new pump site is more favorable; reduce seepage and evaporation.

That no one will be injured by such change and that such change will be made at affiant's own risk.

Bertha I. Owsley.
Affiant.

Subscribed and sworn to before me this 4th day of May, 1932.

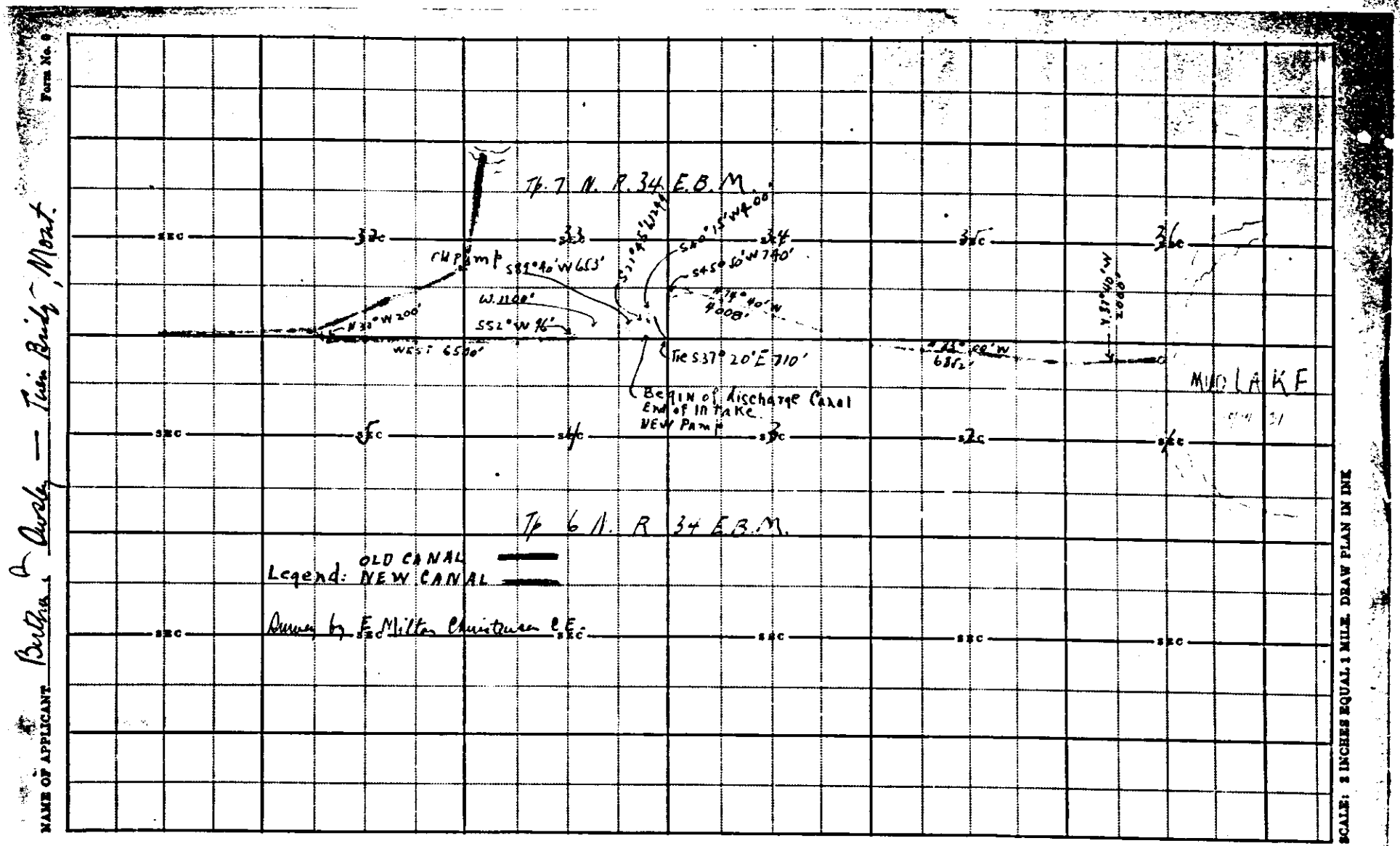
NOTARY PUBLIC for the State of Montana,
Residing at Twin Bridges, Montana.
My commission Expires June 15th, 1934

Lynn Comfort

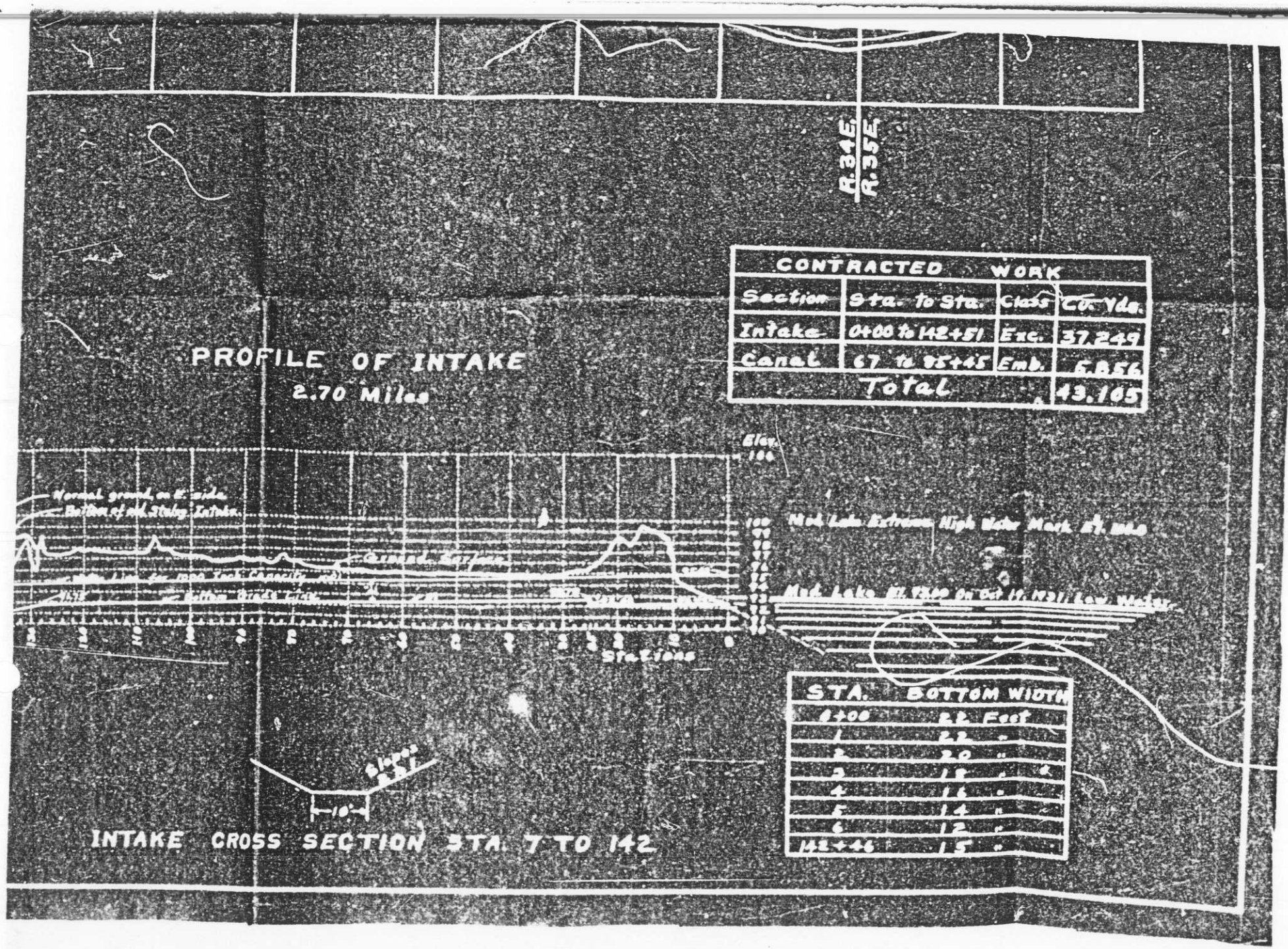
NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

Form No. 9

NAME OF APPLICANT Bellis & Curley — Twin Bridges, Mont.



SCALE: 8 INCHES EQUAL 1 MILE. DRAW PLAN IN INK


R.34E.
R.35E.
CONTRACTED WORK
Section | Sta. to Sta. | Class | Cu. Yds.
Intake | 0+00 to 142+51 | Exc. | 37,249
Canal | 67 to 95+45 | Emb. | 5,856
Total | | | 43,105
PROFILE OF INTAKE
2.70 Miles
Elev. 100
Normal ground on E. side
Bottom of old Stuby Intake
Mich. Lake Extreme High Water Mark 27. 1838
Mich. Lake Mean Low Water
Stations
STA. BOTTOM WIDTH
0+00 24 Feet
22 "
20 "
3 18 "
4 16 "
5 14 "
6 12 "
142+46 15 "
Slope
10'
INTAKE CROSS SECTION STA. 7 TO 142

OF

AKE AND CANAL

NG THE

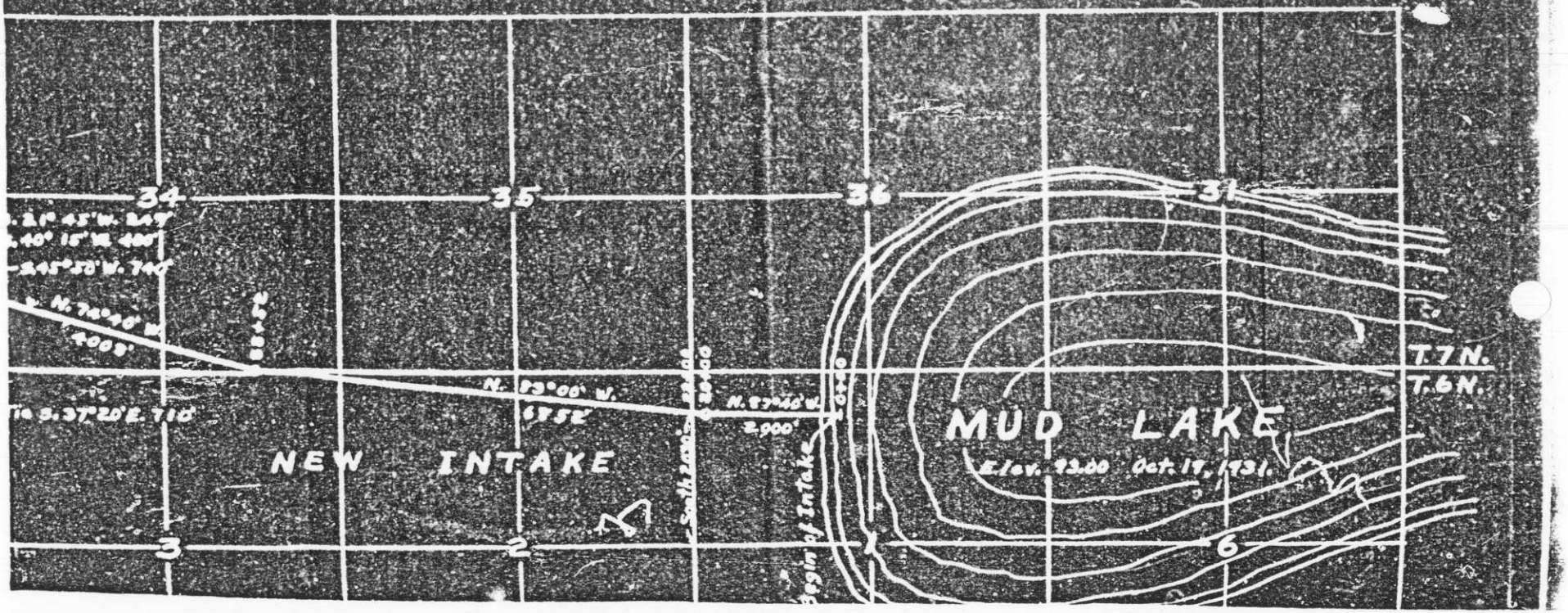
W½ OF SEC. 31, T. 7 N. R. 34 E.,

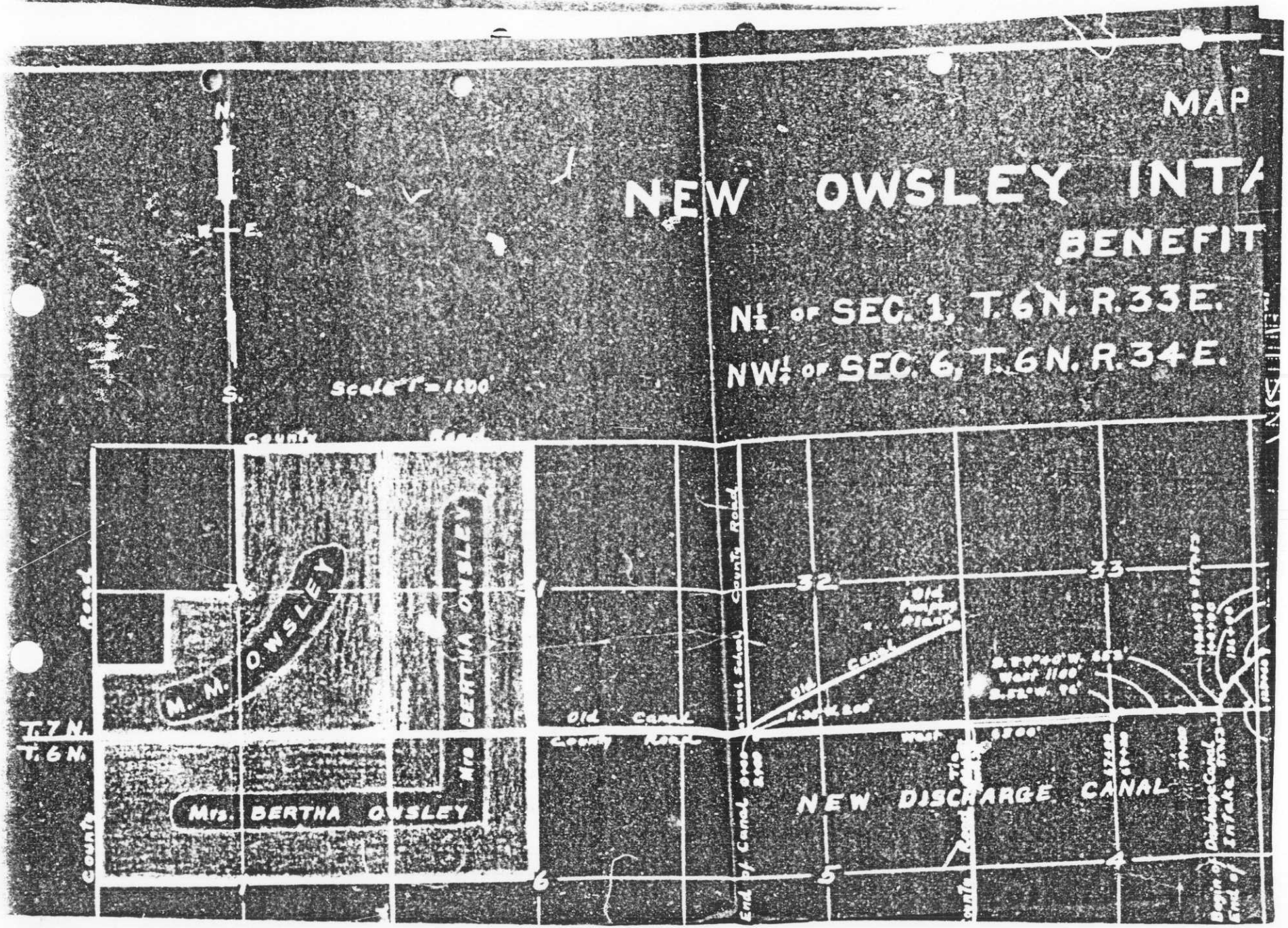
E½, E½-SW¼, SW¼-SW¼ OF SEC. 36, T. 7 N. R. 33 E.

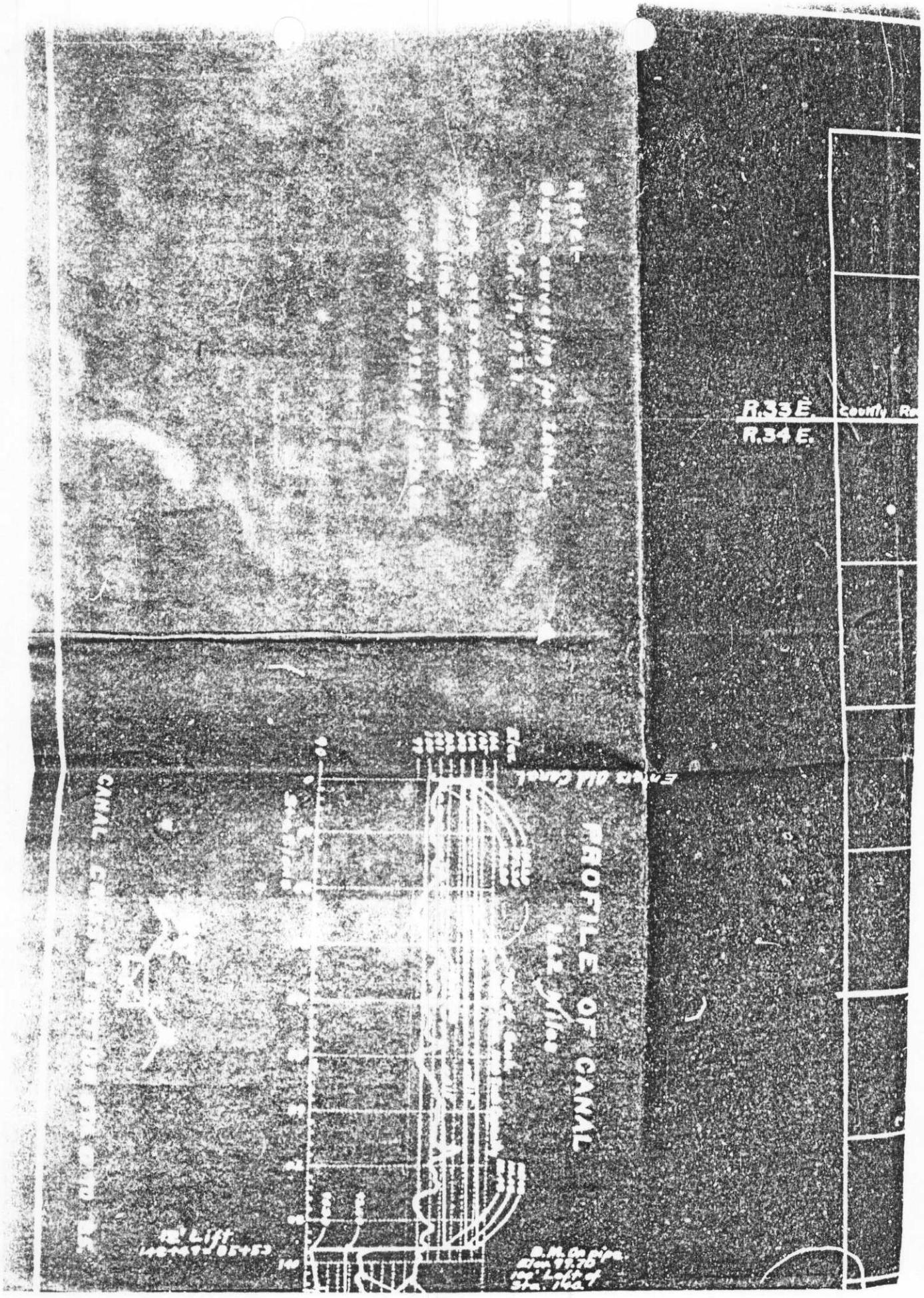
I hereby certify that the herewith plat and profiles were made from an actual survey as made by me from Oct. 19, 1931, to Nov. 5, 1931, and correctly represents the lines and elevations of the survey, and the contract quantities to the grades as shown.

E. Milton Christensen
Licensed Civil Engineer

Nov. 9, 1931. Idaho Falls, Idaho.




MAP
NEW OWSLEY INTA
BENEFIT
N½ of SEC. 1, T.6N. R.33E.
NW¼ of SEC. 6, T.6N. R.34E.
N.
E.
S.
Scale 1"=1600'
County Road
M. M. OWSLEY
BERTHA OWSLEY
Mrs. BERTHA OWSLEY
Old County Road
Old Canal
NEW DISCHARGE CANAL
T.7N.
T.6N.
32
33
6
5
4


R.33 E.
R.34 E.
PROFILE OF CANAL

May 13, 1938

Re: CHANGE OF POINT OF DIVERSION No. 133
Bertha A. Owsley Water Right
Mud Lake

Mr. DAVID E. DARRICK
Dubois
I d a h o

Dear Sir:

Regarding the application for change of point of diversion of the Bertha A. Owsley water right from Mud Lake: Section 163 provides that a change in the point of diversion may be made if no one is injured thereby

At the time of our field inspection on May 1, it was mutually agreed between us that no one would be injured by allowing this application. You are, therefore, authorized to permit Mr. Owsley to divert his water at the new station.

Very truly yours,

Assistant Commissioner
of Reclamation

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/15/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-00139

LAST: OWSLEY FIRST: BERTHA I.
ADDRESS:
CITY: ~~N/A~~ X STATE: ID ZIP: ~~N/A~~ 0
PHONE NUMBER: 208-000-0000

OWNER CODE: 0

LAST: LEVEL CANAL COMPANY X INC X FIRST:
ADDRESS: C/O WILFRIED SCHMITT
HC 63 X BOX 2585
CITY: MONTEVIEW STATE: ID ZIP: 83435
PHONE NUMBER: 208-663-4679

OWNER CODE: C

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	Y	N

CLAIM REMARKS: TRANS. TO CHANGE P/D.
AC. IRR.=700.
EXPANSION ASSUMED TO BE COVERED BY PRESUMPTION FLAG D

copy to comments

FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A31-00189

CONTACT PERSON: None

PHONE NUMBER: (___) ___-____

DATE OF FIELD EXAM: 7/14/97

APPOINTMENT MADE: Y(__) N(X)

TIME: ___:___ A(__) P(__)

ACCOMPANIED BY: _____

PHONE NUMBER: (___) ___-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A31-00189

A. AJ CLAIM: # A31-00189 PRIORITY DATE: 09-17-1912 STAGE: D

B. WR RECORD: # 31-00189 PRIORITY DATE: 09-17-1912 STAGE: D

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	N	N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(_) N(X)
IF YES EXPLAIN.

NOTES: Claimed priority date matches decreed priority date.

RECOMMENDED PRIORITY DATE:
09-17-1912

REVIEWED BY [signature] DATE 7-22-94

POINT OF DIVERSION REVIEW SHEET

CLAIM NUMBER: A31-00189

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00189	07N	34E	33	SW	SW	SW		JEFFERSON
A31-00189	07N	34E	33	SE	SE	SE		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A31-00005	NONE

WR RECORDS IN SAME 40 ACRE TRACT

31-00005

SOURCE: MUD LAKE

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-00189	07N	34E	33		SE	SE		JEFFERSON

OTHER WR RECORDS WITH SAME WR POD

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A31-00005	NONE

SOURCE: MUD LAKE

TRIB: SINKS

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	Y
DUE TO SOURCE DISCREPANCY? (Y/N)	N	N

NOTES:

P.O.D. verified by field exam and D.Q. W39

POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-30139

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
7N	34E	33	SW	SE	SE	---	Jefferson	
---	---	---	---	---	---	---	---	
---	---	---	---	---	---	---	---	
---	---	---	---	---	---	---	---	
---	---	---	---	---	---	---	---	
---	---	---	---	---	---	---	---	

SOURCE: MUD LAKE TRIB: SINKS

REVIEWED BY: CF DATE: 7-21-94

SYSTEM DESCRIPTION:

4 lift pumps - lift water approx. 6' from lake to canal.

Pump #1 Fairbanks Morse motor (no HP or S.N.) No make or SN for pump

Pump #2 25 HP motor (S.N. 778170-1) Agripropeller pump (S.N. 12)

Pump #3 25HP motor (U.S. Motors, SN. 1153923) Wintroath pump (SN. C9088)

Pump #4 25 HP motor (U.S Motors, SN 928910) Agripump (S.N. R983)

Gravity flow canal from pumping station. There was a pump to recover seepage in the NENE of Sec. 4 T 6N R34E. Takeouts from the canal include headgates and pumps.

PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A31-00189

A. ROOT WATER RIGHT NUMBERS: A31-00189

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06N	33E	1	NE	NE	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NE	NE		OWSLEY , BERTHA I.			31-02102	/40.0			38
			NE	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	NE	1	INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	NW	NE	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NW	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	NE	2	INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			39
			NW	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SW	NE	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	41.0		
			SW	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			40
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SW	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SE	NE	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	40.0		
			SE	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			36
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	NE	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	NW	3	INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			39
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	NW	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NW	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	NW	4	INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			38
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SW	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	39.0		
			SW	NW		OWSLEY , BERTHA I.			31-02102	/40.0			39

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SE	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	38.0		40
			SE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	NE	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	37.0		40
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	NW	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	38.0		39
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SW	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	37.0		38
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	1	SE	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	37.0		39
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	11	SW	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/ 5.0	-	/	42.0		0
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-02243	/20.0	31-02243	/40.0			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-02420	/20.0	31-02420	/40.0			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-02451	/20.0	31-02451	/40.0			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-07327	/20.0	31-07327	/40.0			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-10322	/20.0	-	/			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-10323	/20.0	-	/			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-10324	/20.0	-	/			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-10325	/20.0	-	/			
			SW	NE		JEFFERSON IRRIGATION COMPANY	A31-10661	/20.0	-	/			
			SW	NE		JEFFERSON IRRIGATION CO.			31-02312	/40.0			
			SW	NE		JEFFERSON IRRIGATION CO.			31-02313	/40.0			
			SW	NE		BIRD , LEROY			31-07019	/20.0			
			SW	NE		JEFFERSON IRRIGATION CO.			31-02311	/40.0			
06N	33E	11	SE	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/25.0	-	/	33.0		0

Map with claim did not include these lands ∴ this appears to be an error made at the time of filing

See NENE + NWNE Sec. 11

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		AR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-02243	/ 6.0	31-02243	/40.0			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-02420	/ 6.0	31-02420	/40.0			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-02451	/ 6.0	31-02451	/40.0			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-07327	/ 6.0	31-07327	/33.0			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-10322	/ 6.0	-	/			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-10323	/ 6.0	-	/			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-10324	/ 6.0	-	/			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-10325	/ 6.0	-	/			
			SE	NE		ALLEN , J. EMERY	A31-10482	/	-	/			
			SE	NE		JEFFERSON IRRIGATION COMPANY	A31-10661	/ 6.0	-	/			
			SE	NE		JEFFERSON IRRIGATION CO.			31-02312	/40.0			
			SE	NE		JEFFERSON IRRIGATION CO.			31-02313	/40.0			
			SE	NE		BIRD , LEROY			31-07019	/34.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/ 3.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/ 3.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/ 3.0			
			SE	NE		JEFFERSON IRRIGATION CO.			31-02311	/40.0			
06N	33E	12	NE	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			39
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	12	NW	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	38.0		
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			38
			NW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	33E	12	SW	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/25.0	-	/	30.0		
			SW	NW		MITCHELL , T.C.	A31-10462	/	-	/			24
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/25.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/25.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/25.0			
06N	33E	12	SE	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	35.0		
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			40
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	34E	6	NE	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			39
			NE	NW	3	INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
06N	34E	6	NW	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			NW	NW	4	OWSLEY , BERTHA I.			31-02102	/40.0			34

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/39.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/39.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/39.0			
06N	34E	6	SW	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			SW	NW		OWSLEY , BERTHA I.			31-02102	/40.0			39
			SW	NW	5	INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/39.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/39.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/39.0			
06N	34E	6	SE	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	43.0		
			SE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			40
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
07N	33E	36	NE	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	42.0		
			NE	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			39
			NE	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
07N	33E	36	NW	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		
			NW	NE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			39
			NW	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NW	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
07N	33E	36	SW	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		
			SW	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SW	NE		OWSLEY , BERTHA I.			31-02102	/40.0			40
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SW	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	SE	NE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	41.0		
			SE	NE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SE	NE		OWSLEY , BERTHA I.			31-02102	/40.0			40
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	NE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	NE	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		39

PLACE OF USE REVIEW SHEET CONTINUED CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	NW	✓	JEFFERSON IRRIGATION COMPANY	A31-02243	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-02420	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-02451	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-10322	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-10323	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-10324	/40.0	-	/			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-10325	/40.0	-	/			
			NE	NW		LEVEL CANAL COMPANY, INC.	A31-00005	/40.0	31-00005	/40.0			
			NE	NW		JEFFERSON IRRIGATION COMPANY	A31-10661	/40.0	-	/			
			NE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	SE	NW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	40.0		40
			SE	NW		LEVEL CANAL COMPANY, INC.	A31-00005	/40.0	31-00005	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	NE	SW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		40
			NE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NE	SW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	NW	SW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	37.0		39
			NW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NW	SW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	33E	36	SW	SW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	36.0		38
			SW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SW	SW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
07N	33E	36	SE	SW	✓	LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	37.0		39
			SE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SE	SW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	33E	36	NE	SE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	40.0		40
			NE	SE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NE	SE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	SE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	SE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NE	SE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
07N	33E	36	NW	SE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		40
			NW	SE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NW	SE		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	SE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	SE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			NW	SE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
07N	33E	36	SW	SE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	39.0		39
			SW	SE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SW	SE		OWSLEY , BERTHA I.			31-02102	/40.0			
			SW	SE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	SE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SW	SE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
07N	33E	36	SE	SE		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	40.0		37.5
			SE	SE		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SE	SE		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	SE		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	SE		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			SE	SE		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
07N	34E	31	NE	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	40.0		39
			NE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	NW	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			38
			NW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NW	NW	1	OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	SW	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			39
			SW	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SW	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SW	NW	2	INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SW	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			

PLACE OF USE REVIEW SHEET CONTINUED — CLAIM NUMBER: A31-00189

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		AR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	34E	31	SE	NW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/	42.0		
			SE	NW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			40
			SE	NW		OWSLEY , BERTHA I.			31-02102	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	NW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	NE	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	35.0		
			NE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NE	SW		OWSLEY , BERTHA I.			31-02102	/40.0			40
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	NW	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/			
			NW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			NW	SW		OWSLEY , BERTHA I.			31-02102	/40.0			
			NW	SW	3	INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			39
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			NW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	SW	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	31-00189	/			
			SW	SW		SCHMITT , IRENE	A31-10473	/	-	/			
			SW	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SW	SW	4	OWSLEY , BERTHA I.			31-02102	/40.0			35.5
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SW	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
07N	34E	31	SE	SW		LEVEL CANAL COMPANY, INC.	A31-00189	/40.0	-	/	38.0		
			SE	SW		INDEPENDENT WATER USERS OF MUD			T31-00336C	/40.0			
			SE	SW		OWSLEY , BERTHA I.			31-02102	/40.0			39
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-04003	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00336A	/40.0			
			SE	SW		INDEPENDENT WATER USERS OF MUD			31-00337A	/40.0			
			TOTAL ACRES				A31-00189		1695.00		1269.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y( ) N( )
IF YES SEE ~~ATTACHED SHEET:~~ below

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POU DISCREPANCY? (Y/N)	Y	------

POU COUNTY: JEFFERSON

6N 33E 11 NENE
NWNE

17
2
1636

Map with claim did include these lands

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-00189

PRESUMPTION FLAG: D

NOTES:

Place of use determined by field exam, and D.Q.s W381 W39, W88, W89; ASCS aerial photos; and NAPPs W385W, W38 SE and W88 NE. The reduction in acres resulted in removal of lands dedicated to permanent roadways and areas occupied by buildings and farmsteads.

RECOMMENDATIONS:

TOTAL ACRES: 1440 ac. within 1636 ac. p.p.o.u.

REVIEWED BY: CF DATE: 7-22-94

See attached P.O.U. analysis

PURPOSES REVIEW SHEET

CLAIM NUMBER: A31-00189

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-00189	IRRIGATION	FROM 04-01 TO 11-01	22.400 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		22.400 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-00189	IRRIGATION	FROM 05-01 TO 09-01	22.400 CFS
31-00189	STOCKWATER	FROM TO	22.400 CFS
31-00189	DOMESTIC	FROM TO	22.400 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		22.400 CFS

PRESUMPTION FLAG: B C

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	N
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	N
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(___) N(X)

RECOMMEND TO WR STANDARDS OR OTHER? Y(X) N(___) EXPLAIN IN NOTES, BELOW.

NOTES:

DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER: 31-00189

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(X) N(__)

AJ TOTAL CLAIMED DIVERSION RATE: 22.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 22.400 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)	Y	N

B. FLOW MEASUREMENT

MEASUREMENT METHOD N.A., SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N(__) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 31-0005 AND 52% INTEREST IN INDEPENENT WATER USERS ASSOC.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-00139	MUD LAKE	LEVEL CANAL COMPANY, INC.	22.400	0.013		
A31-00005	MUD LAKE	LEVEL CANAL COMPANY, INC.	1.500	0.020		
A31-02243	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	40.000	0.003		
A31-02420	WASTE WATER CANAL SEEPAGE	JEFFERSON IRRIGATION COMPANY	15.000	0.001		
A31-02451	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	10.000			
A31-07327	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	59.500	0.005		
A31-10322	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	70.000	0.006		
A31-10323	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	29.000	0.002		
A31-10324	SPRINGS UNNAMED STREAMS GROUNDWATER	JEFFERSON IRRIGATION COMPANY	60.000	0.005		
A31-10325	SPRINGS UNNAMED STREAMS GROUNDWATER	JEFFERSON IRRIGATION COMPANY	40.000	0.003		
A31-10651	GROUNDWATER	JEFFERSON IRRIGATION COMPANY	40.000	0.003		

DIVERSION AMOUNT REVIEW SHEET CONTINUED CLAIM NUMBER: A31-00189

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-10432	DOMESTIC	ALLEN , J. EMERY	FROM 01-01 TO 12-31	.100 CFS	
A31-10432	STOCKWATER	ALLEN , J. EMERY	FROM 01-01 TO 12-31	.020 CFS	
A31-10452	DOMESTIC	MITCHELL , T.C.	FROM 01-01 TO 12-31	.040 CFS	
A31-10452	STOCKWATER	MITCHELL , T.C.	FROM 01-01 TO 12-31	.020 CFS	
A31-10473	DOMESTIC	SCHMITT , IRENE	FROM 01-01 TO 12-31	.040 CFS	
A31-10473	STOCKWATER	SCHMITT , IRENE	FROM 01-01 TO 12-31	.190 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES 1636 X 0.02 CFS/ACRE = 32.72 CFS
(TAKEN FROM P/U REVIEW)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(__) N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(__) N(__) ***

18. CALCULATIONS

22.4 + 1.6 = 24.0 < 32.72

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 4242.5 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

All rights

1636 AC. × 2.5 = 4090 AF

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(___) N(___)

31-000189

DIVERSION AMOUNT REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-00189

TRANS. TO CHANGE P/D.
AC. IRR.=700. ? Nothing in WR record supports this.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
Irrigation				22.4				
TOTAL FOR THIS RIGHT								

In Remarks

REVIEWED BY: DATE:

Remarks

QNT	E04	24.0 cfs 31-00005 & 31-
PDUI	K06	1440 Ac.
	E14	1636 Ac. 31-00005 & 31-
CON	E24	4090 AF 31-00005 & 31-
EXP	F05	31-00005 & 31-

BASIS OF CLAIM REVIEW SHEET

CLAIM NUMBER: A31-00189

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	( )	( )
FORFEIT/ABANDON	( )	( )
ADDITIONAL DIV. AMOUNT	( )	( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00189

	DATABASE	EXAMINER	
TOTAL DIVERSION RATE OF WR SPLITS	22.400	_____	CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-00189	22.400	-		31-00189	22.400
	TOTAL CFS	22.400				22.400

DIVERSION RATE REVIEW

	DATABASE	FIELD EXAMINER
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	Y	------
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)		------

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

QUICKLOOK INFORMATION

CLAIM NUMBER: A31-00189

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
MAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

PROFILE REPORT

CLAIM NUMBER: A31-00139

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	LEVEL CANAL COMPANY, INC. C/O WILFRIED SCHMITT HC 63, BOX 2585 MONTEVIEW ID 83435 (208) 663-4679	09/17/1912	IRRIGATION	04-01	11-01	22.40 CFS	
				TOTAL DIVERSION:		22.40 CFS	
				CONSUMPTIVE USE:			4242.5 AFA

WATER SOURCE: MUD LAKE TRIBUTARY TO: SINKS STAGE: DECREED

POINT(S) OF DIVERSION: T07N R34E S33 SESESE JEFFERSON COUNTY
POINT(S) OF RE-DIVERSION: T07N R34E S33 SWSWSW JEFFERSON COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	LT AC	SUM
06N	33E	1	40	40	40	40	40	40	40	40									320.0
06N	34E	5					40		40	40									120.0
06N	33E	1									40	40	40	40					160.0
07N	34E	31					40	40	40	40	40	40	40	40					320.0
07N	33E	35	40	40	40	40					40	40	40	40	40	40	40	40	480.0
06N	33E	12					40	40	25	40									145.0
																	TOTAL ACRES		1695.0

POU COUNTY: JEFFERSON

NON-IRRIGATION USES: NONE

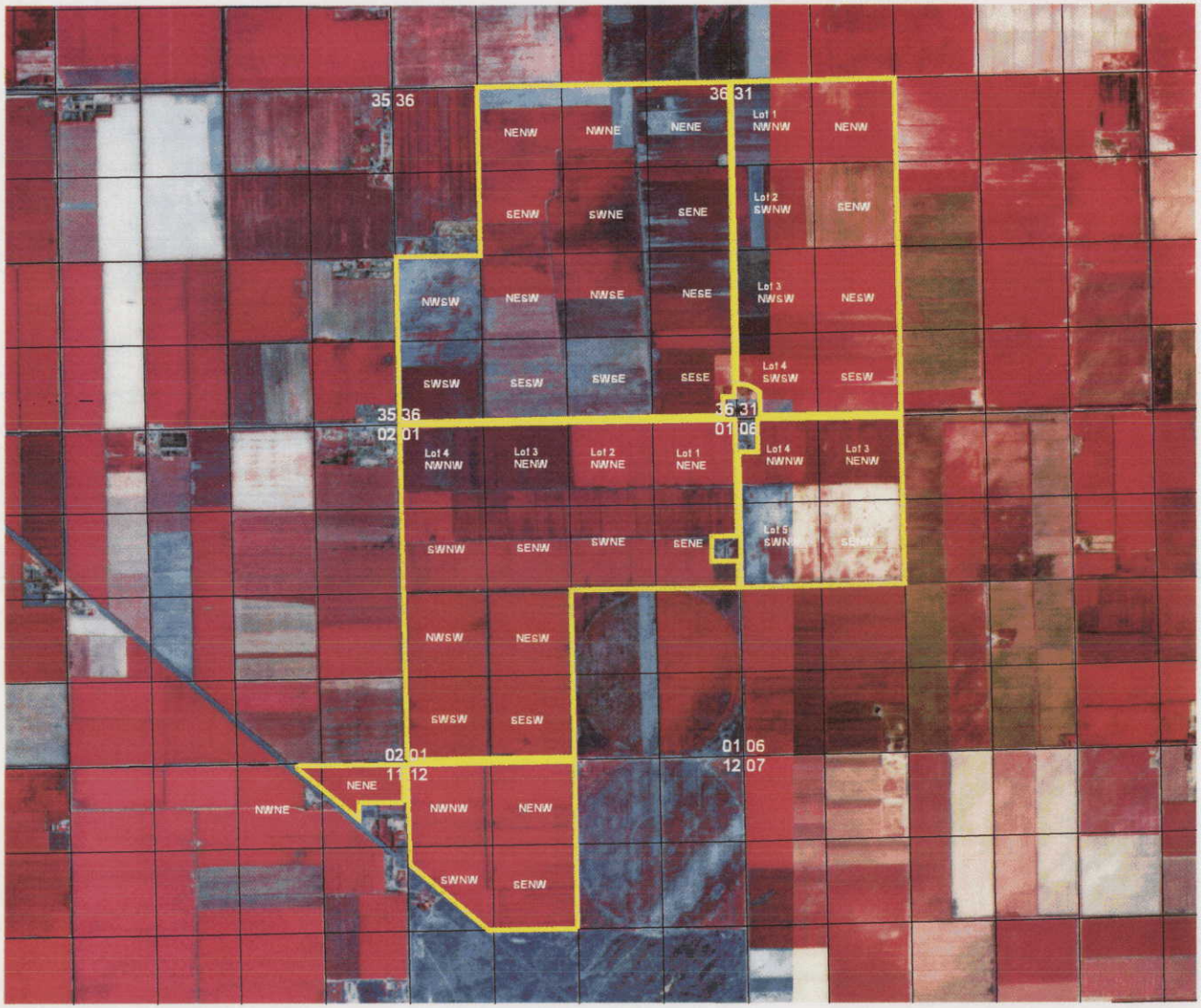
OTHER RIGHTS: 31-0005 AND 52% INTEREST IN INDEPENENT WATER USERS ASSOC.

REMARKS: TRANS. TO CHANGE P/D.
AC. IRR.=700.
EXPANSION ASSUMED TO BE COVERED BY PRESUMPTION FLAG D

DATES: EXAM MADE DATE: VERIFIED DATE: 07/15/1985

MISC: WATER DISTRICT NUMBER: 31 FIELD INSPECTION FLAG: Y
PRESUMPTION FLAG: D

Level Canal Company



T06N R33E S01
S11 & S12
T06N R34E S06
T07N R33E S36
T07N R34E S31

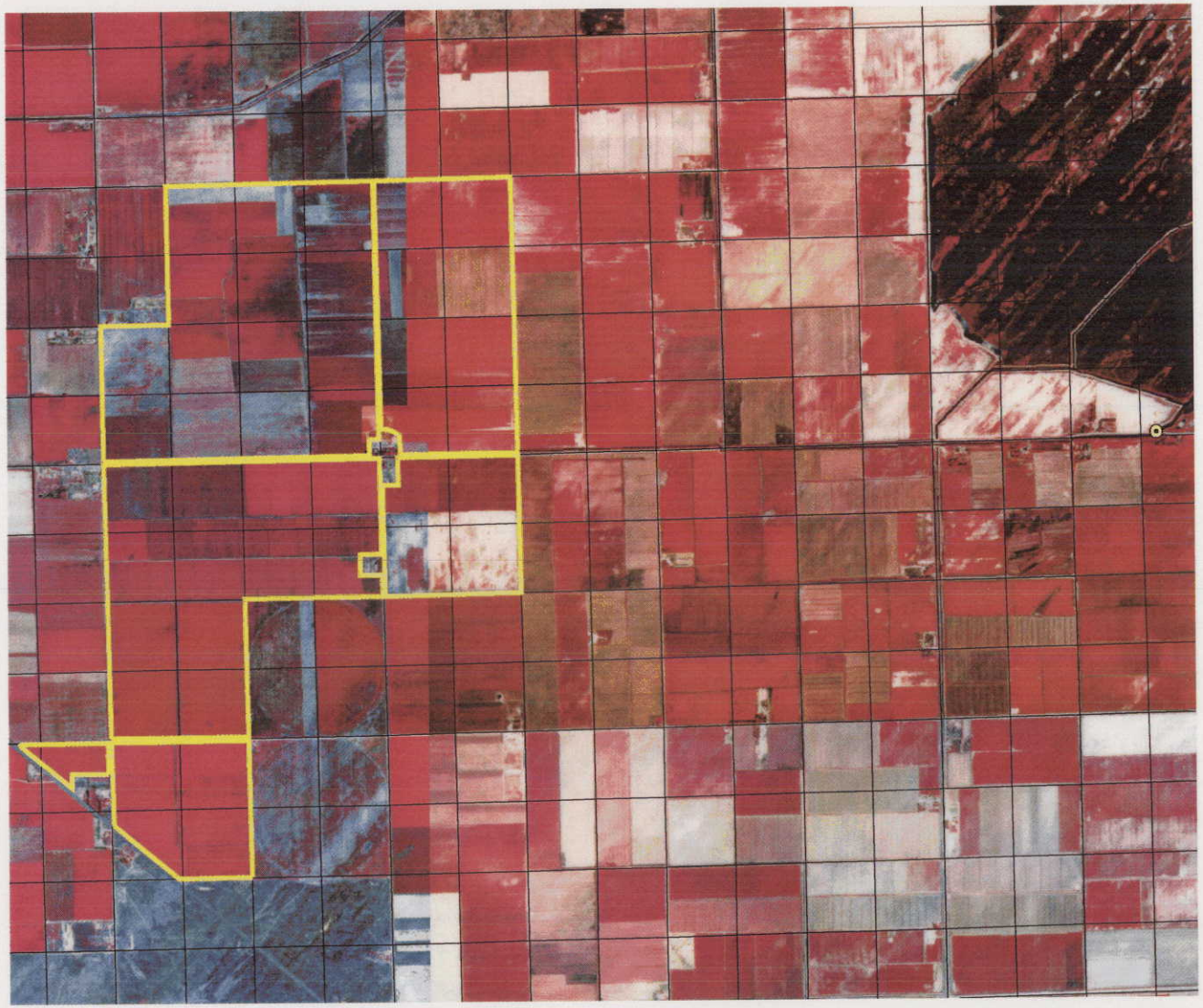
N
W
E
S

0.8 0 0.8 1.6 Miles

Draft of
irrigated acres
Not a recommendation

Map prepared by: Carter Fritsclhle
Date prepared: 05-19-99
1987-1988 NAPP photography

Level Canal Company



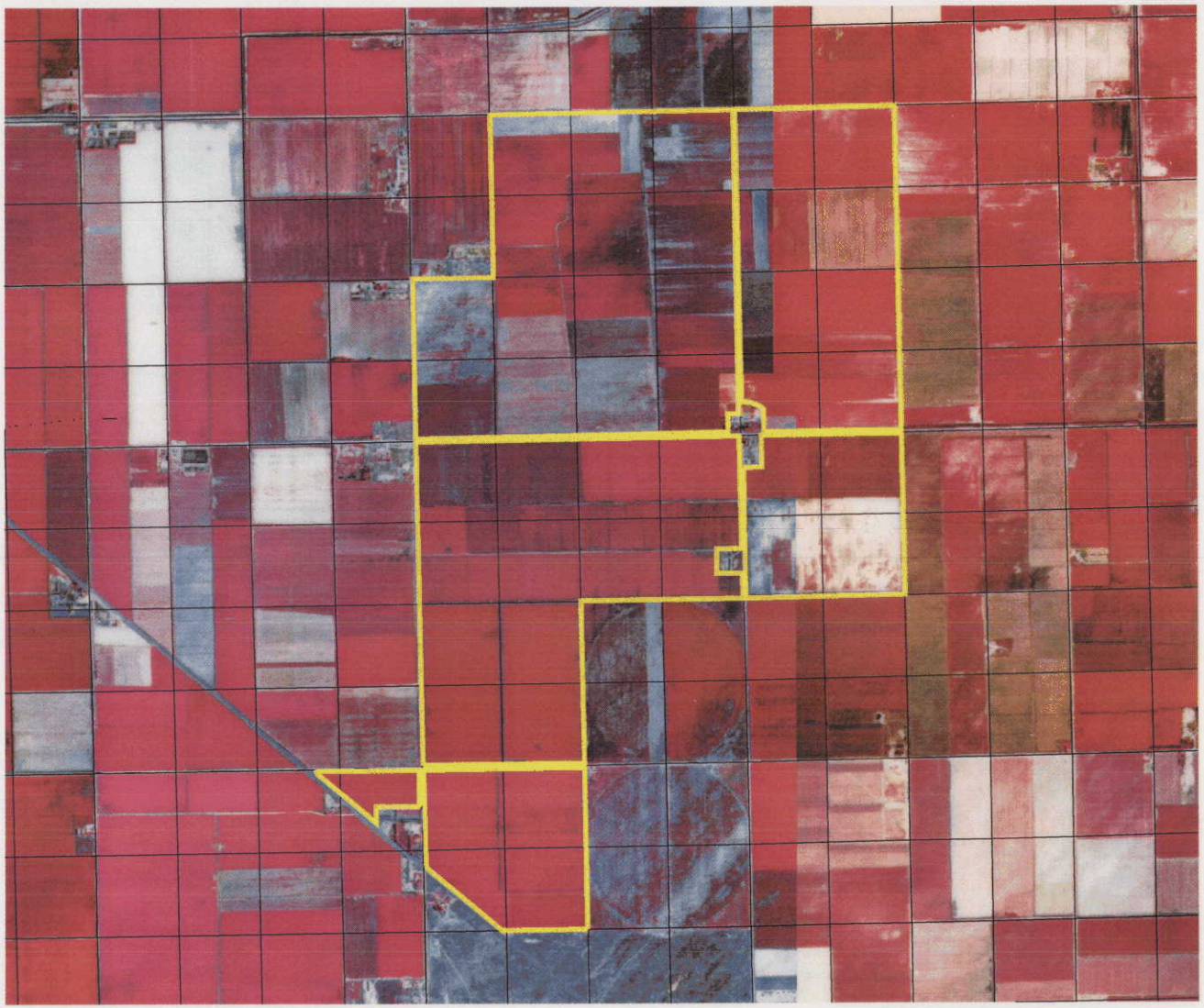
T06N R33E S01
S11 & S12
T06N R34E S06
T07N R33E S36
T07N R34E S31

N
W E
S

1 0 1 2 Miles

Map prepared by: Carter Fritsclhle
Date prepared: 05-19-99
1987-1988 NAPP photography

Level Canal Company



1 0 1 2 Miles

N
W E
S

Will require remarks

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

07/22/94 13:45:26

Water Right Number - R31-00189 Prefix Translation: RESEARCH Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
LEVEL CANAL CO INC		1 - C/O WILFRIED SCHMITT 2 - HC 63 BOX 2585 3 - City- MONTEVIEW State- ID Zip- 83435 Phone - 208-663-4679
*** O - ORIGINAL OWNER ***		
OWSLEY	BERTHA I.	1 - 2 - 3 - City- X State- ID Zip- 0 Phone - 208-000-0000

Priority Date	Region	Stage	Status
09/17/1912	15 EASTERN	D - DECREED	

Source	Tributary
MUD LAKE	SINKS

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
07N	34E	33	SW SE SE		(51)	JEFFERSON

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	11/01	22.400	

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
22.400		0.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	33E	1	NE NE	1	38.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	NW NE	2	39.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SW NE		40.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SE NE		36.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	NE NW	3	39.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	NW NW	4	38.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SW NW		39.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	NE SW		40.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	NW SW		39.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SW SW		38.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	1	SE SW		39.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	11	NE NE		17.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	11	NW NE		2.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	12	NE NW		39.0	01	IRRIGATION	(51) JEFFERSON

Water right number - R31-00189 Prefix Translation: RESEARCH

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	33E	12	NW NW		38.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	12	SW NW		24.0	01	IRRIGATION	(51) JEFFERSON
06N	33E	12	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
06N	34E	6	NE NW	3	39.0	01	IRRIGATION	(51) JEFFERSON
06N	34E	6	NW NW	4	34.0	01	IRRIGATION	(51) JEFFERSON
06N	34E	6	SW NW	5	39.0	01	IRRIGATION	(51) JEFFERSON
06N	34E	6	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NE NE		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NW NE		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SW NE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SE NE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NE NW		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NE SW		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NW SW		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SW SW		38.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SE SW		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NE SE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	NW SE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SW SE		39.0	01	IRRIGATION	(51) JEFFERSON
07N	33E	36	SE SE		37.5	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	NE NW		39.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	NW NW	1	38.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	SW NW	2	39.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	NE SW		40.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	NW SW	3	39.0	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	SW SW	4	35.5	01	IRRIGATION	(51) JEFFERSON
07N	34E	31	SE SW		39.0	01	IRRIGATION	(51) JEFFERSON

Total Acres: 1636.0

+ - - Diversion Means - WATER FROM LAKE FREE FLOWS INTO CHANNEL TO LIFT PUMPS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 31-0005 AND 52% INTEREST IN INDEPENENT WATER USERS ASSOC.

Remarks

TRANS. TO CHANGE P/D.
AC. IRR.=700.
EXPANSION ASSUMED TO BE COVERED BY PRESUMPTION FLAG D

copied to comments

Old Water Right Numbers

No Old Water Right Numbers Found

Water right number - R31-00189 Prefix Translation: RESEARCH

+ - Conditions of Approval - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
ERNEST SAUVE	W.H. ABBOTT	11/01/1930

+ -Comments- +
No Comments Found

+ - - Audit Fields - - +
07/22/94 FRITSCHL

+ - Adjudication Rights Dates and Flags Area - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- ~~00/00/0000~~ 7-14-94	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/21/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E004221	Water District	- 31
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- D
				Notice of Error Flag	-

what will we use?

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

RIGHT NUMBER: 31-189

NAME AND ADDRESS:
LEVEL CANAL CO INC
C/O WILFRIED SCHMITT
HC 63 BOX 2585
MONTEVIEW, ID 83435

SOURCE: MUD LAKE TRIBUTARY: SINKS

5510.4 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.

PRIORITY DATE: 09/17/1912

POINT OF DIVERSION: T07N R34E S34 NWSWSW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 12-31	5,510.40 AFY
IRRIGATION FROM STORAGE	04-01 10-31	5,510.40 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within JEFFERSON County

T06N R33E S1	LOT 1	NENE	40	T06N R33E S1	LOT 2	NWNE	40
T06N R33E S1		SWNE	40	T06N R33E S1		SENE	40
T06N R33E S1	LOT 3	NENW	40	T06N R33E S1	LOT 4	NWNW	39
T06N R33E S1		SWNW	39	T06N R33E S11		NENE	23
T06N R33E S11		NWNE	2	T06N R33E S11		SENE	0.1
T06N R33E S1		SENW	40	T06N R33E S1		NESW	40
T06N R33E S1		NWSW	39	T06N R33E S1		SWSW	38
T06N R33E S1		SESW	39	T06N R33E S12		NENW	39
T06N R33E S12		NWNW	39	T06N R33E S12		SWNW	25
T06N R33E S12		SENW	40	T06N R34E S6	LOT 3	NENW	40
T06N R34E S6	LOT 4	NWNW	39	T06N R34E S6	LOT 5	SWNW	39
T06N R34E S6		SENW	40	T07N R33E S36		NENE	40
T07N R33E S36		NWNE	40	T07N R33E S36		SWNE	40
T07N R33E S36		SENE	40	T07N R33E S36		NENW	40
T07N R33E S36		SENW	40	T07N R33E S36		NESW	40
T07N R33E S36		NWSW	39	T07N R33E S36		SWSW	38
T07N R33E S36		SESW	38	T07N R33E S36		NESE	40
T07N R33E S36		NWSE	40	T07N R33E S36		SWSE	38
T07N R33E S36		SESE	36	T07N R34E S31		NENW	40
T07N R34E S31	LOT 1	NWNW	39	T07N R34E S31	LOT 2	SWNW	39
T07N R34E S31		SENW	40	T07N R34E S31		NESW	40
T07N R34E S31	LOT 3	NWSW	39	T07N R34E S31	LOT 4	SWSW	33
T07N R34E S31		SESW	37				

1656.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-5 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1440 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1656.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

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.

THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT NUMBER 307626.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 22.4 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-189

NAME AND ADDRESS: LEVEL CANAL CO INC
C/O WILFRIED SCHMITT
HC 63 BOX 2585
MONTEVIEW ID 83435

SOURCE: MUD LAKE TRIBUTARY: SINKS

QUANTITY: 5,510.40 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.

PRIORITY DATE: 09/17/1912

POINT OF DIVERSION:

T07N R34E S34 NWSWSW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01/01 12/31	5,510.40 AFY
IRRIGATION FROM STORAGE	04/01 10/31	5,510.40 AFY

PLACE OF USE: IRRIGATION FROM STORAGE Within JEFFERSON County

T06N R33E S01 Lot 1	NENE	40.0	T06N R33E S01 Lot 2	NWNE	40.0
T06N R33E S01	SWNE	40.0	T06N R33E S01	SENE	40.0
T06N R33E S01 Lot 3	NENW	40.0	T06N R33E S01 Lot 4	NWNW	39.0
T06N R33E S01	SWNW	39.0	T06N R33E S11	NENE	23.0
T06N R33E S11	NWNE	2.0	T06N R33E S11	SENE	0.1
T06N R33E S01	SENW	40.0	T06N R33E S01	NESW	40.0
T06N R33E S01	NWSW	39.0	T06N R33E S01	SWSW	38.0
T06N R33E S01	SESW	39.0	T06N R33E S12	NENW	39.0
T06N R33E S12	NWNW	39.0	T06N R33E S12	SWNW	25.0
T06N R33E S12	SENW	40.0	T06N R34E S06 Lot 3	NENW	40.0
T06N R34E S06 Lot 4	NWNW	39.0	T06N R34E S06 Lot 5	SWNW	39.0
T06N R34E S06	SENW	40.0	T07N R33E S36	NENE	40.0
T07N R33E S36	NWNE	40.0	T07N R33E S36	SWNE	40.0
T07N R33E S36	SENE	40.0	T07N R33E S36	NENW	40.0
T07N R33E S36	SENW	40.0	T07N R33E S36	NESW	40.0
T07N R33E S36	NWSW	39.0	T07N R33E S36	SWSW	38.0
T07N R33E S36	SESW	38.0	T07N R33E S36	NESE	40.0
T07N R33E S36	NWSE	40.0	T07N R33E S36	SWSE	38.0
T07N R33E S36	SESE	36.0	T07N R34E S31	NENW	40.0
T07N R34E S31 Lot 1	NWNW	39.0	T07N R34E S31 Lot 2	SWNW	39.0
T07N R34E S31	SENW	40.0	T07N R34E S31	NESW	40.0
T07N R34E S31 Lot 3	NWSW	39.0	T07N R34E S31 Lot 4	SWSW	33.0
T07N R34E S31	SESW	37.0			

IRRIGATION STORAGE same as IRRIGATION FROM STORAGE

1656.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 31-5 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1440 ACRES IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1656.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

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.
THE ADMINISTRATION OF THIS WATER RIGHT IS ALSO SUBJECT TO THE AGREEMENT OF WATER RIGHT OWNERS REGARDING MUD LAKE WATER DELIVERY DATED APRIL 17, 2001, WHICH IS ON FILE IN THE RECORDS OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, IDAHO, INSTRUMENT NUMBER 307626.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 22.4 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.
~~RIGHT NO. 31-11335 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.~~

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

RIGHT NUMBER: 31-189

NAME AND ADDRESS: LEVEL CANAL CO INC
C/O WILFRIED SCHMITT
HC 63 BOX 2585
MONTEVIEW, ID 83435

SOURCE: MUD LAKE TRIBUTARY: SINKS

5510.4 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.

PRIORITY DATE: 09/17/1912

POINT OF DIVERSION: T07N R34E S34 NWSWSW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE		QUANTITY
IRRIGATION STORAGE	01-01	12-31	5,510.40 AFY
IRRIGATION FROM STORAGE	04-01	10-31	5,510.40 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within JEFFERSON County

T06N R33E S1	LOT 1	NENE	40	T06N R33E S1	LOT 2	NWNE	40
T06N R33E S1		SWNE	40	T06N R33E S1		SENE	40
T06N R33E S1	LOT 3	NENW	40	T06N R33E S1	LOT 4	NWNW	39
T06N R33E S1		SWNW	39	T06N R33E S11		NENE	23
T06N R33E S11		NWNE	2	T06N R33E S11		SENE	0.1
T06N R33E S1		SENW	40	T06N R33E S1		NESW	40
T06N R33E S1		NWSW	39	T06N R33E S1		SWSW	38
T06N R33E S1		SESW	39	T06N R33E S12		NENW	39
T06N R33E S12		NWNW	39	T06N R33E S12		SWNW	25
T06N R33E S12		SENW	40	T06N R34E S6	LOT 3	NENW	40
T06N R34E S6	LOT 4	NWNW	39	T06N R34E S6	LOT 5	SWNW	39
T06N R34E S6		SENW	40	T07N R33E S36		NENE	40
T07N R33E S36		NWNE	40	T07N R33E S36		SWNE	40
T07N R33E S36		SENE	40	T07N R33E S36		NENW	40
T07N R33E S36		SENW	40	T07N R33E S36		NESW	40
T07N R33E S36		NWSW	39	T07N R33E S36		SWSW	38
T07N R33E S36		SESW	38	T07N R33E S36		NESE	40
T07N R33E S36		NWSE	40	T07N R33E S36		SWSE	38
T07N R33E S36		SESE	36	T07N R34E S31		NENW	40
T07N R34E S31	LOT 1	NWNW	39	T07N R34E S31	LOT 2	SWNW	39
T07N R34E S31		SENW	40	T07N R34E S31		NESW	40
T07N R34E S31	LOT 3	NWSW	39	T07N R34E S31	LOT 4	SWSW	33
T07N R34E S31		SESW	37				

1656.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1653.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

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 - Decreed

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

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

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.

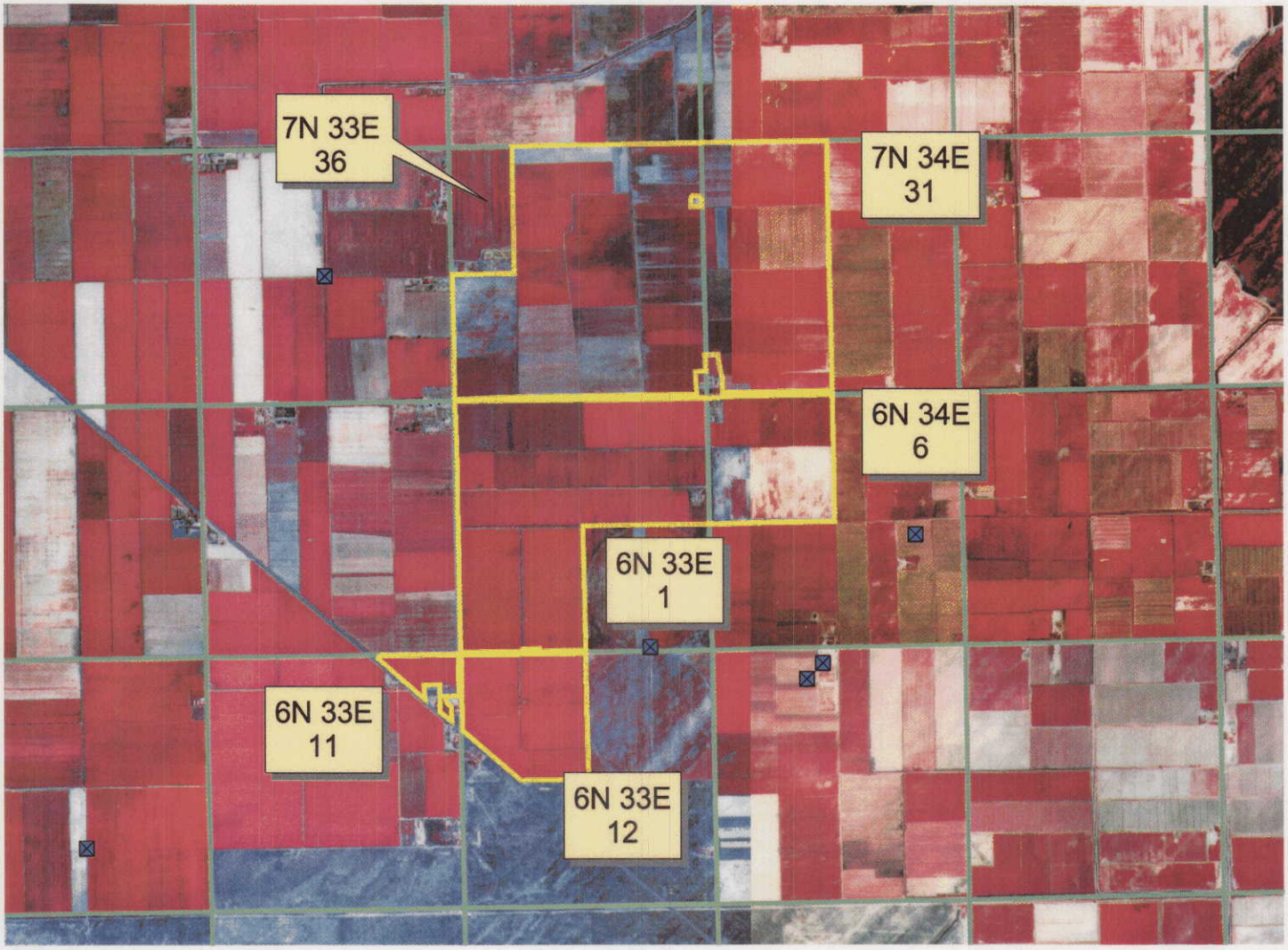
FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 22.4 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).

RIGHT NO. 31-11335 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Idaho Department of Water Resources

Water Right 31-5, 31-189, 31-11335

Township 6N and 7N,
Range 33E and 34E



0 1320 Feet

- Point of Diversion
- Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines

N
W E
S

GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 10/2000

12/22/2000

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

RIGHT NUMBER: 31-189

NAME AND ADDRESS: LEVEL CANAL CO INC
C/O WILFRIED SCHMITT
HC 63 BOX 2585
MONTEVIEW, ID 83435

SOURCE: MUD LAKE TRIBUTARY: SINKS

5510.4 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.

PRIORITY DATE: 09/17/1912

POINT OF DIVERSION: T07N R34E S34 NWSWSW Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION STORAGE	01-01 12-31	5,510.40 AFY
IRRIGATION FROM STORAGE	04-01 10-31	5,510.40 AFY

PLACE OF USE:

IRRIGATION FROM STORAGE Within JEFFERSON County

T06N R33E S1	LOT 1	NENE	40	T06N R33E S1	LOT 2	NWNE	40
T06N R33E S1		SWNE	40	T06N R33E S1		SENE	40
T06N R33E S1	LOT 3	NENW	40	T06N R33E S1	LOT 4	NWNW	39
T06N R33E S1		SWNW	39	T06N R33E S11		NENE	23
T06N R33E S11		NWNE	2	T06N R33E S11		SENE	0.1
T06N R33E S1		SENW	40	T06N R33E S1		NESW	40
T06N R33E S1		NWSW	39	T06N R33E S1		SWSW	38
T06N R33E S1		SESW	39	T06N R33E S12		NENW	39
T06N R33E S12		NWNW	39	T06N R33E S12		SWNW	25
T06N R33E S12		SENW	40	T06N R34E S6	LOT 3	NENW	40
T06N R34E S6	LOT 4	NWNW	39	T06N R34E S6	LOT 5	SWNW	39
T06N R34E S6		SENW	40	T07N R33E S36		NENE	39
T07N R33E S36		NWNE	40	T07N R33E S36		SWNE	40
T07N R33E S36		SENE	40	T07N R33E S36		NENW	40
T07N R33E S36		SENW	40	T07N R33E S36		NESW	40
T07N R33E S36		NWSW	39	T07N R33E S36		SWSW	38
T07N R33E S36		SESW	38	T07N R33E S36		NESE	40
T07N R33E S36		NWSE	40	T07N R33E S36		SWSE	38
T07N R33E S36		SESE	36	T07N R34E S31		NENW	40
T07N R34E S31	LOT 1	NWNW	39	T07N R34E S31	LOT 2	SWNW	39
T07N R34E S31		SENW	40	T07N R34E S31		NESW	40
T07N R34E S31	LOT 3	NWSW	39	T07N R34E S31	LOT 4	SWSW	31
T07N R34E S31		SESW	37				

1653.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1653.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

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 - Decreed

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

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

USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.

FOR THIS RIGHT, THE DIVERSION VOLUME DESCRIBED ABOVE WAS CALCULATED BY MULTIPLYING A DIVERSION RATE OF 22.4 CFS BY A FACTOR OF 2 ACRE FEET PER DAY FOR 123 DAYS (MAY 1ST TO SEPTEMBER 1ST).

RIGHT NO. 31-11335 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-189

Owner Type	Name and Address
Current Owner	LEVEL CANAL CO INC C/O WILFRIED SCHMITT HC 63 BOX 2585 MONTEVIEW, ID 83435 (208)663-4679
Original Owner	BERTHA I OWSLEY

Priority Date: 09/17/1912
Basis: Decreed
Status: Valid

Source	Tributary to
MUD LAKE	SINKS

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	01/01	12/31		5510.4 AFA	
STORAGE					
IRRIGATION FROM STORAGE	04/01	10/31		5510.4 AFA	
Total Diversion				5510.4 AFA	

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	34E	34	NW SW SW		JEFFERSON

IRRIGATION FROM STORAGE Use:
Acre Limit: 1653.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION FROM STORAGE JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
06N	33E	1	1	NENE	40	2	NWNE	40		SWNE	40		SENE	40
			3	NENW	40	4	NWNW	39		SWNW	39			
		11		NENE	23		NWNE	2		SENE	0.1			
		1		SENW	40									
				NESW	40		NWSW	39		SWSW	38		SESW	39
		12		NENW	39		NWNW	39		SWNW	25		SENW	40
	34E	6	3	NENW	40	4	NWNW	39	5	SWNW	39		SENW	40
07N	33E	36		NENE	39		NWNE	40		SWNE	40		SENE	40
				NENW	40		SENW	40						
				NESW	40		NWSW	39		SWSW	38		SESW	38
				NESE	40		NWSE	40		SWSE	38		SESE	36
	34E	31		NENW	40	1	NWNW	39	2	SWNW	39		SENW	40
				NESW	40	3	NWSW	39	4	SWSW	31		SESW	37

Total Acres: 1653.1

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

2.	C03	RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3.	E20	USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM INDEPENDENT WATER USERS OF MUD LAKE INC.
4.	C18	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.

Remarks:

1.	Quantity	USE OF THIS RIGHT WITH RIGHT NO. 31-11335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 5510.4 AF.
2.	Place of Use - Irrigation	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 1440 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
3.	Explanatory	RIGHT NO. 31-11335 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
4.	Place of Use - Irrigation	USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1653.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-5, 31-11335.

Comments:

Author	Date	Subject	Comment
FRITSCHL	7/22/94	COPIED FROM REMARKS	TRANS. TO CHANGE P/D. AC. IRR.=700. EXPANSION ASSUMED TO BE COVERED BY PRESUMPTION FLAG D
bcontor	11/1/00	Rate/Volume	See comments to 31-5; recommended as a volume instead of a rate per documentation in file "Mud Lake Storage"
bcontor	11/1/00	Acres	Carefull reading of decree points to 1440 acres. Transfer places 31-5 as 100% overlap, so combined total of 31-5 and 31-189 considered to be 1440. PPU is 1653.1; 213.1 acres of enlargement recommneded under 31-11335.

Dates:

Licensed Date:
Claim Received Date: 11/21/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 11/01/1930
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
POD	11/1/00 8:07:48 AM	bcontor			In Process
POU	11/1/00 10:06:24 AM	bcontor			In Process
Priority Date	11/1/00 8:02:33 AM	bcontor			In Process
Quantity	11/1/00 10:22:46 AM	bcontor			In Process
Season	11/1/00 10:21:55 AM	bcontor			In Process
Source	11/1/00 8:08:19 AM	bcontor			In Process
Summary	11/1/00 10:23:39 AM		11/1/00 10:23:39 AM	bcontor	Complete
Use	11/1/00 10:11:10 AM	bcontor			In Process

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector: OR
Overall Max Diversion Rate:
Overall Max Diversion Volume: 5510.4
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:

Element	Date Time Stamp	Reviewer	Log Text
POD	11/1/00 10:57:44 AM	bcontor	Edited PLS
POD	11/1/00 10:57:17 AM	bcontor	Edited point location
POD	11/1/00 8:07:46 AM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (NO) The claimed Point of Diversion can not be verified using the water right file. 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: GIS and field inspection. Note that old POD is now within the lake; lake configuration has changed due to creation of diked "west lake." Point claimed as a point of rediversion is actually on a private canal and not a rediversion from a public source and therefore does not need to be recommended. 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.
POD	11/1/00 8:05:00 AM	bcontor	Edited PLS
POU	11/1/00 10:06:22 AM	bcontor	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (NO) The claimed POU can not be verified using the water right file. 5. (YES) There is evidence that there has been a change in the POU. 6. (NO) The change can not be verified as an accomplished transfer. 7. (YES) The change is an enlargement of the POU. Comment for 7: GIS, 1980 NAPP 8. (YES) An enlargement claim was filed. 9. (YES) The file contains all the necessary information to verify the POU. 12. (YES) POU remark was required. 13. (NO) POU condition was not required.
Priority Date	11/1/00 8:02:31 AM	bcontor	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	11/1/00 10:22:43 AM	bcontor	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 7. (YES) The parent right has an annual diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (YES) Quantity remark was required. 10. (NO) Quantity condition was not required.
Season	11/1/00 10:21:51 AM	bcontor	1. (NO) The basis of claim is not beneficial use. 2. (NO) The parent right does not have a period of 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. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Source	11/1/00 8:08:18 AM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (YES) The claimed source can be verified using the water right file. Comment for 7: Field inspection 8. (YES) The source is surface water. 9. (YES) The source is a standard source. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	11/1/00 10:23:37 AM	bcontor	1. (NO) The basis of the claim is not beneficial use. 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (NO) Additional condition was not 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	11/1/00 10:11:09 AM	bcontor	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a purpose of use. 3. (NO) The claimed purpose of Use can not be verified using the water right file. 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.

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: **A31-00189**
Date Received: 11/21/1988
Receipt No: E004221
Received By: EBJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A3100189

1. Name: LEVEL CANAL COMPANY, INC. 208-663-4679
   Address: C/O WILFRIED SCHMITT
   HC 63, BOX 2585
   MONTEVIEW, ID 83435

2. Date of Priority: SEP 17, 1912

3. Source: MUD LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
07N	34E	33	SW	SW	SW	R	JEFFERSON
			SE	SE	SE		JEFFERSON

5. Description of diverting works:
   WATER FROM LAKE FREE FLOWS INTO CHANNEL TO REDIVERSION PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	22.400		

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

8. Total consumptive use is 4242.5 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06N	33E	1	NE	NE		IRR	40.0

MICROFILMED
NOV 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
06N	33E	1	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			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
					Section Acres		480.0
		11	SW	NE		IRR	5.0
			SE	NE		IRR	25.0
					Section Acres		30.0
		12	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	25.0
			SE	NW		IRR	40.0
					Section Acres		145.0
	34E	6	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
					Section Acres		160.0
07N	33E	36	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	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

MICROFILMED
NOV 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
07N	33E	36	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	560.0
	34E	31	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			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
						Section Acres	320.0
						Total Acres	1695.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
    31-0005 AND 52% INTEREST IN INDEPENENT WATER USERS ASSOC.

14. Remarks:
    TRANS. TO CHANGE P/D.
    AC. IRR.=700.
    EXPANSION ASSUMED TO BE COVERED BY PRESUMPTION FLAG D

15. Basis of Claim: DECREED
    Case Number:
    Court :
    Decree date: 11/01/1930

ERNEST SAUVE
Decree Plaintiff

vs

W.H. ABBOTT
Decree Defendant

MICROFILMED
NOV 17 1992

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

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

Wilfried Schmitt
Signature of Authorized Agent

President - Level Canal Co. Inc
Title and Organization

11-21-88
Date

State of Idaho)
) ss.
County of Bonneville)

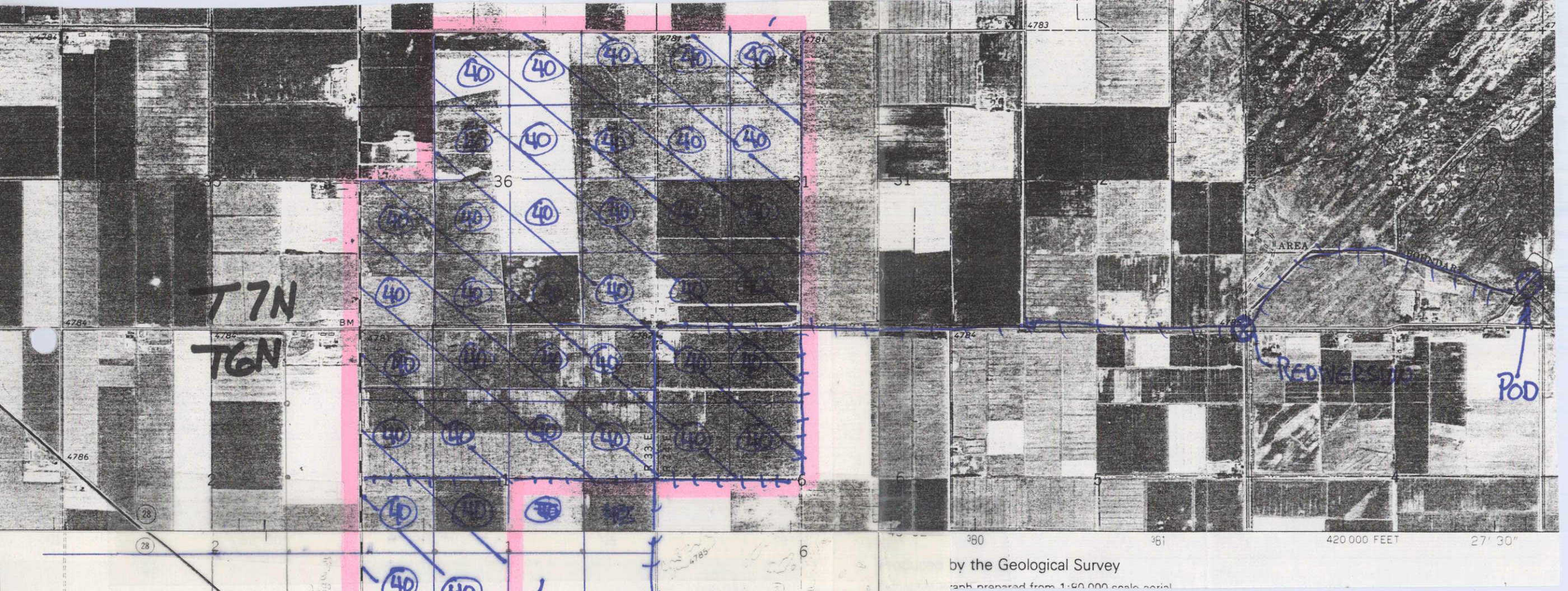
Subscribed and sworn (or affirmed) before me this 21 day
of November 19 88

Notary Public

Residing at Idaho Falls, Id

My Commission Expires 22 Aug 1994

MICROFILMED
NOV 17 1992



by the Geological Survey

