

RECEIVED

SEP 10 2001

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase 31-00331

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657
Daytime Phone: see below
Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Mud Lake Water Users, Inc.
Address: 1400 E. 1500 N.; P.O. Box 68; Terreton, Idaho 83450
Name:
Address: ;
Name:
Address: ;
Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: See attached _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. One of the claimed PODs does not exist. See attached POD. Claimant's water right should not include this POD.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

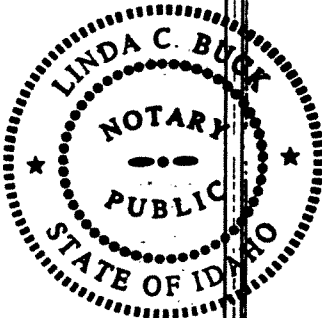
Fredric W. Price
(Signature of person filing objection)

Larry G. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

September 7, 2001

Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho
Residing at: Mountain Home, ID.
My Commission Expires: 12-21-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on September 7, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Mud Lake Water Users, Inc.

Address: 1400 E. 1500 N.; P.O. Box 68; Terreton, Idaho 83450

Name:

Address:;

Name:

Address:;

Name:

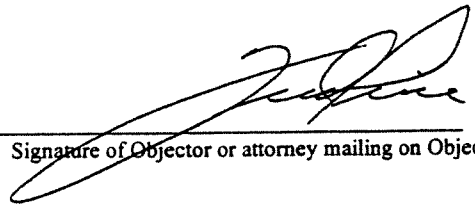
Address:;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83724-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

05/04/2001

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

RIGHT NUMBER: 31-331

NAME AND ADDRESS: MUD LAKE WATER USERS INC
1400 E 1500 N
PO BOX 68
TERRETON ID 83450

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 24,000 CFS
8,306.70 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 503.21 CFS FROM MAY 1 THROUGH NOV 1 AND A TOTAL COMBINED DIVERSION RATE OF 643.21 CFS FROM MARCH 1 THROUGH APRIL 30 WHEN AUTHORIZED BY AN EARLY PUMPING PLAN APPROVED BY THE WATERMASTER. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005, 31-11430, 31-11432.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 174,269.3 ACRE FEET. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005, 31-11430, 31-11432.

PRIORITY DATE: 01/25/1930

POINT OF
DIVERSION:

T07N R34E S13 SWSWNE Within JEFFERSON County
T07N R34E S13 SESE Within JEFFERSON County
T07N R34E S23 SESE Within JEFFERSON County
T07N R34E S24 SWNE Within JEFFERSON County
T07N R34E S24 NENWNE Within JEFFERSON County
T07N R34E S24 SWNWNW Within JEFFERSON County
T07N R35E S13 SWSWSW Within JEFFERSON County
T07N R35E S14 SESE Within JEFFERSON County
T07N R35E S14 SESE Within JEFFERSON County
T07N R35E S18 SWSW Lot 4 Within JEFFERSON County
T07N R35E S19 NWNW Lot 1 Within JEFFERSON County
T07N R35E S19 NENWNW Lot 1 Within JEFFERSON County
T07N R35E S19 NESWNW Lot 2 Within JEFFERSON County
T07N R35E S19 NESENW Within JEFFERSON County
T07N R35E S22 SESE Within JEFFERSON County
T07N R35E S23 SWNWSW Within JEFFERSON County
T07N R35E S23 SWSW Within JEFFERSON County
T07N R35E S25 NWSWSW Within JEFFERSON County
T07N R35E S25 NWSWSW Within JEFFERSON County
T07N R35E S25 NWSWSW Within JEFFERSON County
T07N R35E S25 SWSWSW Within JEFFERSON County
T07N R35E S25 SWSWSW Within JEFFERSON County
T07N R35E S25 NESESW Within JEFFERSON County
T07N R35E S25 NESESW Within JEFFERSON County
T07N R35E S25 NESESW Within JEFFERSON County
T07N R35E S25 NESESW Within JEFFERSON County
T07N R35E S25 NESESW Within JEFFERSON County
T07N R35E S25 SESESW Within JEFFERSON County
T07N R35E S25 SENWSE Within JEFFERSON County

Issue:

Circled points of diversion
are on public land

05/04/2001

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

T07N R35E S26 NESESE Within JEFFERSON County
T07N R35E S26 NWSESE Within JEFFERSON County
T07N R35E S27 NWNE Within JEFFERSON County
T07N R35E S36 NENW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

PLACE OF USE:

DIVERSION TO STORAGE same as IRRIGATION

PLACE OF USE WITHIN THE BOUNDARY OF MUD LAKE WATER USERS, INC. TOTAL
IRRIGATED ACRES 24261.3.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
TOTAL OF 24261.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT
NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371,
31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B,
31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005, 31-11430,
31-11432, (GROUNDWATER), 31-2276, (WASTEWATER), 31-6, 31-34, 31-35, 31-36,
31-37, 31-38, 31-52, 31-65, 31-104, 31-105, 31-147A, 31-159, 31-162, 31-163,
31-166, 31-168, 31-169, 31-184, 31-185, 31-186, 31-187, 31-188, 31-232, 31-237,
31-263, 31-363, (OWLSEY DIVISION SURFACE WATER), 31-134, 31-135, 31-143,
31-144, 31-190, 31-192, (JACKETT DIVISION SURFACE WATER), 31-344, 31-345,
31-354, 31-355, 31-360, 31-361, 31-10957, 31-10958, 31-10959, 31-10960,
31-10961, 31-10962 (HOLLEY DIVISION SURFACE WATER).

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

Basin 31 - Private Irrigation Claims Filed in the SRBA With PODs/POUs on Public Land

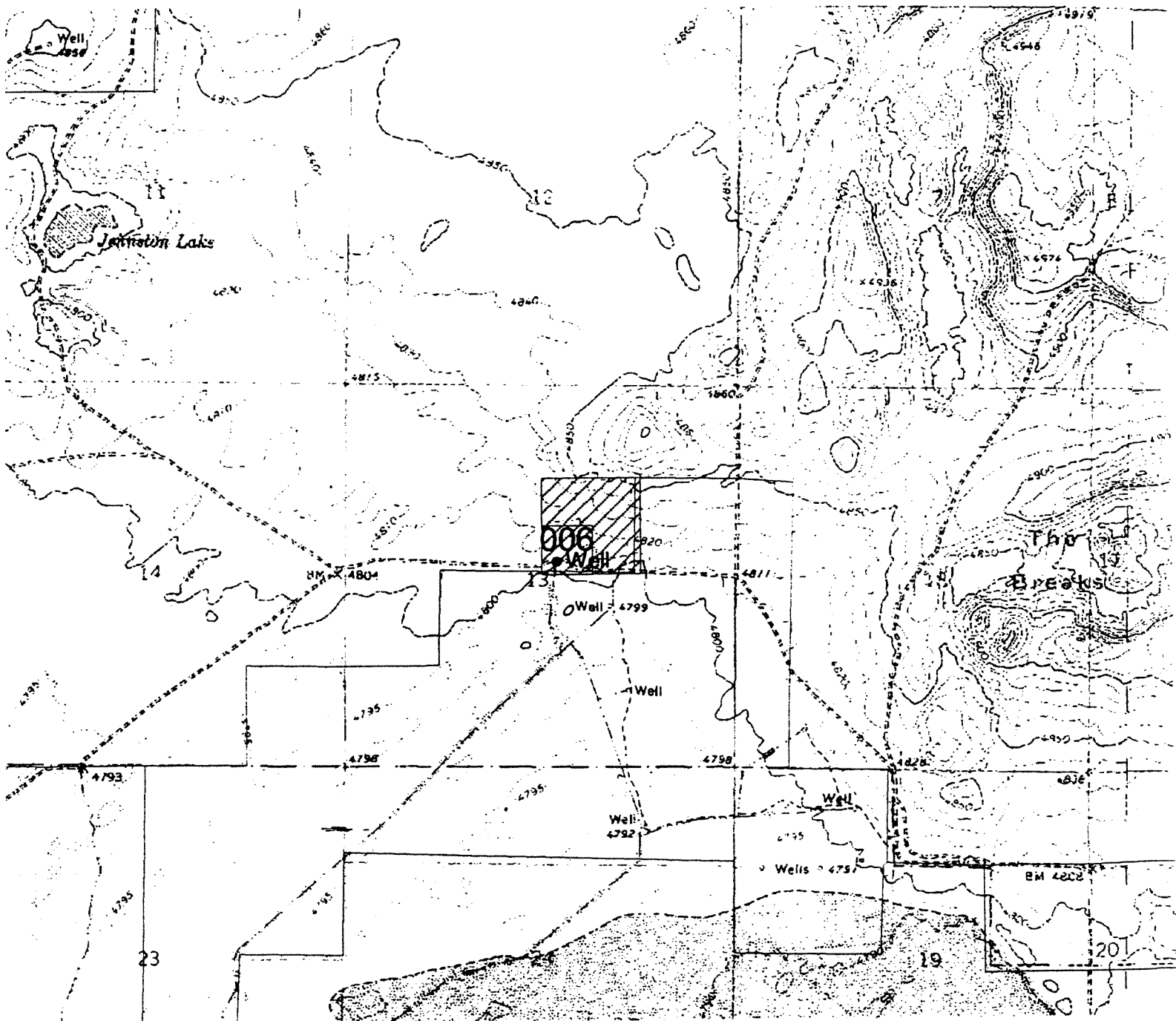
Mud Lake Water Users, Inc. (Claimant)

31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-229

31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005

T.07N, R.34E, S.13 SWSWNE (Map ID #006) (POD - well)

Mud Lake NW Quad



- Mudlake_gpsdata_06_62_63.shp
- ▨ Mudlake_mapids06_62_63.shp
- Temp.shp
- Info_pfo_own_mmapupdate.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

0.5 0 0.5 Miles

1:24,000 Scale



DRAFT: PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
 Projection Universal Transverse Mercator
 Zone 12, 1927 North American Datum
 No warranty is made by the Bureau of Land Management
 as to the accuracy, reliability, or completeness of
 this data for individual or aggregate use with other data.
 Prepared by Deena Teel on 7/18/2001 from digitized data and
 GPS data collected on 7/3/2001.

Basin 31 - Private Irrigation Claims Filed in the SRBA With PODs/POUs on Public Land

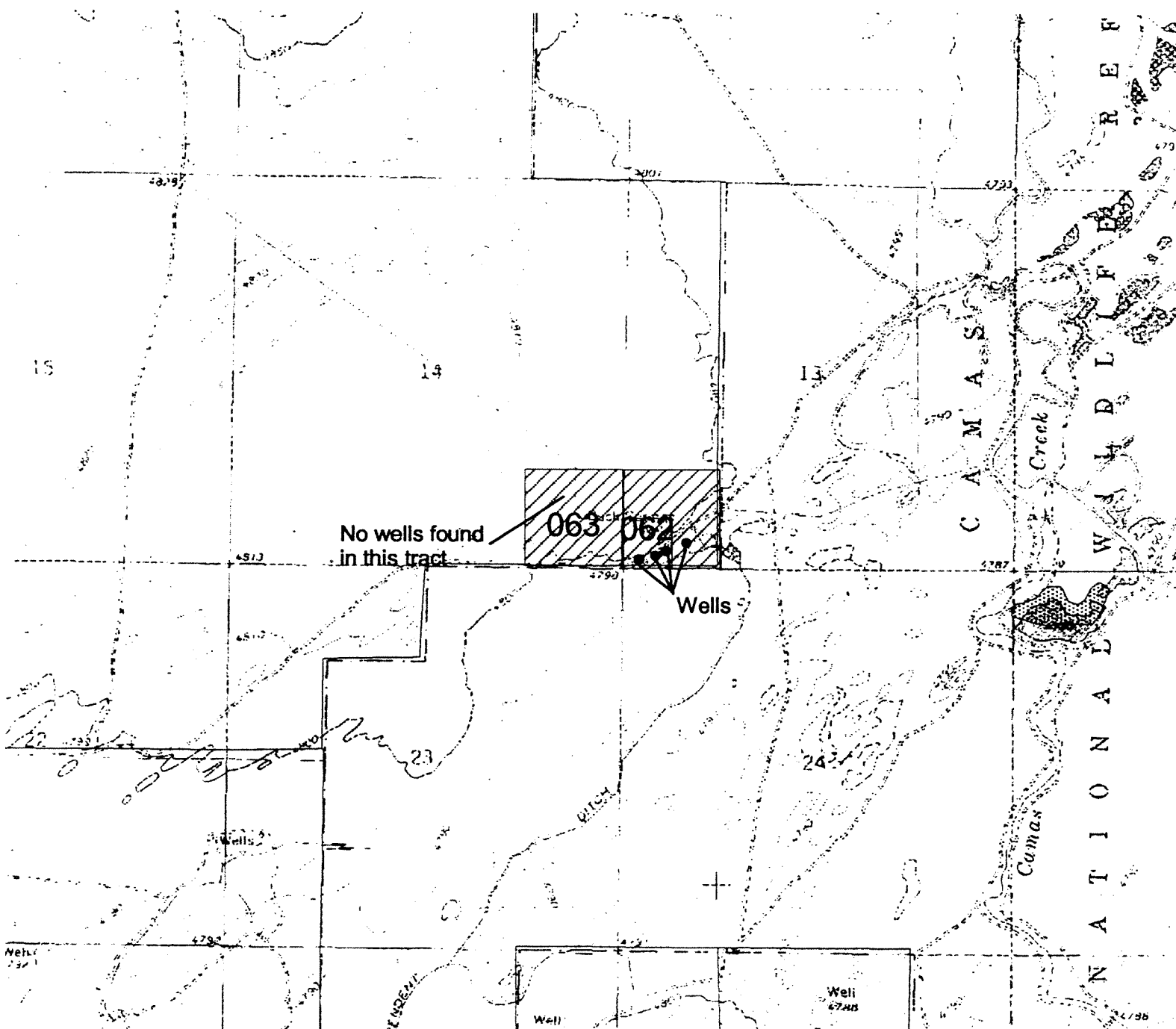
Mud Lake Water Users, Inc. (Claimant)

31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-229
31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005

T.07N, R.35E, S.13 SWSWSW (Map ID #062) (POD - wells)

T.7N, R.35E, S.14 SESE (Map ID #063) (POD)

Rays Lake Quad



- Mudlake_gpdata_06_62_63.shp
- ▨ Mudlake_mapids06_62_63.shp
- Temp.shp
- info_pro_own_mtpupdate.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

0.5 0 0.5 Miles
1:24,000 Scale



DRAFT: PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
Projection Universal Transverse Mercator
Zone 12, 1927 North American Datum
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as to the accuracy, reliability, or completeness of
this data for individual or aggregate use with other data.
Prepared by Deena Teel on 7/18/2001 from digitized data and
GPS data collected on 7/2/2001.

01/16/2001

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 31-331

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

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

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

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

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

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

DATE: 2-12-2001

SIGNATURE: *Garth Soderquist*

Please print your name: _____

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 12 1999

Department of Water Resources
Eastern Region

TRANSFER OF WATER RIGHT

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
~~31-00331~~/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

This is to certify that: OWSLEY CANAL CO
C/O GARTH SODERQUIST
PO BOX 68
TERRETON ID 83450

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00327 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	110.00 CFS	
Priority: 00/00/0000			
Right No. 31-00328 :			
IRRIGATION	04/15 to 10/15	** 110.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	100.00 CFS	
Priority: 00/00/0000			
Right No. 31-00329 :			
IRRIGATION	04/15 to 10/15	** 50.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	50.00 CFS	
Priority: 00/00/0000			
Right No. 31-00330 :			
IRRIGATION	04/15 to 10/15	** 80.00 CFS	
DIVERSION TO STORA	10/16 to 04/14	80.00 CFS	
Priority: 00/00/0000			
Right No. 31-00331 :			
IRRIGATION	04/15 to 10/15	24.00 CFS	
Priority: 09/10/1928			
Right No. 31-00332 :			
IRRIGATION STORAGE	01/01 to 12/31		5000.0 AF
Priority: 01/25/1930			

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00336B : IRRIGATION Priority: 04/27/1932	04/15 to 10/15	11.05 CFS	
Right No. 31-00337B : IRRIGATION Priority: 12/15/1932	04/15 to 10/15	17.00 CFS	
Right No. 31-00371 : IRRIGATION Priority: 09/10/1928	04/15 to 10/15	23.00 CFS	
Right No. 31-02239 : IRRIGATION Priority: 01/25/1930	04/15 to 10/15	40.00 CFS	16899.4 AF
Right No. 31-02265 : IRRIGATION Priority: 05/22/1940	04/15 to 10/15	64.40 CFS	23375.9 AF
Right No. 31-02289 : IRRIGATION Priority: 01/13/1949	04/15 to 10/15	3.20 CFS	560.0 AF
Right No. 31-02290 : IRRIGATION Priority: 02/14/1949	04/15 to 10/15	3.60 CFS	840.0 AF
Right No. 31-02297 : IRRIGATION Priority: 12/29/1949	04/15 to 10/15	6.00 CFS	1190.0 AF
Right No. 31-02310 : IRRIGATION Priority: 09/24/1952	04/15 to 10/15	5.80 CFS	1015.0 AF
Right No. 31-02317A : IRRIGATION Priority: 02/28/1953	04/15 to 10/15	8.08 CFS	1414.0 AF

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-02317B :			
IRRIGATION	04/15 to 10/15	1.90 CFS	332.5 AF
Priority: 10/27/1956			
Right No. 31-02321 :			
IRRIGATION	04/15 to 10/15	1.92 CFS	336.0 AF
Priority: 04/25/1953			
Right No. 31-02341 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02342 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02343 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02344 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-02345 :			
IRRIGATION	04/15 to 10/15	16.00 CFS	5839.4 AF
Priority: 09/03/1954			
Right No. 31-07005 :			
IRRIGATION	04/15 to 10/15	13.26 CFS	4939.4 AF
Priority: 12/04/1967			

TOTAL: *** 643.21 CFS

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 13, Township 07N, Range 34E
 SESE , Sec. 13, Township 07N, Range 34E
 NENE , Sec. 23, Township 07N, Range 34E
 NENE , Sec. 24, Township 07N, Range 34E
 NWNE , Sec. 24, Township 07N, Range 34E

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 24, Township 07N, Range 34E
 SWSW , Sec. 13, Township 07N, Range 35E
 SESE , Sec. 14, Township 07N, Range 35E
 Lot 4 (SESW), Sec. 18, Township 07N, Range 35E
 Lot 1 (NWNW), Sec. 19, Township 07N, Range 35E
 SWNW , Sec. 19, Township 07N, Range 35E
 SENW , Sec. 19, Township 07N, Range 35E
 NESE , Sec. 22, Township 07N, Range 35E
 NWSW , Sec. 23, Township 07N, Range 35E
 SWSW , Sec. 23, Township 07N, Range 35E
 SWSW , Sec. 25, Township 07N, Range 35E
 SESW , Sec. 25, Township 07N, Range 35E
 NWSE , Sec. 25, Township 07N, Range 35E
 SESE , Sec. 26, Township 07N, Range 35E
 NWNW , Sec. 27, Township 07N, Range 35E
 NENW , Sec. 36, Township 07N, Range 35E
 JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	34E	3	NENW 26	NWNW 35	SWNW 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	461
		4	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		5	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
		7	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		320
		8	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
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 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
9			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
10			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 20	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			620
11			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
13			NWNW 40	SWNW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			400
14			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 36	NESE 40	
			NWSE 40	SWSE 27	SESE 37	460
15			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 36	NESE 40	
			NWSE 40	SWSE 40	SESE 40	476
16			NENE 40	NWNE 40	SWNE 40	
			SENE 25	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
17			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 20	NWSE 40	SWSE 10	
			SESE 10			560
20			NENE 30	NWNE 35	SWNE 40	
			SENE 40	NENW 40	NWNW 30	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			615
21			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 25	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			625
22			NENE 20	NWNE 20	SWNE 40	
			SENE 40	NENW 36	NWNW 20	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			576
23			NENE 15	NWNE 40	SWNE 40	
			SENE 40	NENW 35	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			610
24			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 10	NWNW 30	
			SWNW 40	SENW 30	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			590
25			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
26			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
27			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
28			NENE 40	SWNE 40	SENE 40	
			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	600
29			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
34			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENW 40	
			NESW 40	NWSW 40	SWSW 40	
			SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		560
35			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
35E	1		NWNW 4			4
	2		NENE 40	NWNE 40	SWNE 40	
			SENE 8	NESW 32	NWSW 40	
			SWSW 40	SESW 38	NWSE 40	
			SWSE 40			358
3	Lot 1	(NENE) 41.9	Lot 2 (NWNE) 41.7		SWNE 40	
		SENE 40	Lot 3 (NENW) 41.5	Lot 4 (NWNW) 35		
		SWNW 40		NESW 40		
		NWSW 40		SESW 40		
		NESE 40		NWSE 40		

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		SESE	40			640.1
4	Lot 4	(NWNW)	7	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	327
5	Lot 1	(NENE)	41.2	Lot 2 (NWNE)	38	
		SENE	40	NESW	40	
		NESE	40	NWSE	40	
		SESE	40			399.2
8		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			640
9		NENE	40	NWNE	40	
		SENE	40	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	480
10		NENE	40	SWNE	40	
		SENW	40	NESW	40	
		SWSW	40	SESW	40	
		NWSE	40	SWSE	40	480
11		NENW	40	NWNW	30	
		SENW	40	NESW	40	
		SESW	40			270
14		NESW	10	NWSW	40	50
15		NENE	34	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			634
16		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			640
17		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENW	40	

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
18			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
19			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
20			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
22			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	SENW 40	
			NESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		440
29			NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 10	SESW 40		290
30			NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			640
07N 34E	32		SESW 40	SWSE 40	SESE 40	120
	33		NWSW 10	SWSW 20	SESW 40	
35E	32	Lot 8 (SWSE)	2	Lot 7 (SESE)	18	20
	33		SWSW 1			1
	35		NESE 38	NWSE 34	SWSE 34	
			SESE 38			144
	36		NESW 40	NWSW 40	SWSW 38	118

Total number of acres irrigated: * 24261.3

TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
31-02345/31-07005

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
2. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
3. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- *** 9. The total instantaneous diversion of water from all points of diversion under Transfer 5335 shall not exceed 503.21 cfs during the irrigation season.
10. Approval of Transfer 5335 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- ** 11. Rights 31-00327, 31-00328, 31-00329 and 31-00330 when combined shall not exceed a total diversion rate of 200.00 cfs during the irrigation season, and may be diverted at their full authorized rate of diversion into Mud Lake for storage purposes during the non-irrigation season.
- * 12. Right 31-02289 is limited to irrigation of 160.0 acres in the place of use described above in a single irrigation season.
- * 13. Right 31-02290 is limited to irrigation of 240.0 acres in the place of use described above in a single irrigation season.
- * 14. Right 31-02297 is limited to irrigation of 340.0 acres in the place of use described above in a single irrigation season.

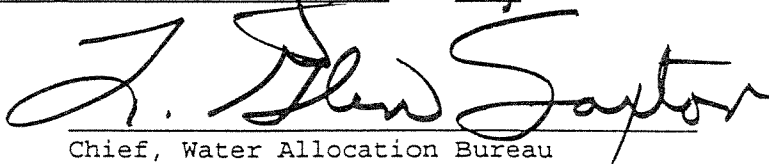
TRANSFER NO. 5335

WATER RIGHT NO(S). 31-00327/31-00328/31-00329/31-00330
 31-00331/31-00332/31-00336B/31-00337B/31-00371/31-02239
 31-02265/31-02289/31-02290/31-02297/31-02310/31-02317A
 31-02317B/31-02321/31-02341/31-02342/31-02343/31-02344
 31-02345/31-07005

CONDITIONS OF APPROVAL AND REMARKS

- * 15. Right 31-02310 is limited to irrigation of 290.0 acres in the place of use described above in a single irrigation season.
- * 16. Right 31-02317A is limited to irrigation of 404.0 acres in the place of use described above in a single irrigation season.
- * 17. Right 31-02317B is limited to irrigation of 95.0 acres in the place of use described above in a single irrigation season.
- * 18. Right 31-02321 is limited to irrigation of 96.0 acres in the place of use described above in a single irrigation season.
- * 19. Rights 31-00336B, 31-00337B, 31-02289, 31-02290, 31-02297, 31-02310, 31-02317A, 31-02317B and 31-02321 when combined shall not exceed the irrigation of 3107.2 acres in the place of use described above in a single irrigation season.
- * 20. Right 31-02239 is limited to the irrigation of 13,480.0 acres in the place of use described above in a single irrigation season.
- * 21. Right 31-07005 is limited to the irrigation of 17,088.0 acres in the place of use described above in a single irrigation season.
- * 22. Rights 31-02239, 31-02265, 31-02341, 31-02342, 31-02343, 31-02344, 31-02345 and 31-07005 when combined shall not exceed the irrigation of 17,240.0 acres in the place of use described above in a single irrigation season.
- 23. Two points of diversion are located within SESE, S14, T07N, R35E.
- 24. Two points of diversion are located within Lot 1(NWNW), S19, T07N, R35E.
- 25. Five points of diversion are located within SWSW, S25, T07N, R35E.
- 26. Seven points of diversion are located within NWSE, S25, T07N, R35E.
- 27. Two points of diversion are located within SESE, S26, T07N, R35E.

Dated this 8th day of February, 1999.


 Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 31-00327/00328/00329/00330/00331/00332/00336B/00337B/00371/02239/
02265/02289/02290/02297/02310/02317A&B/02321/02341/02342/02343/
02344/02345/07005

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 5335

DATE: February 9, 1999

Transfer 5335 combines the groundwater rights of the Holley Water Users, Jackett Canal Co, and Owsley Canal company. These three companies have combined under the Owsley Canal Company name and will operate a single combined system.

The application identifies 34 points of diversion and a combination of the land lists evidenced under each company's SRBA claims or 24261.3 acres. The decreed rights are vague, while the licensed rights identify specific acres and limits. SRBA review of all these rights through the adjudication process will provide specifics and verify the validity of all of these rights.

Review of these rights found that Right 31-02317 was actually licensed in two parts with separate rates and priority dates. These rights were more accurately entered as Parts A & B on the database and the additional 8.08 cfs added to the total diversion rate under this transfer. Also, a combined limit of 200.00 cfs during the irrigation season was identified under Rights 31-00327/00328/00329 & 00330. Right 31-02259 was listed on the application, however this right was superseded by Right 31-00330. After making these adjustments, the total rate of diversion under these rights is 643.21 cfs limited to 503.21 cfs during the irrigation season and 5,000 af storage.

Season of use and diversion volume were adjusted to current standards where specific acres were identified. Recommended conditions include watermaster control, supplemental groundwater, irrigation overlap, measuring/lockable controlling works, right-of-way, permissible place of use, combined limits and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
Transfer No. 3787
11/02/1990

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources
Eastern District Office

APPROVED

Name of applicant Holley Water Users Association Phone (208) 662-5207
Post Office address c/o LaMoyne Barney, Hamer, Idaho 83425

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To reduce transmission loss sustained from conveying water through several miles of ditches from older points of diversion to place of use.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>31-0371</u>	<u>09/10/1928</u>	<u>23.0 cfs</u>	<u>Irrigation</u>	<u>04/01</u> to <u>11/15</u>
<u>31-0331</u>	<u>01/25/1930</u>	<u>24.0 cfs</u>	<u>Irrigation</u>	<u>04/01</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 47.0 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: See Attachment

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use: See Attachment

RON TORGERSON PLACE OF USE

T.:RNG:S.:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:	TLS									
:	:	:	NE'NW'SW'SE:	NE	:	NW	:	SW'SE:NE'NW	:	SW	:	SE	:	:NE'NW'SW'	:	SE	:	
6N:35E: 9:	:	:	:	:	:	:	:	:	:	:	:	:	:	:39'	:	:37.6:	76.6	
:	✓:10:	:	:	:	:	:	:	:	:	:	:	:	:	:18.4'	:	:38.75'	38.75:	95.9
:	✓:15:	:	:	:	:	:	:	:	:	:	:	:	:	:38.75'	:	:38.75'	:	77.5

CARL HOGGAN PLACE OF USE

T.:RNG:S.: NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:	TLS								
:	:	:NE'NW'SW'SE:	NE	:	NW	:SW'SE:NE'NW	:	SW	:	SE	:	:NE'NW'SW'	:	SE	:	
7N:35E:35:	:	:	:	:	:	:	:	:	:	:	:	:31.5'	:	:31.5'	31.5:	126.0
:	:	:	:	:	:	:	:	:	:	:	:	:33'	:	:33'	33:	132

on RT 382

PART 1

6. General Information:

- a. Description of diversion system This will be an addition to the Holley well system. There will be an additional well on the Torgerson land and another on the Hoggan land.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Instead of using long transmission ditches from the company's main wells, the water will be diverted on the farms and eliminate large losses in the ditch.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0371 & 31-0331
And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 17th day of May 1991

[Signature]
CHIEF, WATER ALLOCATION BUREAU

CONDITIONS OF APPROVAL

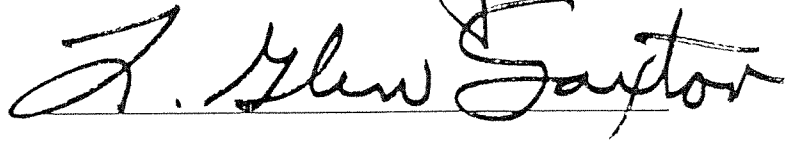
Transfer of Water Right Nos. 31-0331 & 31-0371

Transfer No. 3787

1. Use of water under this water right is subject to control by the watermaster of State Water District No. 31, Mud Lake and tributaries.
2. A measuring device of a type approved by this Department shall be installed and maintained as part of the diverting works.
3. The director retains jurisdiction of this transfer up to 5 years for the purpose of determining potential injury to existing rights, both junior and senior, and for the purpose of modifying the conditions of transfer approval as necessary to prevent such injury.
4. The cumulative rate of diversion and annual volume under Right Nos. 31-0331 and 31-0371 shall be appurtenant to the place of use so that each irrigated acre will receive an equal portion of water from the same source identified under both rights. Unless and until the Department imposes a different restriction, Holley shall reduce its pumping from the Holley wells by the same cumulative amount that the applicants propose to divert at their new points of diversion. The Department reserves the right to impose additional or different conditions on this transfer based on evidence provided during the period of retained jurisdiction or otherwise.
5. As specified by the court decree of Owsley Canal Co. vs. Ernest Bauerle, October 14, 1940, the period of use under Right Nos. 31-0331 and 31-0371 is limited to the period from May 1 to November 1.
6. The change authorized by this transfer shall be accomplished within (1) year of the date of this approval.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

9. This permit is subject to the agreement dated March 11, 1991 between permit holder and protestant(s) to the extent such agreement covers matters within the jurisdiction of the Department of Water Resources.
10. Transfer Nos. 3680 & 3787 add place of use descriptions to Right Nos. 31-0331 & 31-0371, but do not expand the amount of irrigated acreage authorized under the rights.

Dated this 17th day of May, 1991.



Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 31-0371 Decreed to Holley Water Users Association
in case of Holley Water Users Association vs. Mark R. Culp, et al.
dated December 14, 1946 in Ninth District Court county of Jefferson
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other N/A

3. Source of water Groundwater tributary to _____

4. Date or priority 09/10/1928

5. Water is used for the following purpose:

amount 23.0 cfs for Irrigation purposes from 04/01 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 23.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: See Attachment

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use: See Attachment

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 31-0331, 31-0332, 31-0343,

31-0344, 31-0345, 31-0346, 31-0347, 31-0348, 31-0349, 31-0350, 31-0351, 31-0352, 31-0353, 31-0354, 31-0355, 31-0356, 31-0357, 31-0358, 31-0359, 31-0360, 31-0361

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 31-0331 Decreed to Holley Water Users Association
in case of Holley Water Users Association vs. Mark R. Culp, et al.
dated December 14, 1946 in Ninth District Court county of Jefferson
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other N/A

3. Source of water Groundwater tributary to _____

4. Date or priority 01/25/1930

5. Water is used for the following purpose:

amount 24.0 cfs for Irrigation purposes from 04/01 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 24.0 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: See Attachment

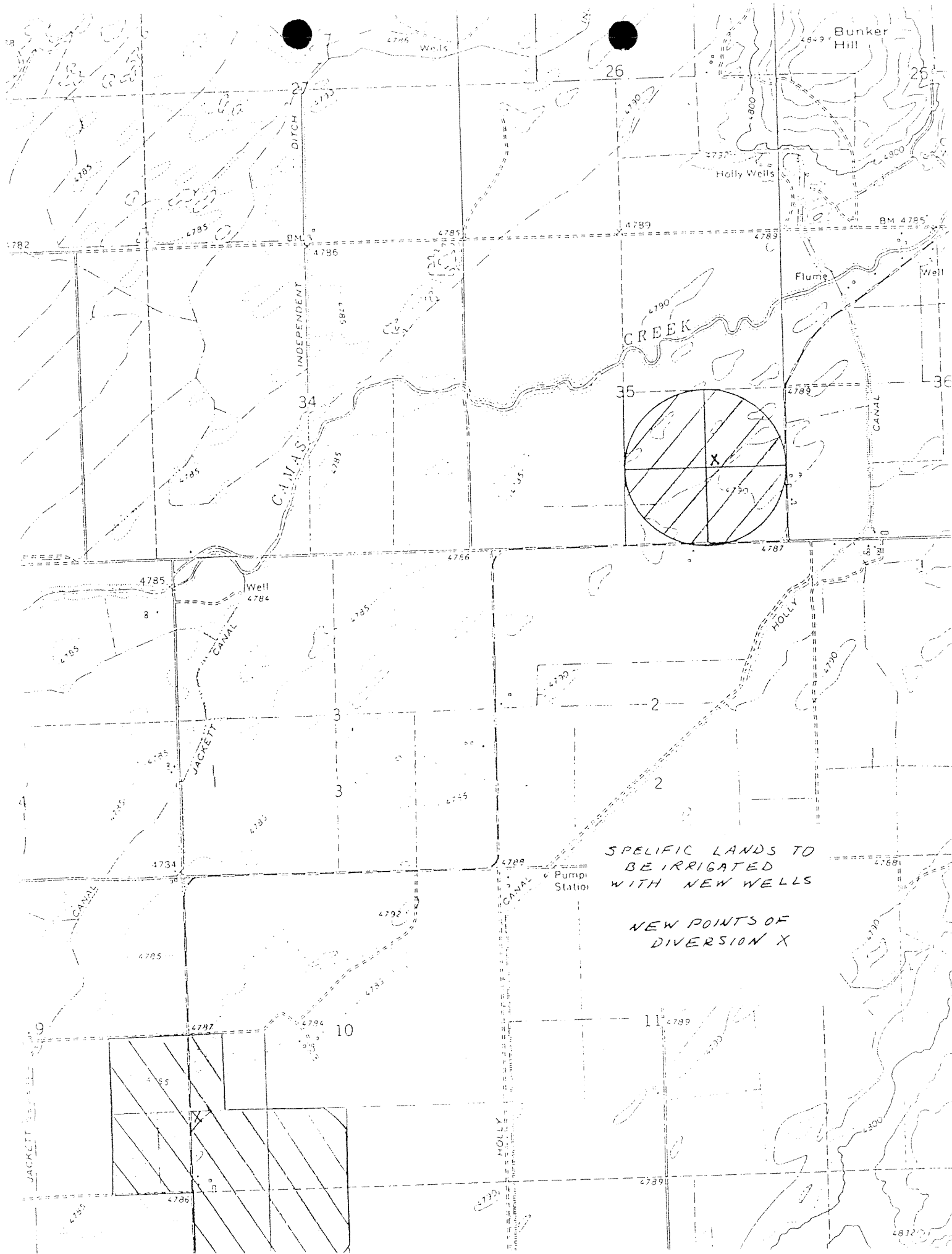
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use: See Attachment

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 31-0371, 31-0332, 31-0343,



PART 3

B. CHANGES IN NATURE OF USE

- | 1. | <u>New Nature of Use</u> | <u>Amount</u>
(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|------------------------------|------------------------|----------------------|
| | | | | to |
| | | | | to |
2. Quantity and quality of return flows and location of discharge:
3. Describe effects on other water uses resulting from the proposed change:
- None

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

LaMogre Barney
(Signature of Applicant)

Subscribed and sworn to before me this 1st day of November, 19 90.

Don Schneider
(Notary Public)

My commission expires 5-18-93

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWS Date 11-2-90 Protest filed by _____

Prelim. check by KCW Fee \$50

Received by HWT ECHHO Date 8-8-90

Published in Statewide Copies of protest forwarded by _____

Pub. dates 12-20 & 27-90 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

A T T A C H M E N T

POINTS OF DIVERSION:

There are 8 wells referred to as the "Holley Wells". They all discharge into an open ditch which commences near the wells in the SESE § 26, SWSW § 25 and the NWNW § 36, T.7N., R.35E. The ditch proceeds generally south, crosses Camas Creek by means of a flume and then continues in a southerly direction to the place of use.

In recent years, wells have been drilled on a number of farms served by this system to provide for more efficient irrigation of the lands by means of pivot and other types of sprinkler systems. The 8 old wells, or some of them, do not need to be pumped nearly as much and the transmission losses through the ditch system have been substantially reduced.

Such additional wells have been drilled or are proposed by Carl Hoggan, Sterling Murdock, Sid Ashcraft, Robert Bybee and Ron Torgerson. Some have been approved and some have not. We have listed below all points of diversion for such wells, and those not yet approved have been designated "New":

T.6N., R.35E.	S. 2	NESE	Ashcraft Well T3517
	S. 10	SWSW	Torgerson Well (New)
	S. 15	NWNE	Bybee Well T3654
	S. 22	SWNE	Murdock Well T3645
T.7N., R.35E.	S. 25	SWSW	Holley Wells
	S. 26	SESE	Holley Wells
	S. 35	NESE	Hoggan Well (New)
		SESW	Hoggan Well T3517/T3645
	S. 26	NWNW	Holley Wells

36

6/2/11

PLACE OF USE:

The specific places of use to be irrigated from the proposed new wells are shown in PART 1, page 1, under No. 5. However, such places of use are included within the place of use for all the water rights of the Holley Water Users Association, so this application is really only for the purpose of adding points of diversion under the 2 groundwater rights of the company, 31-0331 and ³¹⁻⁰³⁷¹~~31-0332~~, and there is no proposed change in place of use. The place of use for Rights Nos. ³¹⁻⁰³⁷¹~~31-0331~~ and ~~31-0332~~ is as follows:

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>1/4 of 1/4</u>		<u>LOT</u>	<u>USE</u>	<u>ACRES</u>
06N	34E	11	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
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
		Section Acres					320.0
	35E	1	NW	NW		IRR	10.0
			Section Acres				
		2	NE	NE		IRR	40.0
			NW	NE		IRR	36.0
			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	32.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	38.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
	Section Acres						546.0

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>1/4 of 1/4</u>	<u>LOT</u>	<u>USE</u>	<u>ACRES</u>
		3	NE	SE	IRR	38.0
			SE	SE	IRR	40.0
			Section Acres			78.0
		9	NE	SE	IRR	40.0
			SE	SE	IRR	40.0
			Section Acres			80.0
		10	NE	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	35.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
			Section Acres			475.0
		11	NE	NW	IRR	30.0
			NW	NW	IRR	38.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	39.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	38.0
			Section Acres			305.0
		14	NE	SW	IRR	10.0
			NW	SW	IRR	40.0
			Section Acres			50.0
		15	NE	NE	IRR	36.0
			NW	NE	IRR	31.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	33.0
			SE	NW	IRR	40.0

<u>TOWNSHIP</u>	<u>RANGE</u>	<u>SECTION</u>	<u>1/4 of 1/4</u>	<u>LOT</u>	<u>USE</u>	<u>ACRES</u>
		15	NE	SW	IRR	40.0
			NW	SW	IRR	34.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
			Section Acres			614.0
		22	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
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
			Section Acres			440.0
07N	35E	35	NE	SW	IRR	25.0
			SW	SW	IRR	20.0
			SE	SW	IRR	40.0
			NE	SE	IRR	33.0
			NW	SE	IRR	33.0
			SW	SE	IRR	33.0
			SE	SE	IRR	33.0
			Section Acres			217.0
		36	NE	SW	IRR	40.0
			NW	SW	IRR	38.0
			SW	SW	IRR	38.0
			Section Acres			116.0
			Total Acres			3251.0

2884i/srr



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

November 2, 2000

MUD LAKE WATER USERS INC
PO BOX 68
TERRETON ID 83450

RE: CHANGE IN OWNERSHIP FOR A31-00134, A31-00135,
A31-00143, A31-00144, A31-00190, A31-00192, A31-00331,
A31-00332, A31-00344, A31-00345, A31-00354, A31-00355,
A31-00360, A31-00361, A31-00371, A31-02289, A31-02290,
A31-02297, A31-02310, A31-02317A, A31-02317B, A31-
02321, A31-10957, A31-10958, A31-10959, A31-10960, A31-
10961, A31-10962

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice(s) for your records.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim



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

To: Mud Lake Water Users Files
Fr: Bryce Contor
Date: 10/31/2000

Bryce A. Contor

Re: Attorney

Garth Soderquist of Mud Lake Water Users called today and ask that we remove Kent Foster as attorney on all of the Mud Lake Water Users adjudication claims.

OK - Bae

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	A31-00344'	_____	_____	A31-00361'	A31-00331
_____	A31-00345'	_____	_____	A31-10957'	A31-00332
_____	A31-00354'	_____	_____	A31-10958'	A31-00371
_____	A31-00355'	_____	_____	A31-10959'	
_____	A31-00360'	_____	_____	A31-10960'	
			_____	A31-10961'	
			_____	A31-10962'	

2. The following **REQUIRED** information must be submitted with this form:

A. ~~The appropriate FILING FEE. See instructions for fee amounts.~~

Merger Documents

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Holley Canal

4. New Owner/Claimant(s)

Mud Lake Water Users Inc

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 68

City, State and ZIP Code

Terreton ID 83450

New Telephone Number

208-663-4359

5. Date you acquired the property

Filed 9/8/91 13 PM 1:18

*Secretary of State
State of Idaho*

21-JUNE 94

11:45 Keith Barzee - TALK WITH HIM ABOUT OWNERSHIP OF SE $\frac{1}{4}$ SEC 22 6N 35E. OWNED BY KIRT WILLIAMS. IS IRRIGATED FROM HOLLEY CANAL.

12:15 Dwayne Kirkham - EXPLAINED DELIVERY OF WATER TO HIS LAND IN THE E $\frac{1}{2}$ NW $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC 22 6N 35E. HE ALSO STATED NE $\frac{1}{4}$ SEC 16 6N 35E DOES NOT RECEIVE WATER FROM HOLLEY - APPEARS TO BE INCLUDED ON ASCS PHOTO PROVIDED WITH CLAIM BUT NOT LISTED ON NOTICE.

2:40. LAMOYNE BARNEY -

- NW $\frac{1}{4}$ SEC 1 irrigates ~~home~~ yards around homes & small pastures.
- NW $\frac{1}{4}$ SEC 2 irrigated from Hogan well not part of canal delivery system.
- PUMP IN SWSW SEC 2 serves pivot in SW $\frac{1}{4}$
- ASHCRAFT (S10) PIVOT IN SE $\frac{1}{4}$ SEC 2 irrigated from well need to check with Hogan about Holleywater for this property.
- THORGESON WELL IN SW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC 10 irrigates pivot S $\frac{1}{2}$ SW $\frac{1}{4}$ SEC 10 N $\frac{1}{2}$ NW $\frac{1}{4}$ SEC 15, wheel lines on N $\frac{1}{2}$ SW $\frac{1}{4}$ SEC 9 and part time to pivot covering E $\frac{1}{2}$ SE $\frac{1}{4}$ SEC 9 ALL IN 6N 35E.
- BYBEE WELL SERVES PIVOT PROPERTY WAS FLOOD IRRIGATED.

6 JULY 94

9:30 - LAMOYNE BARNEY - CARL HOGGAN. MET AT CARL HOGGAN'S HOME.

- NW $\frac{1}{4}$ NW $\frac{1}{4}$ SEC 1 - ROBERT BYBEE OWNS Δ IN CORNER.

PANEL ON EAST SIDE OF CANAL HAS ONE SHARE FOR ABOUT ONE ACRE OF GARDEN.

CONTINUED.

VAN BURTON SHAW RECEIVES HOLLEY WATER OUT OF MUD LAKE
OWNS 200 SHARES. FOR N $\frac{1}{2}$ T ϕ 6N R34E SEC 11.

(WATER RIGHT NUMBERS THAT BEGIN WITH AN "A" ARE ADJUDICATION CLAIMS)

[illegible]

[illegible]

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A3110960	CAMAS CREE :									40	38	38		116
A3110961	CAMAS CREE :									40	38	38		116
A3110962	CAMAS CREE :									40	38	38		116

rm 222
17

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DRILLED
Transfer No. 3654

NOV 13 1990

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Department of Water Resources
Eastern District Office

Name of applicant Holley Water Users Association Phone 662-5207
Post Office address c/o LaMoyné Barney, Hamer, ID 83425

PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To reduce transmission loss sustained from having to convey well water through several miles of ditches before it is used for irrigation of the place of use.

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>31-0371</u>	<u>Sept. 10, 1928</u>	<u>23.00</u>	<u>Irrigation</u>	<u>04/01</u> to <u>11/15</u>
<u>31-0331</u>	<u>Jan. 25, 1930</u>	<u>24.00</u>	<u>Irrigation</u>	<u>04/01</u> to <u>11/15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 47.00 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: NW NE 15 6N 35E Jefferson Bybee well ✓

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	35	07N	35E	Jefferson	Hoggan Well *
		SW	NE	22	06N	35E	Jefferson	Murdock Well *
		SW	SW	25	07N	35E	Jefferson	Holley Wells
		SE	SE	26	07N	35E	Jefferson	
	SE	NW	NW	36	07N	35E	Jefferson	

5. Lands irrigated or place of use: See attachment

* Previous transfer not approved as of 1/29

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	35E	10															40	40	80
		15	36	31															67
						Bybee place of use													

PART 1

6. General Information:

- a. Description of diversion system Eight Holley wells open discharge into canal system. The
two Hoggan wells will divert water into pressure system and irrigate land
historically irrigated with water from Holley wells. This addition by Mr. Murdock
will have a well on his property irrigate land traditionally irrigated from the main
Holley wells.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0331/0371
 And said application is hereby APPROVED, subject to the following limitations and conditions:
See attached sheet for conditions of approval.

Witness my hand this

29th

day of

October

, 19 90

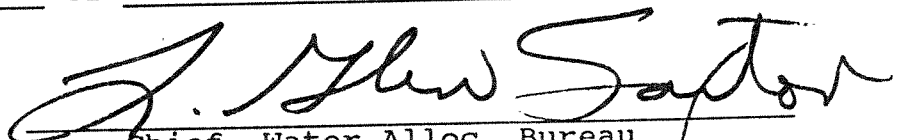
J. Glen Saxton
 Chief, Water Alloc. Bureau

CONDITIONS OF APPROVAL

Transfer of Water Right No. 31-0331/0371

1. Use of water under this right is subject to control by the watermaster of State Water District No. 31, Mud Lake and tributaries.
2. A measuring device of a type approved by this Department shall be installed and maintained as part of the diverting works.
3. The director retains jurisdiction of this transfer up to 5 years for the purpose of determining potential injury to existing rights, both junior and senior, and for the purpose of modifying the conditions of transfer approval as necessary to prevent such injury.
4. The cumulative rate of diversion and annual volume under Right Nos. 31-0331 and 31-0371 shall be appurtenant to the place of use so that each irrigated acre will receive an equal portion of water from the same source identified under both rights. Unless and until the Department imposes a different restriction, Holley shall reduce its pumping from the Holley wells by the same cumulative amount that the applicants propose to divert at their new points of diversion. The Department reserves the right to impose additional or different conditions on this transfer based on evidence provided during the period of retained jurisdiction or otherwise.
5. As specified by the court decree of Owsley Canal Co. v. Ernest Bauerle, October 14, 1940, the period of use under Right Nos. 31-0331 and 31-0371 is limited to the period from May 1 to November 1.
6. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
7. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 29th of October, 1990.


Chief, Water Alloc. Bureau

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

-
- A detailed topographic map of a section of land, likely a survey or planning map. The map features a grid of sections, with sections 9, 10, 15, 16, 21, 22, and 23 visible. Handwritten annotations include "R3SE" in the upper right, "T6N" in the middle left, and "Byrne place of use" in the center. A "P.D." (Public Domain) area is marked with an arrow pointing to a specific location. The map also shows "JACKETT" and "CAMEL" roads, a "Pumping Station" in the top right, and several "Well" locations. Elevation contours are marked with numbers like 4785, 4786, 4787, 4788, 4789, 4790, and 4792. A "BM" (Benchmark) is also indicated. The map is a black and white reproduction of a physical map, showing various lines, dots, and handwritten text.

Transfer No. 3645

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AUG - 1999

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources
District Office

663-4308

Name of applicant Holley Water Users Association Phone 662-5207

Post Office address c/o LaMoyné Barney, Hamer, ID 83425

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To reduce transmission loss sustained from having
to convey well water through several miles of ditches before it is used for irrigation
of the place of use.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	<u>31-0371</u>	<u>Sept. 10, 1928</u>	<u>23.00</u>	<u>Irrigation</u>	<u>04/01</u> to <u>11/15</u>
	<u>31-0331</u>	<u>Jan. 25, 1930</u>	<u>24.00</u>	<u>Irrigation</u>	<u>04/01</u> to <u>11/15</u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u> to <u> </u>

2. Total amount of water being transferred 47.00 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE SW	SW NE	35 22	07N 06N	35E 35E	Jefferson	Hoggan Well Murdock Well
		SW	SW	25	07N	35E	Jefferson	Holley Wells
		SE	SE	26	07N	35E	Jefferson	
	SE	NW	NW	36	07N	35E	Jefferson	

5. Lands irrigated or place of use: See Attachment

[illegible]

Total acres _____

PART 1**6. General Information:**

- a. Description of diversion system Eight Holley wells open discharge into canal system. The two Hoggan wells will divert water into pressure system and irrigate land historically irrigated with water from Holley wells. This addition by Mr. Murdock will have a well on his property irrigate land traditionally irrigated from the main Holley wells.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

No change in place of use.

- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0331/0371

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

2. Use of water under these rights is subject to control by the watermaster of State Water District No. 31, Mud Lake & tributaries.

See attached list for additional conditions of approval.

Witness my hand this

23rd day of

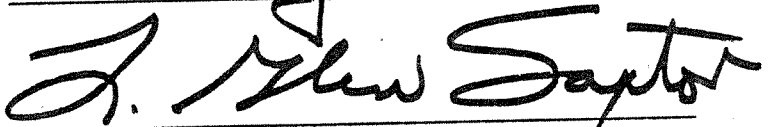
July, 1990

J. Glen Saxton
Chief, Water Alloc. Bureau

ATTACHMENT TO CONDITIONS OF APPROVAL
TRANSFER OF WATER RIGHT
NOS. 31-0331/0371

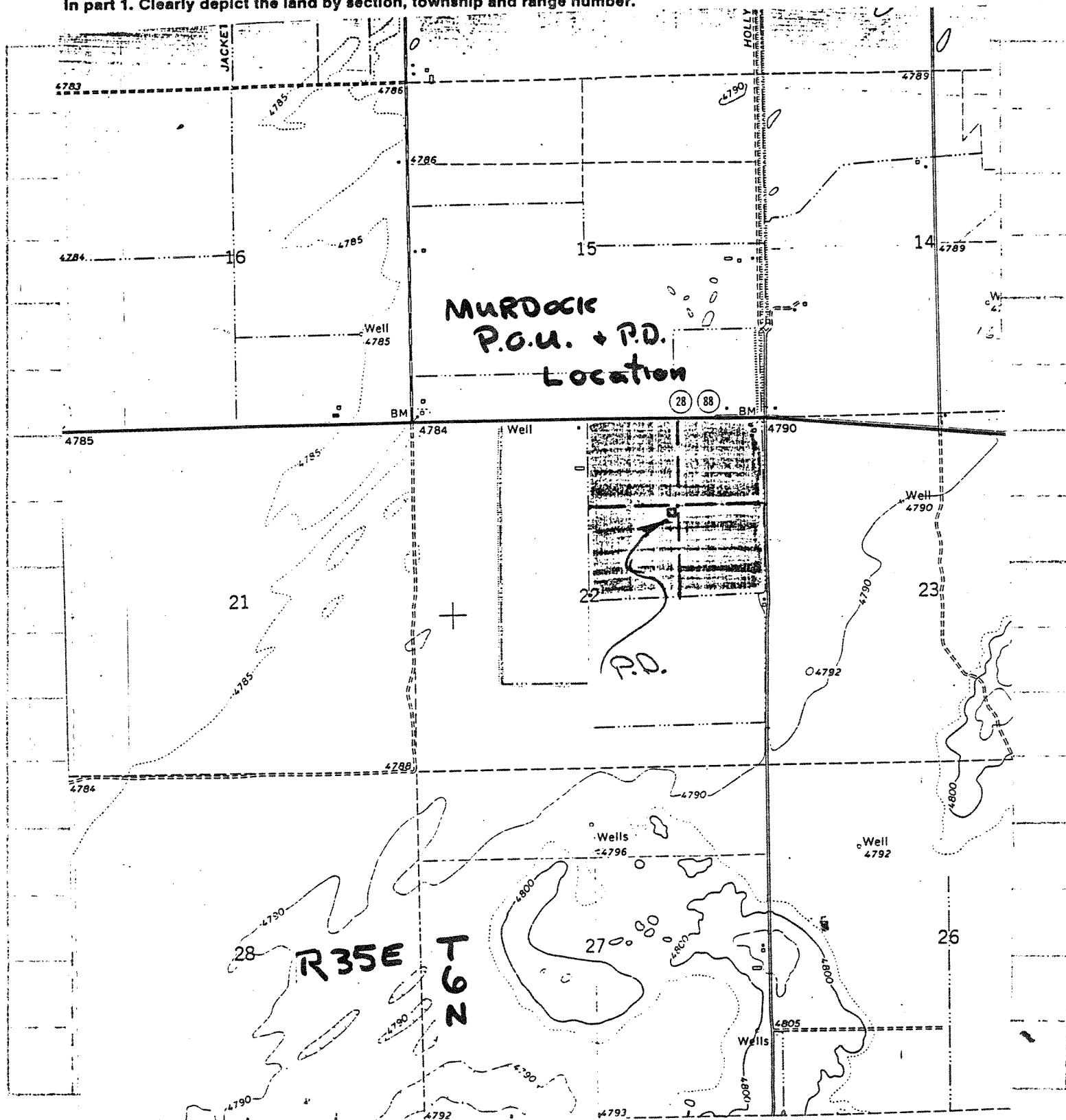
3. The director retains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, and for the purpose of modifying the conditions of transfer approval as necessary to prevent such injury.
4. The cumulative rate of diversion and annual volume under these rights shall be appurtenant to the place of use so that each irrigated acre will receive an equal portion of water from the same source identified under both rights. Unless and until the Department imposes a different restriction, the right holder shall reduce pumping from the Holley wells by the same cumulative amount that the applicants propose to divert at their new points of diversion. The Department reserves the right to impose additional or different conditions on this transfer based on evidence provided during the period of retained jurisdiction or otherwise.
5. As specified by the court decree of Owsley Canal Co. v. Ernest Bauerle (10/14/1940), the period of use under these rights is limited to the period from May 1 to November 1.

Dated this 23rd day of July, 1990.


Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3517

APPLICATION FOR TRANSFER OF WATER RIGHT **APPROVED**
PART 1

AUG 18 1989

Department of Water Resources
Name of applicant Holley Water Users Association Phone 662-5207
Eastern District Office
Post Office address c/o LaMoyne Barney, Hamer, ID 83425

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other loss
2. Describe the reason for the proposed changes To reduce transmission, sustained from having
to convey well water through several miles of ditches before it is used for
irrigation of the place of use.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|----------------|--------------------------|---|----------------|
| A31-00371 | Sept. 10, 1928 | 23.00 | irrigation | 04/01 to 11/15 |
| A31-00331 | Jan. 25, 1930 | 24.00 | irrigation | 04/01 to 11/15 |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred | | 47.00 | cubic feet per second and/or acre-feet per annum. | |
| 3. Source of water | | groundwater tributary to | | |
| 4. Point(s) of Diversion: | | | | |

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SE	SW	35	07N	35E		
	NW	NE	NW	02	06N	35E	Jefferson	Hoggan wells ↗
		SW	SW	25	07N	35E	Jefferson	Holley wells ↘
		SE	SE	26	07N	35E	Jefferson	
	SE	NW	NW	36	07N	35E	Jefferson	

5. Lands irrigated or place of use: SAME AS CLAIM: See attachment (LANDS UNDER HOGAN WEUS)

[illegible]

Total acres _____

PART 1

General Information:

- a. Description of diversion system Eight Holley wells open discharge into canal system. The two Hoggan wells will divert water into pressure system and irrigate land historically irrigated with water from Holley wells.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? n/a Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No change in place of use.
- d. Remarks:
Earl Hoggan has filed for supplemental water to be diverted from his wells.
* Note see 31-07377 Dmd 20 Jan 89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0331/0371

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. 2. Use of water under these rights is subject to control by the watermaster of State Water District No. 31, Mud Lake & tributaries.

Witness my hand this

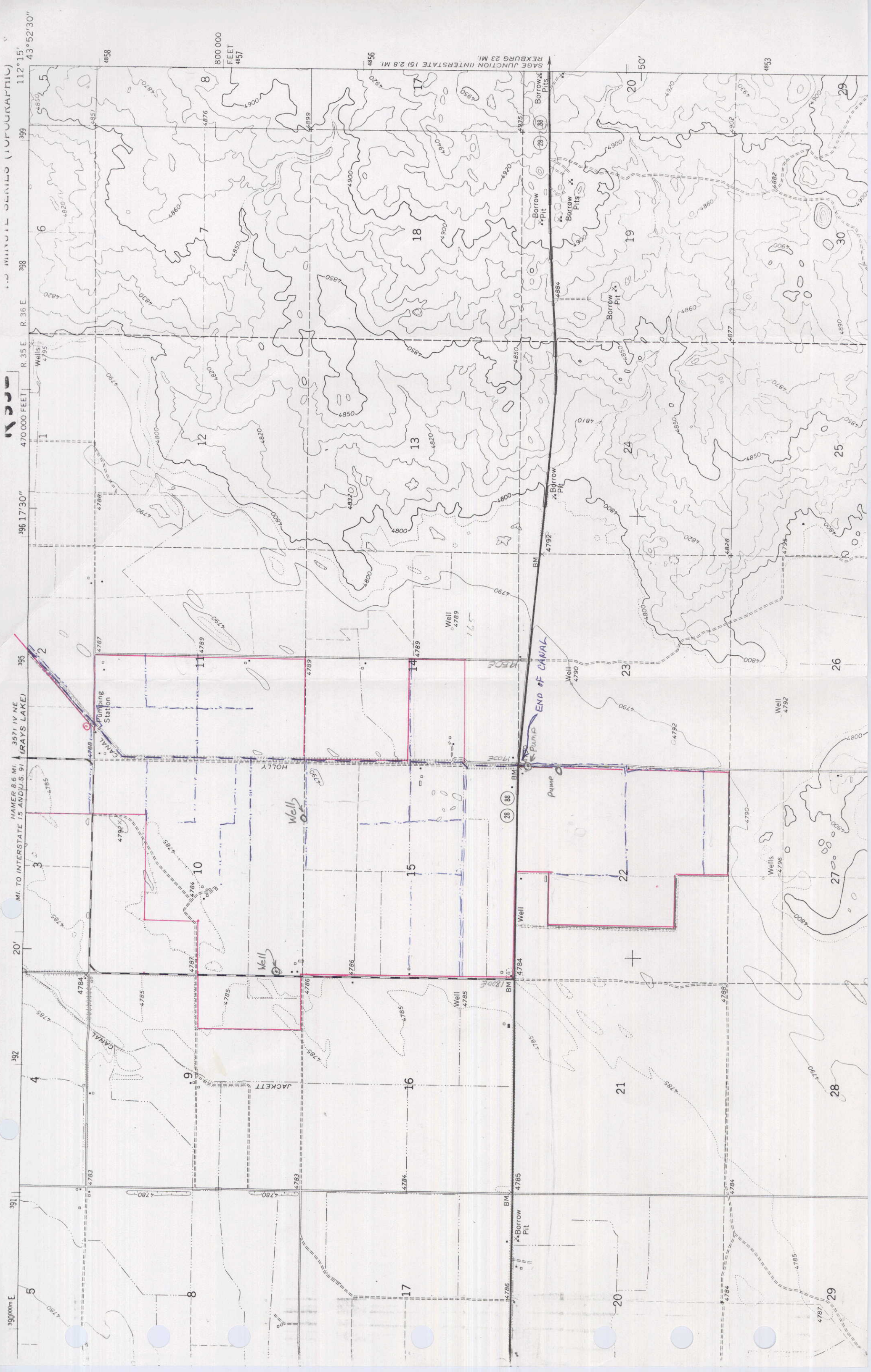
14th

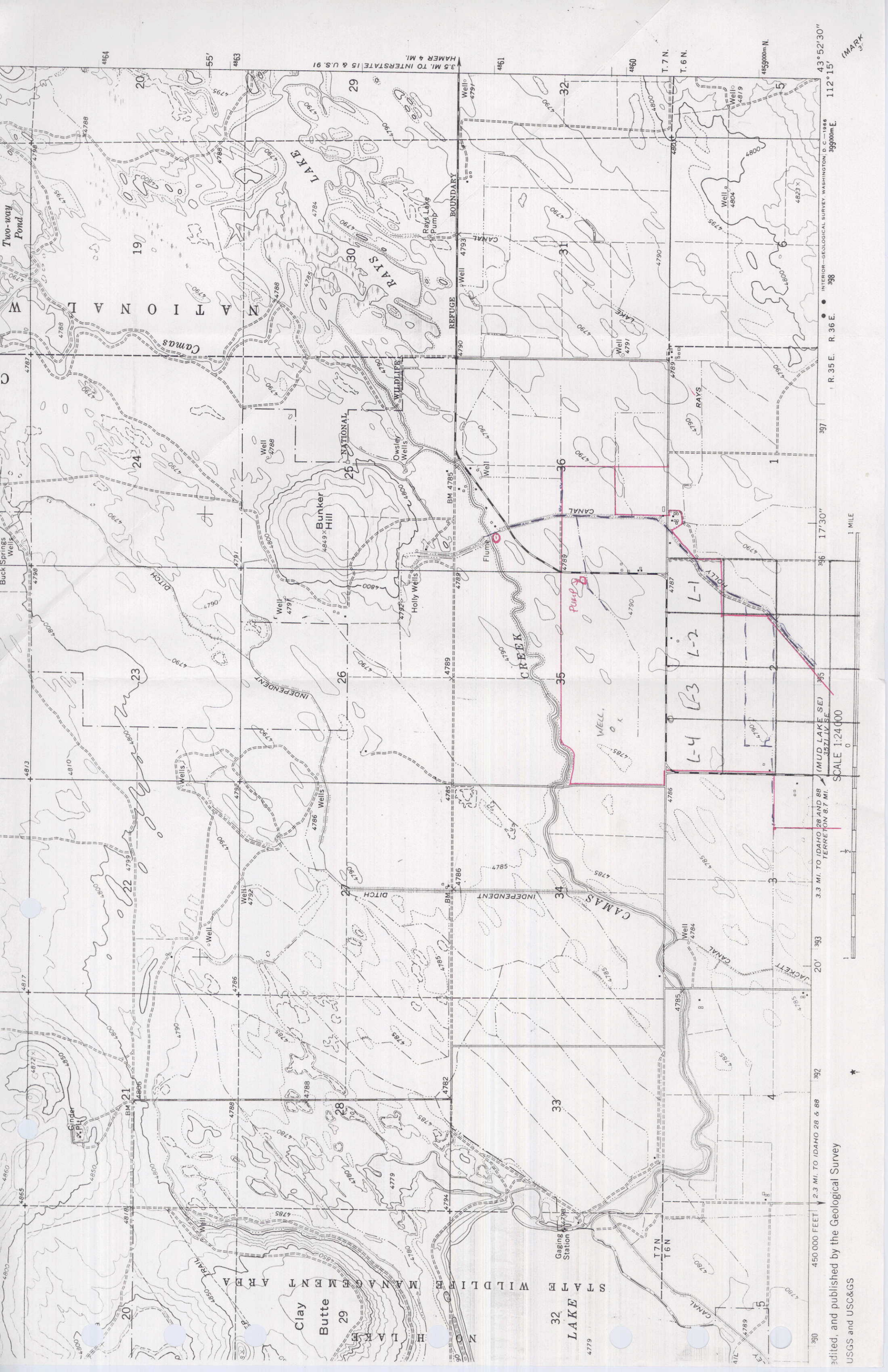
day of

August

, 19 89

J. Glen Saylor
Chief, Water Alloc. Bureau





edited, and published by the Geological Survey
USGS and USC&GS

3.3 MI. TO IDAHO 28 AND 88
TERRETON 8.7 MI.

17'30"

R. 35 E. R. 36 E.

398 399000mE.

43°52'30"

112°15'

(MARK)



2

328

HEL

31

1011

1514

HEL

3

1399

#1869

1316

HFL

②

36.6

NHEC

37.2

1441

3)

29

HE

5

38.0

461

4

28.6

54

319

NHEL
②

1481

#2448
9194

NHEL
①

1411

NHEL
②

1534

368

NHEL
②

1192

NHEL
①

1583

NHEL
①

30.8

8.4

2112

01/02/2001

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

RIGHT NUMBER: 31-331

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

SOURCE: GROUND WATER

QUANTITY: 24 CFS
8806.7 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 503.21 CFS FROM MAY 1 THROUGH NOV 1 AND A TOTAL
COMBINED DIVERSION RATE OF 643.21 CFS FROM MARCH 1 THROUGH APRIL 30 WHEN
AUTHORIZED BY AN EARLY PUMPING PLAN APPROVED BY THE WATERMASTER. COMBINED
RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-
337B, 31-371, 31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-
2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345,
31-7005, 31-11430, 31-11432.

PRIORITY DATE: 01/25/1930

per Holley v. Kulp, T 3517

POINT OF DIVERSION:	T07N R34E S13	SWSWNE	Within JEFFERSON County
	T07N R34E S13	SESE	Within JEFFERSON County
	T07N R34E S23	SENESE	Within JEFFERSON County
	T07N R34E S24	SWNENE	Within JEFFERSON County
	T07N R34E S24	NENWNE	Within JEFFERSON County
	T07N R34E S24	SWNWNW	Within JEFFERSON County
	T07N R35E S13	SWSWSW	Within JEFFERSON County
	T07N R35E S14	SESE	Within JEFFERSON County
	T07N R35E S14	SESE	Within JEFFERSON County
	T07N R35E S18 LOT 4	SWSW	Within JEFFERSON County
	T07N R35E S19 LOT 1	NWNW	Within JEFFERSON County
	T07N R35E S19 LOT 1	NENWNW	Within JEFFERSON County
	T07N R35E S19 LOT 2	NESWNW	Within JEFFERSON County
	T07N R35E S19	NESENE	Within JEFFERSON County
	T07N R35E S22	SENESE	Within JEFFERSON County
	T07N R35E S23	SWNWSW	Within JEFFERSON County
	T07N R35E S23	SWSW	Within JEFFERSON County
	T07N R35E S25	NWSWSW	Within JEFFERSON County
	T07N R35E S25	NWSWSW	Within JEFFERSON County
	T07N R35E S25	NWSWSW	Within JEFFERSON County
	T07N R35E S25	SWSWSW	Within JEFFERSON County
	T07N R35E S25	SWSWSW	Within JEFFERSON County
	T07N R35E S25	NESESW	Within JEFFERSON County
	T07N R35E S25	NESESW	Within JEFFERSON County
	T07N R35E S25	NESESW	Within JEFFERSON County
	T07N R35E S25	NESESW	Within JEFFERSON County
	T07N R35E S25	NESESW	Within JEFFERSON County
	T07N R35E S25	SESESW	Within JEFFERSON County
	T07N R35E S25	SENESE	Within JEFFERSON County
	T07N R35E S26	NESESE	Within JEFFERSON County
	T07N R35E S26	NWSESE	Within JEFFERSON County
	T07N R35E S27	NWNE	Within JEFFERSON County
	T07N R35E S36	NENW	Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
05-01 11-01

QUANTITY
24.00 CFS
8,806.70 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON

County

T06N R34E S3

NENW

24261.

3

24261.3 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 24261.3 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-327, 31-328, 31-329, 31-330, 31-331, 31-332, 31-336B, 31-337B, 31-371, 31-2239, 31-2265, 31-2289, 31-2290, 31-2297, 31-2310, 31-2317A, 31-2317B, 31-2321, 31-2341, 31-2342, 31-2343, 31-2344, 31-2345, 31-7005, 31-11430, 31-11432, (GROUNDWATER), 31-2276, (WASTEWATER), 31-6, 31-34, 31-35, 31-36, 31-37, 31-38, 31-52, 31-65, 31-104, 31-105, 31-147A, 31-159, 31-162, 31-163, 31-166, 31-168, 31-169, 31-184, 31-185, 31-186, 31-187, 31-188, 31-232, 31-237, 31-263, 31-363, (OWLSEY DIVISION SURFACE WATER), 31-134, 31-135, 31-143, 31-144, 13-190, 31-192, (JACKETT DIVISION SURFACE WATER), 31-344, 31-345, 31-354, 31-355, 31-360, 31-361, 31-10957, 31-10958, 31-10959, 31-10960, 31-10961, 31-10962, 31-11437 (HOLLEY DIVISION SURFACE WATER).

PLACE OF USE WITHIN THE BOUNDARY OF MUD LAKE WATER USERS, INC. TOTAL IRRIGATED ACRES 24261.3.

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

Comments:

Author	Date	Subject	Comment
bcontor	1/1/01	Recommendation	Recommended per post-1987 transfer 5335, except as noted on eCVR 31-327. See also paper file "Mud Lake Storage."

Dates:

Licensed Date:
 Claim Received Date: 12/20/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date: 12/14/1946
 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	1/1/01 2:28:46 PM	bcontor			In Process
POU	1/1/01 2:31:45 PM	bcontor			In Process
Priority Date	1/1/01 2:28:27 PM	bcontor			In Process
Quantity	1/1/01 2:35:11 PM	bcontor			In Process
Season	1/1/01 2:33:47 PM	bcontor			In Process
Source	1/1/01 2:13:44 PM	bcontor			In Process
Summary	1/1/01 2:37:39 PM		1/1/01 2:37:39 PM	bcontor	Complete
Use	1/1/01 1:50:27 PM	bcontor			In Process

Other Information:

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

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	1/1/01 2:28:44 PM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	1/1/01 2:31:42 PM	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. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	1/1/01 2:28:26 PM	bcontor	1. (YES) There has been a later court decree of the water right(s) from the water source. 2. (YES) The owner/owner's predecessor in interest of the place of use was joined in the later decree. 3. (NO) The date of the decree was not after the mandatory permit date. 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	1/1/01 2:35:09 PM	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. 6. (YES) The source is ground water and the purpose of use requires a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 8. (YES) Irrigation is a purpose of use. Comment for 8: See comments to eCVR 31-327. 9. (YES) Quantity remark was required. 10. (NO) Quantity condition was not required.
Season	1/1/01 2:33:45 PM	bcontor	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (YES) The period of use on the decree, license or transfer is shorter on either the start or end date than allowable under IDWR's current standard. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Source	1/1/01 2:13:42 PM	bcontor	1. (NO) The basis is not beneficial use.

Summary

1/1/01 2:37:37 PM

bcontor

2. (YES) Parent right has a source.
3. (YES) The claimed source can be verified using the water right file.
Comment for 7: Transfer 5335
8. (NO) The source is not surface water.
10. (NO) Source remark was not required.
11. (NO) Source condition was not required.
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.
1. (NO) The basis of claim is not beneficial use.
2. (YES) The parent right has a purpose of use.
3. (YES) The claimed purpose of Use can be verified using the water right file.
11. (NO) Purpose of Use remark was not required.
12. (NO) Purpose of Use condition was not required.

Use

1/1/01 1:50:25 PM

bcontor

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 31-331
Date Received: 12/20/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

1400 E 1500 N
PO BOX 68
TERRETON ID 83450

2. Date of Priority: 01/25/1930

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County
07N	35E	25		SW	SW	JEFFERSON
07N	35E	36	SE	NW	NW	JEFFERSON
07N	35E	26		SE	SE	JEFFERSON

5. Description of diverting works:

EIGHT WELLS OPEN DISCHARE INTO HOLLY CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/15	24	

7. Total Quantity Appropriated is:
24 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06N	34E	11	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			NE	NW		IRRIGATION	40
			NW	NW		IRRIGATION	40
			SW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	40
						Section Acres	320
06N	35E	1	NW	NW	IRRIGATION	4	
						Section Acres	4
06N	35E	2	NW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	8
			NE	SW		IRRIGATION	32
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	38
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			NE	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
						Section Acres	358
06N	35E	3	NE	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
						Section Acres	80
06N	35E	9	NE	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
						Section Acres	80
06N	35E	10	NE	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
			SE	NW		IRRIGATION	40
			NE	SW		IRRIGATION	40
			NW	SW		IRRIGATION	40
			SW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	40
			NE	SE		IRRIGATION	40
			NW	SE		IRRIGATION	40

			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	480
06N	35E	11	NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	30
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
					Section Acres	270
06N	35E	14	NE	SW	IRRIGATION	10
			NW	SW	IRRIGATION	40
					Section Acres	50
06N	35E	15	NE	NE	IRRIGATION	34
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
					Section Acres	634
06N	35E	22	NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	440
07N	35E	35	NE	SE	IRRIGATION	38
			NW	SE	IRRIGATION	34
			SW	SE	IRRIGATION	34
			SE	SE	IRRIGATION	38

					Section Acres	144
07N	35E	36	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	38
					Section Acres	118
					Total Acres	2978

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

PLACE OF USE OWNED BY STOCK HOLDERS IN ASSN
 OTHER RIGHTS - 31-00360/00361/00362/00363
SEE CLAIM A31-00343 FOR MAP OF SERVICE AREA

CHANGED OWNERSHIP PER REQUEST/CV/11/01/00

15. Basis of Claim: Decreed

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: **A31-00331**
Date Received: 12/20/1988
Receipt No: E005296
Received By: _____

CLAIM TO A WATER RIGHT
ED UNDER STATE LAW

AMENDED

RS ASSN
NEY

83425

RS ASSN

83425

25, 1930

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	35E	25		SW	SW		JEFFERSON
		26		SE	SE		JEFFERSON
		36	SE	NW	NW		JEFFERSON

5. Description of diverting works:

EIGHT WELLS OPEN DISCHARE INTO HOLLY CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/15	24.000		

7. Total Quantity Appropriated is:

24.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 8075.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	34E	11	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
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
							Section Acres	320.0
	35E	1	NW		NW		IRR	4.0
							Section Acres	4.0
		2	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	8.0
			NE		SW		IRR	32.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	38.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	358.0
		3	NE		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	80.0
		9	NE		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	80.0
		10	NE		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		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

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	35E	10	NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres 480.0					
		11	NE		NW		IRR	40.0
			NW		NW		IRR	30.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SE		SW		IRR	40.0
			Section Acres 270.0					
		14	NE		SW		IRR	10.0
			NW		SW		IRR	40.0
			Section Acres 50.0					
		15	NE		NE		IRR	34.0
			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
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
			Section Acres 634.0					
		22	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

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	35E	22	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
Section Acres								440.0
07N	35E	35	NE		SE		IRR	38.0 34.0
			NW		SE		IRR	34.0
			SW		SE		IRR	34.0
			SE		SE		IRR	38.0
Section Acres								144.0 140.0 OK
		36	NE		SW		IRR	40.0
			NW		SW		IRR	40.0 38.0
			SW		SW		IRR	38.0
Section Acres								118.0 116.0 OK
Total Acres								2972.0 2978.0 OK

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

31-00343/00344/00345/00349/00352/00354/00355/00356/00359/

14. Remarks:

PLACE OF USE OWNED BY STOCK HOLDERS IN ASSN.

OTHER RIGHTS - 31-00360/00361/00362/00363.

SEE CLAIM A31-00343 FOR MAP OF SERVICE AREA.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1946

HOLLY WATER USERS ASSN.

Decree Plaintiff

MARK R. KULP

vs

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Dwain Kirkham
Signature of Authorized Agent

Idaho water users
Title and Organization

Aug 19 1997
Date

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 19 day

of Aug 19 97

Eugene Van Wagner
Notary Public

Seal

Residing at 14006 1500N TRAILTON, IDA.

My Commission Expires 17 JUNE 2003

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: A31-00331
Date Received: 12/20/1988
Receipt No: E005296
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HOLLEY WATER USERS ASSN.
Address: C/O LA MOYNE BARNEY
HAMER, ID 83425

OR

Name: HOLLEY WATER USERS ASSN.
Address: C/O CARL HOGGAN
HAMER, ID 83425

2. Date of Priority: JAN 25, 1930

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	35E	25		SW	SW		JEFFERSON
		26		SE	SE		JEFFERSON
		36	SE	NW	NW		JEFFERSON

5. Description of diverting works:
EIGHT WELLS OPEN DISCHARE INTO HOLLY CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/15	24.000		

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

8. Total consumptive use is 8075.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres	
06N	34E	11	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	
			NW		NW		IRR	40.0	
			SW		NW		IRR	40.0	
			SE		NW		IRR	40.0	
						Section Acres	320.0		
		35E	1	NW		NW		IRR	10.0
								Section Acres	10.0
			2	NE		NE		IRR	40.0
				NW		NE		IRR	36.0
				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	32.0			
NW		SW			IRR	40.0			
SW		SW			IRR	40.0			
SE		SW			IRR	38.0			
NW		SE			IRR	40.0			
SW		SE			IRR	40.0			
					Section Acres	546.0			
3	NE			SE		IRR	38.0		
	SE			SE		IRR	40.0		
					Section Acres	78.0			
9	NE		SE		IRR	40.0			
	SE		SE		IRR	40.0			
				Section Acres	80.0				
10	NE		NE		IRR	40.0			
	SW		NE		IRR	40.0			
	SE		NE		IRR	40.0			
	SE		NW		IRR	40.0			
	NE		SW		IRR	40.0			
	NW		SW		IRR	35.0			

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	35E	10	SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	475.0
		11	NE		NW		IRR	30.0
			NW		NW		IRR	38.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	39.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	38.0
							Section Acres	305.0
		14	NE		SW		IRR	10.0
			NW		SW		IRR	40.0
							Section Acres	50.0
		15	NE		NE		IRR	36.0
			NW		NE		IRR	31.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	33.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	34.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	614.0
		22	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	35E	22	NE		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
Section Acres								440.0
07N	35E	35	NE		SW		IRR	25.0
			SW		SW		IRR	20.0
			SE		SW		IRR	40.0
			NE		SE		IRR	33.0
			NW		SE		IRR	33.0
			SW		SE		IRR	33.0
			SE		SE		IRR	33.0
Section Acres								217.0
		36	NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	38.0
Section Acres								116.0
Total Acres								3251.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

31-00343/00344/00345/00349/00352/00354/00355/00356/00359/

14. Remarks:

PLACE OF USE OWNED BY STOCK HOLDERS IN ASSN.

OTHER RIGHTS - 31-00360/00361/00362/00363.

SEE CLAIM A31-00343 FOR MAP OF SERVICE AREA.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1946

HOLLY WATER USERS ASSN.

Decree Plaintiff

MARK R. KULP

Decree Defendant

vs

16. Signature(s)

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

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am President of Holly Water Users Ass. that I have signed the foregoing

Title

Holly Water Users Ass. document in the space below as President of

Organization

Title

Holly Water Users Ass. and that the statements contained in the foregoing document are true and correct.

Organization

Carl Haggan
Signature of Authorized Agent

Pres. Holly Water Users Ass.
Title and Organization

1 - 4 - 91
Date

State of Idaho)

County of Jefferson)

SS.

Subscribed and sworn (or affirmed) before me this 4 day

of Jan 19 91

Margaret J. Wood
Notary Public

Seal

Residing at Homer, Id

My Commission Expires June 28, 1991

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: A31-00331
Date Received: 12/20/1988
Receipt No: E005296
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOLLEY WATER USERS ASSN.
Address: C/O LA MOYNE BARNEY
HAMER, ID 83425

OR
Name: HOLLEY WATER USERS ASSN.
Address: C/O CARL HOGGAN
HAMER, ID 83425

2. Date of Priority: JAN 25, 1930

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	35E	25		SW		SW	JEFFERSON
		26		SE		SE	JEFFERSON
		36	SE	NW		NW	JEFFERSON

5. Description of diverting works:
EIGHT WELLS OPEN DISCHARE INTO HOLLY CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/15	24.000		

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

8. Total consumptive use is 8075.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A31-00331

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Date: 12/20/88



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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
06N	34E	11	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		
			NW		NW		IRR	40.0		
			SW		NW		IRR	40.0		
			SE		NW		IRR	40.0		
Section Acres							320.0			
35E	1	NW		NW		IRR	10.0			
		Section Acres							10.0	
		2	NE		NE		IRR	40.0		
			NW		NE		IRR	36.0		
			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	32.0		
			NW		SW		IRR	40.0		
			SW		SW		IRR	40.0		
			SE		SW		IRR	38.0		
			NW		SE		IRR	40.0		
			SW		SE		IRR	40.0		
			Section Acres							546.0
				3	NE		SE		IRR	38.0
SE		SE				IRR	40.0			
Section Acres							78.0			
	9	NE		SE		IRR	40.0			
		SE		SE		IRR	40.0			
Section Acres							80.0			
	10	NE		NE		IRR	40.0			
		SW		NE		IRR	40.0			
		SE		NE		IRR	40.0			
		SE		NW		IRR	40.0			

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	35E	10	NE		SW		IRR	40.0
			NW		SW		IRR	35.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	475.0
		11	NE		NW		IRR	30.0
			NW		NW		IRR	38.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	39.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	38.0
							Section Acres	305.0
		14	NE		SW		IRR	10.0
			NW		SW		IRR	40.0
							Section Acres	50.0
		15	NE		NE		IRR	36.0
			NW		NE		IRR	31.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	33.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	34.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	614.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
06N	35E	22	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			
			NE		SE		IRR	40.0			
			NW		SE		IRR	40.0			
			SW		SE		IRR	40.0			
			SE		SE		IRR	40.0			
										Section Acres	440.0
07N	35E	35	NE		SW		IRR	25.0			
			SW		SW		IRR	20.0			
			SE		SW		IRR	40.0			
			NE		SE		IRR	30.0			
			NW		SE		IRR	15.0			
			SW		SE		IRR	35.0			
			SE		SE		IRR	31.0			
										Section Acres	196.0
			36	NE		SW		IRR	40.0		
				NW		SW		IRR	38.0		
				SW		SW		IRR	38.0		
										Section Acres	116.0
							Total Acres	3230.0			

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

31-00343/00344/00345/00349/00352/00354/00355/00356/00359/

14. Remarks:

PLACE OF USE OWNED BY STOCK HOLDERS IN ASSN.

OTHER RIGHTS - 31-00360/00361/00362/00363.

SEE CLAIM A31-00343 FOR MAP OF SERVICE AREA.

15. Basis of Claim: DECREED

A31-00331

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Date: 12/20/88

MICROFILMED

NOV 17 1992

Case Number:
Court :
Decree date: 12/13/1946

HOLLY WATER USERS ASSN.
Decree Plaintiff

vs MARK R. KULP
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

Holley Water users Inc, that I have signed the foregoing
Organization
document in the space below as Sec of _____ Title

Holley Water users Inc and that the statements contained in the
Organization
foregoing document are true and correct.

LaMayne Barney
Signature of Authorized Agent

Sec Holley Water users Inc
Title and Organization

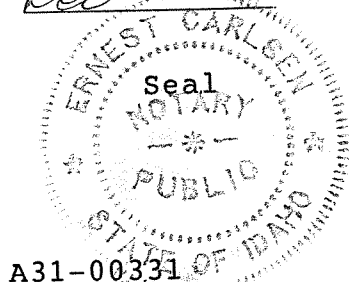
12-20-88
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of Dec 19 88

Ernest Carlson
Notary Public

Residing at Idaho Falls ID
My Commission Expires 14 June 1994



A31-00331

Page

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Date: 12/20/88

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Not used
in 12/2000 -

1/2001 Review
(superseded by TS 335)

