

11/20/2003

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

RIGHT NUMBER: 23-10269

NAME AND ADDRESS: CONANT VALLEY RANCH
2350 SWAN VALLEY HWY
SWAN VALLEY ID 83449

CONANT VALLEY RANCH
PO BOX 5546
ORANGE CA 92705

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.230 CFS
241.200 AFY

PRIORITY DATE: 04/15/1950

POINT OF DIVERSION:

T02N R43E S30 SWNESW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01/01 12/31

QUANTITY
0.230 CFS
241.20 AFY

PLACE OF USE: STOCKWATER Within BONNEVILLE County

T02N R43E S30 SENW

T02N R43E S30 NESW

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: Beneficial Use

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 23-10269
Date Received: 11/2/1989
Receipt No: E011096
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CONANT VALLEY RANCH Phone:
2350 SWAN VALLEY HWY
SWAN VALLEY ID USA 83449

CONANT VALLEY RANCH Phone:
PO BOX 5546
ORANGE CA USA 92705

2. Date of Priority: 04/15/1950

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
02N	43E	30	SW	NE	SW	BONNEVILLE	

5. Description of diverting works:

WELL TO TROUGHS

6. Water is used for the following purposes:

Purpose
STOCKWATER

From To C.F.S. (9/15/23 (or) A.F.A.
01/01 12/31 0.14

7. Total Quantity Appropriated is:

0.14 C.F.S. 0.23 9/16/02

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
02N	43E	30	NE	SW	STOCKWATER	
			SE	NW	STOCKWATER	

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED TO STOCKWATER ONLY. NO IRRIGATION.

15. Basis of Claim: Beneficial Use

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 Anthony H Osterkamp Jr of _____

Conant Valley Ranch, that I have signed the foregoing
Organization

document in the space below as General Partner of _____

Conant Valley Ranch and that the statements contained in the
Organization

foregoing document are true and correct. Anthony H Osterkamp Jr
Signature of Authorized Agent

General Partner Conant Valley Ranch
Title and Organization

11-19-03
Date

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 19th
of NOV 2003

A. B. Ruberry
Notary Public

Residing at Bonneville Falls Idaho

My commission Expires 9/23/09



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: A23-10269
Date Received: 9/29/1989
Receipt No: E011096
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FAMA DAIRY
Address: P.O. BOX 5546
ORANGE, CA

714-633-1770

92667

2. Date of Priority: APR 15, 1950

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	43E	30	SW	NE	SW		BONNEVILLE

5. Description of diverting works:
WELL, APPROX. 50' DEEP, PUMP, DITCH SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	04/01	11/01	0.140		
IRRIGATION	04/01	11/01	2.200		

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

A.F.A.

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/600 NON-DAIRY CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	43E	30	NE	NE		STOCK	
			NE	NE		IRR	10.0

A23-10269

Page

1

Date: 11/03/89

MICROFILMED

NOV 06 1992

A2310269

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	43E	30	NW	NE		STOCK	
			NW	NE		IRR	10.0
			SW	NE		STOCK	
			SW	NE		IRR	10.0
			SE	NE		STOCK	
			SE	NE		IRR	10.0
			NE	SE		STOCK	
			NE	SE		IRR	10.0
			NW	SE		STOCK	
			NW	SE		IRR	10.0
			SW	SE		STOCK	
			SW	SE		IRR	10.0
			SE	SE		STOCK	
			SE	SE		IRR	10.0
						Section Acres	80.0
						Total Acres	80.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
A23-02058/07019.

14. Remarks:
THE WELL IS LOCATED ON LAND BELONGING TO THE U.S. DEPT. OF INTERIOR, BLM, BUT THE WATER PROMPTLY FLOWS AWAY FROM THE PUBLIC LAND AND IS USED FOR PASTURE IRRIGATION AND STOCKWATER ON PROPERTY, AS INDICATED.

15. Basis of Claim: BENEFICIAL USE

NO LATE FEE IF RECEIVED

880

BY

12/89

50 AL. PD. ON

A23-67019

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A23-10269

Date Received

9/29/89

Receipt Number

E011096

RECEIVED

NOV 1 1989

Department of Water Resources
Eastern District OfficeNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 29 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Fama Dairy Phone (714) 633-1770
Mailing Address P. O. Box 5546, Orange, California Zip 92667
2. Date of Priority (Only one (1) per claim) April 15, 1950
3. Source of water supply (a) Groundwater
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 2N. Range 43E. Section 30,
S.W. 1/4 of N.E. 1/4 of S.W. 1/4, Govt. Lot, E. B.M., County of Bonneville
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Water is pumped from a well approxi-
mately 50 feet deep and distributed through a private ditch system to
the real property.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For stockwater purposes from April 1 to Nov. 1 amount 0.14 or _____

For irrigation purposes from April 1 to Nov. 1 amount 2.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.34 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 200 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) stockwater for up to 600 head of non-dairy cattle.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N.	43E.	30	10/S	10/S	10/S	10/S									10/S	10/S	10/S	10/S	80

Total number of acres irrigated 80

11. In which county (ies) are lands listed above as place of use located? Bonneville

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

When available, Garden Creek water right represented by Claim or None ()

No. 23-4004 is used in the same place for the same purposes.

14. Remarks:

The well for this groundwater is located on land belonging to the United States Department of Interior, Bureau of Land Management, but the water promptly flows away from the public land and is used for pasture irrigation and stockwater on property, as indicated.

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

 $1n$ [illegible]

Ident No.

MONOPHILM

NOV 06 1992

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____

Date _____

Date _____

For Organizations: I do solemnly swear or affirm that I am attorney in fact

Title

of Fama Dairy

Organization

, that I have signed the foregoing

document in the space below as attorney in fact

Title

of Fama Dairy

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent C. Timothy Hopkins

Title and Organization

Attorney in Fact for Fama Dairy

Date Sept. 29, 1989

State of Idaho/or _____)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 29th day of September 19 89

SEAL

Notary Public Gila Cochran

Residing at Idaho Falls, Idaho

My Commission Expires 6-17-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, C. Timothy Hopkins will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature C. Timothy Hopkins

Address Hopkins, French, Crockett, Springer & Hoopes
P. O. Box 51219, Idaho Falls, ID 83405-1219

Date September 29, 1989

Last Name _____ Ident. Number _____

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NOV 06 1992

Copies White-State, Yellow-Claimant

Contacts Data Entry Form

Water Right No. 23-10269

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<u>FAMA DAIRY</u>					
Name connector: and	____, or	____, and/or	<u>FILED</u>			
Current Owner	<u>NO NEED TO CONANT VALLEY RANCH ON 6/26/03</u>					
Current Owner	_____					

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: _____ Time: _____

Directions to Property (if different from above) and/or update owner information:

BU claim

* RECOMMEND AMENDMENT FOR STOCK SOL. 1/1 TO 12/31.

FE INDICATED: POU/PUD, MEASURES, System.
PPI OVERLAP w/ OTHER RIGHTS?

Reviewer: _____

Date: _____

19 NOV 03: AMEND TO STOCKWATER ONLY @ 0.25 cfs for 1500 HD.
2412 AF

NO ADDITIONAL FEE FOR 0.23 cfs

Priority Date Data Entry Form

Claim Number: _____

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: Apr 15, 1950 Claimed Basis: BURecommended Priority Date: _____ Recommended Basis: BU☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Priority Date PREDATES 1963 statute 942-229 IC
EVIDENCE RECD - Letter SENT 7/8/03-

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: _____

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

Claimed Point of Diversion: T 2N, R 43E, Sec. 30, SW, NE, SW. County: BONN.Source: G.W. Tributary: _____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County: _____

Source: _____ Tributary: _____

☐ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? GPS POD - TAG #

Document how the POD and Source were verified and/or Pump and Motor data:

Transfers Changing POD _____

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number: _____

_____ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
2N	43E	30	NE				40	Tring/STK
			SE				40	"

Total Acres 80

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

POU is OOD - Claim map shows parts of Q of Sec. 30 NE and
SE Quarters -

Q: How does this system work?
PPU w/ other rights (overlap)?

Transfers Changing POU _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number: _____

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Pring	4/1	11/1	2.20	
Stock	4/1	11/1	0.14	

Overall Diversion Rate 2.34

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Pring	4/15	10/31		

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

INTERPID ENG FORM ASSUMES TOO MUCH. RE-EVALUATE.

Q: MEASURES?

AC X AFA = DIV. VOL.

* Recommend Amend this claim, stockwater to 1/1 to 12/31.

Reviewer: _____

Date: _____

De 6/26/2003

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
<u>23-4003</u>		
<u>23-4004</u>		
<u>23-7019</u>		
<u>23-2058</u>		
<u>23-10269</u>		

Water Right No(s).	Adjudication Claim No(s).	Split
<u>23-10265</u>		
<u>23-10266</u>		
<u>23-10267</u>		
<u>23-10268</u>		

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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)

FAMA DAIRY

4. New Owner/Claimant(s)

Canant Valley Ranch

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

New Mailing Address

City, State and ZIP Code

New Telephone Number

PO BOX 5546 ORANGE CAL 92705

2350 SWAN VALLEY Rd SWAN VALLEY

(208) 483-2693

Id 83449

5. Date you acquired the property

1998

July 8, 2003

**Conant Valley Ranch
2350 Swan Valley Hwy
Swan Valley ID 83449**

RE: EVIDENCE OF PRIORITY FOR WATER RIGHT CLAIMS 23-10269, 23-04003 and 23-04004

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

Your claims, as referenced above: 23-10269, claims a Priority Date of April 15, 1950, from a well; 23-04003, claims a priority date of May 1, 1911, from Pritchard Creek; 23-04004, claims a priority date of May 1, 1911, from Garden Creek.

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

Memo to File: The following letter date November 6, 2002, was sent out to the claimants and no response was received back to Intrepid.

November 6, 2002

Dear Sir or Madam:

Intrepid Technology and Resources, Inc. (ITR) has been contracted by the Idaho Department of Water Resources (IDWR) to verify information in the State's records regarding the enclosed claim(s). This letter is being sent to the address of record for the enclosed claim(s).

In June or July of 2002, ITR employees visited the point(s) of diversion for the claim(s) in question. The purpose of this letter is to follow up on that visit, and ask for your input to verify the boundary of the area irrigated by each point of diversion. IDWR has supplied the enclosed maps and/or aerial photographs. The points of diversion (wellheads, dams, etc.) are indicated as circles. The irrigated areas are traced with bright yellow lines.

Please take the time to review the map, and correct any inaccuracies by marking changes on the map, and sending the map and claim file back to us in the enclosed postage-paid envelope.

If the claim is no longer in use, please note it on the claim file and return it to us in the enclosed envelope.

This applies only to the enclosed claim file. Water rights or claims not included with this package will be dealt with separately. Please DO NOT mark wells, diversions, or irrigated areas not specifically addressed in this package.

If you have any questions about the letter itself or how to respond, please call Doug Larsen or myself at 208-529-5337. We will be happy to discuss it with you.

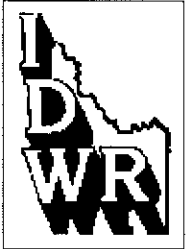
Sincerely,

Shaun Dustin, PE
Intrepid Technology & Resources, Inc.



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27



RIGHT ID 23 10269
POD ID 183188
Folder No. A2310269
Claim Status In Use
IDTMEAST 706319
IDTMNORTH 266645
GPSID A0011964

Diversions Description

WELL, APPROX. 50' DEEP, PUMP, DITCH SYSTEM.

Assumptions

Assume original diversion description information is accurate. Assume horse power, and pressure head.

Invoice

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issues)

Linked

photos\23-10269-001.JPG photos\23-10269-003.JPG

Photos

photos\23-10269-002.JPG photos\23-10269-004.JPG

GPS Accuracy (ft)

18 Feet

Date (M/D/Y)

7-22-02

Time

14:00

Flow Rate (CFS)

0.05

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description

Concrete lined	.016
Smooth earth	.025
Earth	.033
Rough bed, weeds on sides	.04
Smooth natural stream	.033
Rough natural stream	.1

Pumped System ☒

HP 1

Pressure Head (psi) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☒

New Contact Comments

Shane Randall.

(208) 483-2693

This is BS!

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FOLDER NO. A2310269



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 2, 1989

Hopkins, French, Crockett,
Springer & Hoopes, Lawyers
ATTN: Teresa L. Sturm
P.O. Box 51219
Idaho Falls, ID 83405-1219

RE: Fama Dairy - Notices of Claim to a Water Right

Dear Ms. Sturm:

Enclosed are the copies of the Fama Dairy Notices of Claim to a Water Right and the receipt for the money paid by Hopkins, French, Crockett, Springer & Hoopes. I am sorry for the extreme frustration you have experienced in filing the water right notices, as expressed in your November 1, 1989 correspondence.

The Fama Dairy Notices of Claim were submitted on September 29, 1989, the last day of the filing period for Bonneville County. All claims hand-delivered to the Department of Water Resources (IDWR) during the final days of each county deadline are generally accepted without question in order to avoid the assessment of any late fees to the claimant.

The following morning, a short period of time is set aside for the Water Right Agents to review each claim that was received in the mail or hand-delivered the previous day. Notices that are correct and complete are receipted, and added to the permanent files. Most notices that are incomplete or submitted with insufficient fees are returned for correction. The remaining notices are receipted, and are later returned to the claimant when time allows, or are corrected later in the objection or hearing stages of the adjudication.

To avoid any confusion or misinterpretations of the IDWR filing instructions, the department recommends that you or your client call to make an appointment well in advance of the county filing deadline for assistance in completing the notices. Upon making an appointment, a Water Right Agent will complete the notices from the information that is submitted.

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Page -2-
Hopkins, French, Crockett,
Springer & Hoopes

If you have any further questions, please give me a call
at 525-7161.

Sincerely,

A handwritten signature in cursive script, reading "Tony Olenichak".

Tony Olenichak
Water Right Agent, SR

Enclosure

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HOPKINS, FRENCH, CROCKETT, SPRINGER & HOOPES
LAWYERS

C. TIMOTHY HOPKINS
GREGORY L. CROCKETT
D. FREDRICK HOOPES
LARRY L. GOINS
LARY S. LARSON
STEPHEN R. MAY
PAUL B. RIPPEL
TERESA L. STURM
STEVEN K. BROWN
DAVID H. SHIPMAN *

SALISBURY BUILDING-428 PARK AVENUE
P. O. BOX 51219
IDAHO FALLS, IDAHO 83405-1219
(208) 523-4445
FAX (208) 523-4474

SEWARD H. FRENCH
(1941-1984)
TED C. SPRINGER
(1943-1984)

November 1, 1989

RECEIVED

NOV 1 1989

Department of Water Resources
Eastern District Office

Department of Water Resources
150 Shoup Avenue
Idaho Falls, ID 83402

Attention: Ernest Carlson
Adjudication Supervisor

Re: Fama Dairy - Notices of Claim to a Water Right

Dear Mr. Carlson:

In response to your correspondence of October 2, 1989, addressed to the attention of Mr. and Mrs. Waters, we have revised Fama Dairy's Notices of Claim to a Water Right. In accordance with your instructions, we have corrected the items identified on each of the five notices which were returned to us for additional information and/or fees. Please be advised that each of these claims was carefully reviewed with a representative of the Department of Water Resources in Idaho Falls prior to filing. The information which was originally presented on each of the forms was confirmed as accurate and complete.

We would like you to understand the extreme frustration we have experienced in attempting to anticipate and to deal with the problems we knew would be presented in filing these rather complicated water rights claims, only to find that we were given incomplete and inaccurate information and then instructed to revise the documents. This course of conduct has caused our client expenditures in time and attorney fees.

We have enclosed herewith a filing fee for each domestic/stockwater notice of claim and for each irrigation notice. Please note that we have filed four domestic/stockwater claims and five claims based on irrigation use. There is substantial overlap in the place of use parcels identified in the five irrigation notices. We have computed a fee based on \$25.00 for each domestic/stockwater notice, \$50.00 for each irrigation notice and \$1.00 per acre for each irrigated acre. Upon review

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Department of Water Resources
November 1, 1989
Page 2

of the notices, you will find that the total number of acres claimed exceeds the computation of \$1.00 per irrigated acre. Certain of the water rights share the same place of use parcel, although they are filed under separate claims because they have separate dates of priority. We have taken into account the so-called double use on these parcels in computing the fee, therefore, the dollar amount does not equal the total number of irrigated acres represented in the five claims.

Should you have any questions or require any additional information regarding any of these claims to a water right, please do not hesitate to contact this office.

Very truly yours,


Teresa L. Sturm

TLS/csh
Enclosures

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NOV 6 1992



State of Ida'

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: October 2, 1989

C. Timothy Hopkins
P.O. Box 51219
Idaho Falls, ID 83405-1219

RE: Fama Dairy Notices of Claim to a Water Right Returned

Dear Mr. and Mrs. Waters:

The Idaho Department of Water Resources (IDWR) is returning your check #10484 (\$1,649.00) and Fama Dairy's Notices of Claim to a Water Right. Five of the eight enclosed notices have insufficient information and/or fees. All items on the notices must be correctly completed and fees submitted before the IDWR can process the claims.

Please correct the items identified on each of the five notices needing correction, and return the claims with the appropriate fees to the IDWR within 30 days of the date of this letter. Failure to return the notices within the 30-day period may result in an assessment of an additional late-fee for each notice.

The filing fee for each domestic/stockwater Notice of Claim is \$25.00. The fee for each irrigation notice is \$50.00 plus \$1.00 per irrigated acre. If you have any questions, please call Tony Olenichak, Water Right Agent, at (208)-525-7161.

Sincerely,

Tony Olenichak
for Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

Enclosure

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- A separate Notice of Claim must be submitted for each water right. There are two water rights being claimed on one notice: A 1945 and a 1987 water right (see Item #5). Only one house should be listed in Item #9 on each Notice of Claim (one notice for each priority date).

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- The description of existing diversion works, e.g. spring or well, must be entered in Item #5. Include the dimensions such as depth, pipe and pump size, if known.

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- The claimed amount (Items #6 and #7) and the total acreage (Item #10) must equal the licensed amount and acreage (see enclosed IDWR report for license 23-07019). The place-of-use parcels may differ, however, the total acreage must be the same as the licensed acreage. If an expansion in the amount (cfs) and/or acreage has occurred, you must complete a separate Notice of Claim for the additional amount and/or acreage not included in the license with the priority date reflecting the date of expansion. Note: If the total acreage in Item #10 is modified, you must also modify the total consumptive use in Item #8.

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NOV 06 1992

- The total acreage (Item #10) must equal the licensed acreage (see enclosed IDWR report for license 23-02058). The place-of-use parcels may differ, however, the total acreage must be the same as the licensed acreage. If an expansion in the acreage has occurred, you must complete a separate Notice of Claim for the additional acreage not included in the license with the priority date reflecting the date of expansion. Note: If the total acreage in Item #10 is modified, you must also modify the total consumptive use in Item #8.

*Data Base incorrect,
NWNW Sec 31, T 2N, R43E
should be 34 acres instead
of 40 for a total of 535 acres
ingate (see field exam).*

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- Reservoir storage is referenced in Item #4, however, reservoir storage purposes, period of diversion, and amount, were not claimed in Item #6. Please check for accuracy and make any necessary corrections.

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SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That Fama Dairy, a California partnership, by and through Anthony H. Osterkamp, Jr., a general partner, of the County of Orange, State of California, does hereby constitute, make and appoint C. Timothy Hopkins, lawyers, of the City of Idaho Falls, County of Bonneville, State of Idaho, its true and lawful attorney-in-fact, for it, on its behalf, and in its name, place and stead to prepare, file, sign on its behalf, receive notices with respect to and in all matters deal with a Notice of Claim to a Water Right for the waters of Garden Creek, Pritchard Creek, Snake River and all ground water located in the County of Bonneville, State of Idaho, with full power to deal with the State of Idaho Department of Water Resources with respect thereto.

The rights, powers and authority of said attorney-in-fact granted hereby shall commence and shall be in full force and effect on and after August 1, 1989, and such rights, powers and authority shall remain in full force and effect thereafter until the same have been revoked in writing. This Power of Attorney

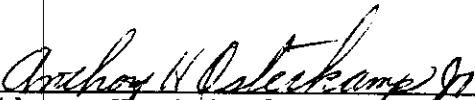
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shall not be affected by the subsequent disability or incapacity of the principal as provided in Idaho Code Section 15-5-501.

Dated this 28 day of September, 1989.

FAMA DAIRY, a California partnership


Anthony H. Osterkamp, Jr.,
a general partner

STATE OF CALIFORNIA

)
) ss.
)

County of Orange

Lila Cochran On this 28 day of September, 1989, before me, a Notary Public in and for said State, personally appeared Anthony H. Osterkamp, known or identified to me to be one of the partners of Fama Dairy, a California partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for California
Residing at: IDAHO FALLS
My Commission Expires: 6-17-93

(SEAL)

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NOV 6 1992

Log for claim 23-10269

Spatial Dynamics BTD

6/14/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02n43e	29	SWNW	0	4.8	
02n43e	30	NENE	10	30	POD placement? / Indiscernible
02n43e	30	NWNE	10	40	Indiscernible
02n43e	30	SWNE	10	35	Indiscernible
02n43e	30	SENE	10	39	Indiscernible
02n43e	30	NESE	10	14	Indiscernible
02n43e	30	NWSE	10	32	Indiscernible
02n43e	30	SWSE	10	20	Indiscernible
02n43e	30	SESE	10	22	Indiscernible
Totals:			80	236.8	

Water Right Claim Number 23-10269
Townships , 5N38E, 2N43E, 2N43E

06/14/2001

