

02/12/2002

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

RIGHT NUMBER: 35-13296 MODIFIED PER TRANSFER 69187

NAME AND ADDRESS: WILLIAM J DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402

MARY LOU DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.910 CFS
320.00 AFY

PRIORITY DATE: 04/12/1957

POINT OF DIVERSION:
T03N R36E S32 SWSESE Within BONNEVILLE County
T03N R36E S33 NWSESW Within BONNEVILLE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04/01 10/31	0.910 CFS 320.00 AFY

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R36E S32	NENE	40.0	T03N R36E S32	NWNE	40.0
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80 ACRES TOTAL

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 - License

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
The right holder shall accomplish the change authorized by transfer 69187 by Sept 28, 2002.
Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 1, 2002

WILLIAM & MARY LOU DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402

RE: Transfer #69187 for water right(s) 35-13296 and Notice of
Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. DeMott:

On September 28, 2001, the Idaho Department of Water Resources (IDWR) approved Transfer #69187, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

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)

Water Rights: 35-13296

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer **69187**

☒ point of diversion ☐ place of use

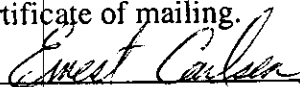
☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Feb 26, 2002

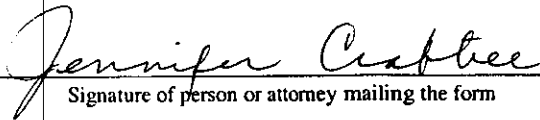


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 1, 2002, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
WILLIAM J DEMOTT
MARY LOU DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69187

2 aster

RECEIVED

OCT 03 2001

Department of Water Resources
Eastern Region

This is to certify that: WILLIAM J DEMOTT Or
MARY LOU DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402
(208)522-1176

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
35-13296	AJC/License	04/12/1957	0.91 cfs	320.0 af	80.0	80.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

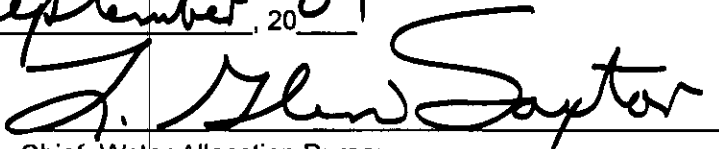
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
35-13296	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
35-13296	35-13296	0.91 cfs	320.0 af	80.0	80.0		N/A	N/A	N/A	N/A
TOTALS		0.91 cfs	320.0 af	80.0	80.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28th day of September, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 35-13296
As Modified by Transfer No. 69187

In accordance with the approval of Transfer No. 69187, Water Right No. 35-13296 is now described as follows.

Right Holder: WILLIAM J DEMOTT And
MARY LOU DEMOTT
3021 WESTMORELAND CIR
IDAHO FALLS ID 83402

Priority Date: 04/12/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.91 CFS	320.0 AF
			0.91 CFS	320.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSESW Sec. 33 Twp 03N Rge 36E BONNEVILLE
County

GROUND WATER SWSESE Sec. 32 Twp 03N Rge 36E BONNEVILLE
County

PLACE OF USE: IRRIGATION

[illegible]

Total Acres: 80

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Right 35-13296 shall not exceed 0.91 cfs, nor total combined annual volume of 320.0 af.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

WATER RIGHT NO. 35-13296

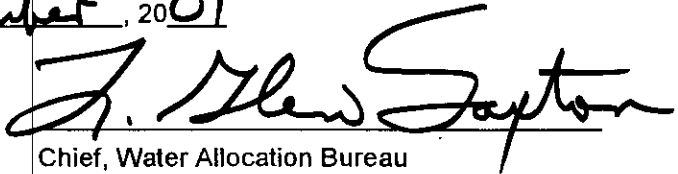
As Modified by Transfer No. 69187

CONDITIONS OF APPROVAL

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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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28th day of September, 2001


Chief, Water Allocation Bureau