

NOT
SOUND

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

01/26/2001

RIGHT NUMBER: 35-7246M RECOMMENDATION PER TX #5778

NAME AND ADDRESS: REID STEWART
3100 W 1000 S
ABERDEEN, ID 83210

SOURCE: GROUND WATER

QUANTITY: 2.07 CFS
820 AFY

PRIORITY DATE: 09/05/1972

POINT OF DIVERSION: T04S R31E S16 SENESW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	2.07 CFS 820.00 AFY

PLACE OF USE:

<u>IRRIGATION Within BINGHAM County</u>					
T04S R31E S16	NESW	25.7	T04S R31E S16	NWSW	25.7
T04S R31E S16	SWSW	25.7	T04S R31E S16	SESW	25.7
T04S R31E S16	NESE	25.6	T04S R31E S16	NWSE	25.6
T04S R31E S16	SWSE	25.5	T04S R31E S16	SESE	25.5

205 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



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

March 29, 2001

REID G STEWART
3100 W 1000 S
ABERDEEN ID 83210

RE: Transfer #5778 for water right(s) 35-7246M and Overlapping right
35-7632A and Notice of Completed Administrative Proceeding
(NCAP)

Dear Sir:

On August 4, 2000, the Idaho Department of Water Resources (IDWR) approved Transfer #5778, 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,

Cheri Vandermeulen
Records Clerk

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: 35-7246M AND
OVERLAPPING RIGHT 35-7632A

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 5778

- | | |
|--|--|
| ☒ 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: 4/02/01

Ernest Calma
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 16, 2001, I mailed the original and copies of this form to the following persons, postage prepaid 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:
REID G STEWART
3100 W 1000 S
ABERDEEN ID 83210
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record
JEFFREY C FEREDAY
GIVENS PURSLEY LAW OFFICE
PO BOX 2720
BOISE ID 83701-2720
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. 5778
WATER RIGHT NO. 35-07246M

RECEIVED

AUG 11 2000

This is to certify that: REID STEWART
3100 W 1000 S
ABERDEEN ID 83210

Department of Water Resources
Eastern Region

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>
IRRIGATION	04/01 to 10/31	2.07 CFS	820.0 AF

SOURCE

GROUNDWATER

Priority: 09/05/1972

LOCATION OF POINT(S) OF DIVERSION:

SENESEW, Sec. 16, Township 04S, Range 31E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04S 31E 16	NESW 25.7	NWSW 25.7	SWSW 25.7	
	SESW 25.7	NESE 25.6	NWSE 25.6	
	SWSE 25.5	SESE 25.5		205.0

Total number of acres irrigated: 205.0

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. 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.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5778
WATER RIGHT NO. 35-07246M

CONDITIONS OF APPROVAL AND REMARKS

6. 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.
7. All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Dated this 4th day of

August, 2000

J. Glen Saxton
Chief, Water Allocation Bureau



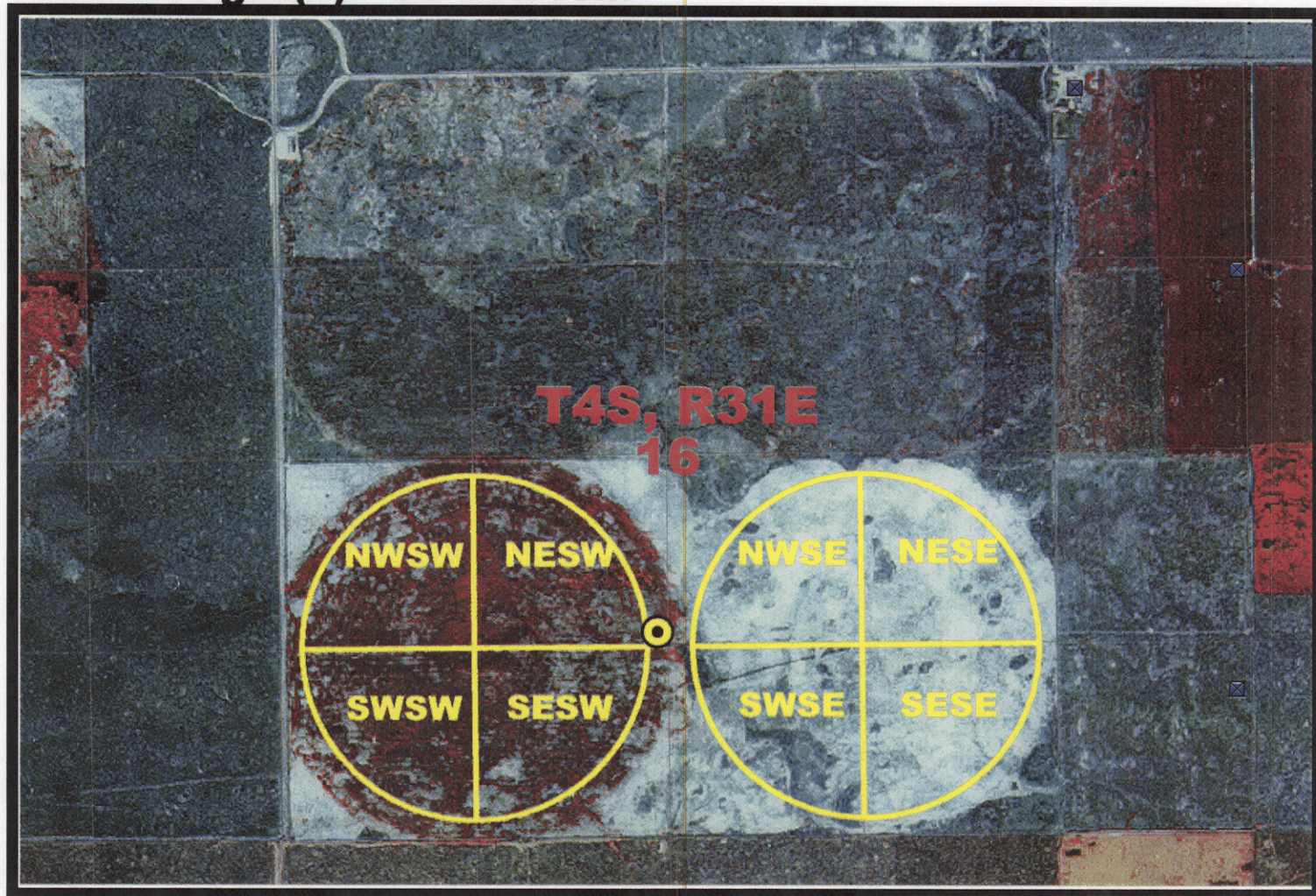
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Reid Stewart

Water Right(s): 35-07246M

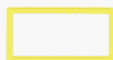


500 0 500 1000 1500 2000 2500 3000 3500 4000 4500 5000 5500 6000 6500 7000 Feet

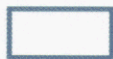
LEGEND



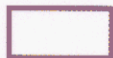
Point of Diversion



Place of Use



Section Line



Quarter-section line

Legal Description: T4S, R31E
(parts of) Section 16 SW, SE

Point(s) of Diversion: T4S, R31E
Section 16 SENESW



Per Transfer #5778

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: January 2001

Reid Stewart 35-07246M by Tx #5778

T4S, R31E
16

