

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: **A22-07363**
Date Received: 7/ 5/1994
Receipt No: E019999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MERRILL BROWER & SONS INC 208-456-2803
Address: PO BOX 147
TETONIA ID 83452
AND/OR
Name: WILLIAM A ROBINSON
Address: X ID 0

2. Date of Priority: JUN 4, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	45E	15	SW	SW			TETON
		22	SW	NW			TETON

5. Description of diverting works:
12" CASING, 600', 300HP TO MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.580		276.50

7. Total Quantity Appropriated is:
1.580 C.F.S. (and/or) 276.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	45E	15	SW		NW		IRR	35.0
			SE		NW		IRR	15.0
			NE		SW		IRR	40.0
			NW		SW		IRR	38.0
			SW		SW		IRR	38.0
			SE		SW		IRR	39.0
			NW		SE		IRR	6.0
			SW		SE		IRR	9.0
							Section Acres	220.0
		16	SW		NE		IRR	12.0
			SE		NE		IRR	14.0
			NE		SW		IRR	38.0
			NW		SW		IRR	31.0
			NE		SE		IRR	38.0
			NW		SE		IRR	35.0
							Section Acres	168.0
		22	NW		NE		IRR	27.0
			SW		NE		IRR	2.0
			SW		NE		IRR	38.0
			NE		NW		IRR	38.0
			NW		NW		IRR	38.0
			SE		NW		IRR	34.0
			NW		SW		IRR	12.0
							Section Acres	189.0
							Total Acres	577.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:
A22-07077 AND A22-07257

14. Remarks:

CHANGED OWNERSHIP 3/10/95/JT/GT
THIS RIGHT WAS AMENDED TO REFLECT TRANSFER #4559 GJT 10-30-95.
THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER NO. 4559 SHALL NOT EXCEED 3.99 CFS, NOR
A TOTAL COMBINED ANNUAL VOLUME OF 1409 AF.
COMBINED RIGHT NOS. A22-07077 AND A22-07363 ARE LIMITED TO A

14. Remarks: Continued

TOTAL COMBINED DIVERSION RATE OF 2.11 CFS AND WHEN COMBINED WITH
RIGHT NO. A22-07257 SHALL NOT EXCEED A TOTAL COMBINED RATE OF
DIVERSION OF 3.99 CFS.

RIGHT NO. A22-07363 IS LIMITED TO THE IRRIGATION OF 79 ACRES
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: LICENSE

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: A22-07363
Date Received: 7/ 5/1994
Receipt No: E019999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: MERRILL BROWER & SONS INCORPORATED 208-456-2803
Address: PO BOX 147
TETONIA ID 83452

2. Date of Priority: JUN 4, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	45E	30	SE	NE	NE		TETON

5. Description of diverting works:
12" CASING, 600', 300HP TO MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.580		

7. Total Quantity Appropriated is:
1.580 C.F.S. (and/or) 276.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07N	45E	30	SW	NE		IRR	40.0
			SE	NE		IRR	39.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	79.0
					Total Acres	79.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

** COMMON POINT OF DIVER. WITH A22-07077. MAIL DELIVERED THROUGH
** TETONIA MAIL ROUTE. APPLICANT LIVES IN FELT.
** THIS RIGHT USED IN COMBINATION WITH A22-07077 SHALL NOT
EXCEED 2.11 CFS.
CHANGED OWNERSHIP 3/10/95/JT/GT

15. Basis of Claim: LICENSE

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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: A22-07363

Date Received: 7/ 5/1994

Receipt No: E019999

Received By: ABR 7/5/94

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name:	EDWARD BROWER	208-456-2862
Address:	947 N HWY 32	
	TETONIA ID	83452
AND/OR		
Name:	MERRILL E BROWER	208-456-2623
Address:	1279 N HWY 32	
	TETONIA ID	83452
AND/OR		
Name:	ZELDA M BROWER	208-456-2623
Address:	1279 N HWY 32	
	TETONIA ID	83452

A2207363



2. Date of Priority: JUN 4, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	45E	30	SE	NE	NE		TETON

5. Description of diverting works:
12" CASING, 600', 300HP TO MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.580		

7. Total Quantity Appropriated is:
1.580 C.F.S. (and/or) 276.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	45E	30	SW	NE		IRR	40.0
			SE	NE		IRR	39.0
Section Acres							79.0
Total Acres							79.0

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

COMMON POINT OF DIVER. WITH A22-07077. MAIL DELIVERED THROUGH TETONIA MAIL ROUTE. APPLICANT LIVES IN FELT.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: 0

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Merrill E Brower Date: 7-5-94
Zelda M Brower Date: 7-5-94

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State of Idaho)
County of Bonneville.) SS.

Subscribed and sworn (or affirmed) before me this 5 day

of July 19 94

Ernest Carlson.

Notary Public

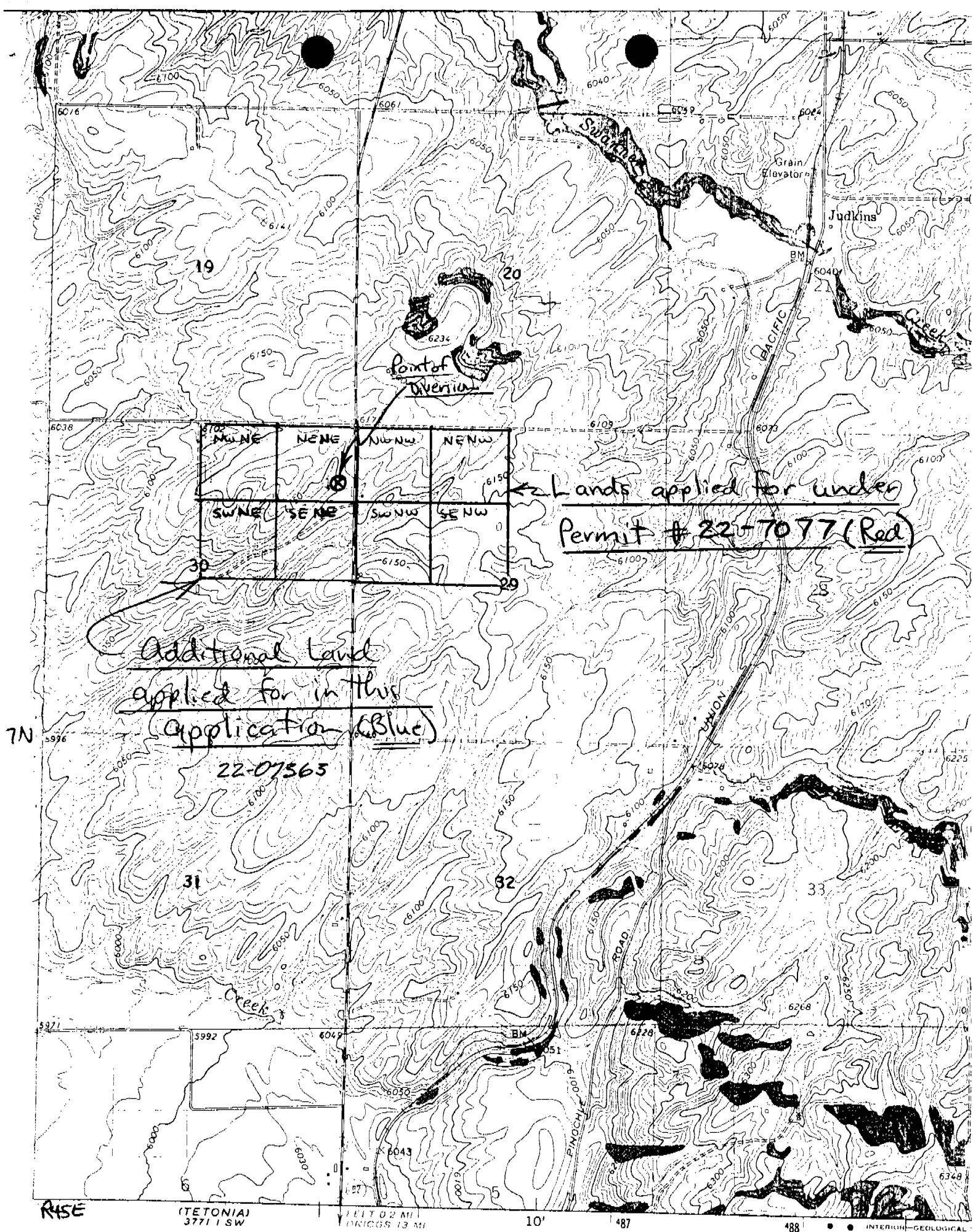
Seal

Residing at Blaho Falls, ID

My Commission Expires 6-14-2000.

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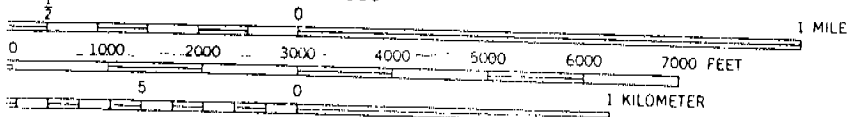


R4SE

(TETONIA)

3771 SW

SCALE 1:24000



CONTOUR INTERVAL 10 FEET
DATUM IS MEAN SEA LEVEL



QUADRANGLE LOCATION

MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
LOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
PRINTING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

OCTOBER 30, 1995

WILLIAM A ROBINSON OR
MERRILL BROWER & SONS INC
PO BOX 147
TETONIA ID 83452

RE: TRANSFER

Dear Mr. Brower:

Our office has received notice of your approved transfer #4559 of water rights #22-07077, 22-07363, and 22-07257. The Snake River Basin Adjudication claims filed on this right has been amended pursuant to the approved transfer.

Please review the enclosed notices carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notices, please place the copies with your records.

Respectfully submitted,

Gregory J Taylor
Water Right Agent
Adjudications Bureau

GJT:sc

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ADJ Carter J.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4559
WATER RIGHT NO(S). 22-07077/22-07257/22-07363

RECEIVED
JUL 21 1995
Department of Water Resources
Eastern District Office

This is to certify that: WILLIAM A ROBINSON
MERRILL BROWER & SONS INC
PO BOX 147
TETONIA ID 83452

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. 22-07077 : IRRIGATION	04/15 to 10/15	1.24 CFS	450.1 AF
Right No. 22-07257 : IRRIGATION	04/15 to 10/15	1.88 CFS	682.4 AF
Right No. 22-07363 : IRRIGATION	04/15 to 10/15	1.58 CFS	276.5 AF
TOTAL:		* 3.99 CFS	1409.0 AF

DATE OF PRIORITY:

Right No. 22-07077 : 07/26/1973
Right No. 22-07257 : 09/02/1977
Right No. 22-07363 : 06/04/1981

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 15, Township 07N, Range 45E
SNNW , Sec. 22, Township 07N, Range 45E
TETON 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>
07N	45E	15	SNNW 35	SENW 15	NESW 40	
			NWSW 38	SWSW 38	SESW 39	
			NWSE 6	SWSE 9		220
	16		SWNE 12	SENE 14	NESW 38	
			NWSW 31	NESE 38	NWSE 35	168
	22		NWNE 27	SWNE 2	NENW 38	
			NWNW 38	SNNW 38	SENW 34	
			NWSW 12			189

Total number of acres irrigated: ** 577

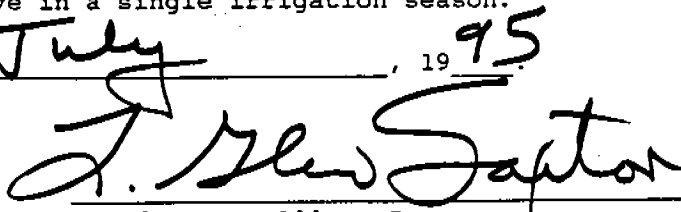
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TRANSFER NO. 4559
WATER RIGHT NO(S). 22-07077/22-07257/22-07363

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. 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.
6. 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.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- *8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4559 shall not exceed 3.99 cfs, nor total combined annual volume of 1409.0 af.
- *9. Combined Right Nos. 22-07077 and 22-07363 are limited to a total combined diversion rate of 2.11 cfs and when combined with Right No. 22-07257 shall not exceed a total combined rate of diversion of 3.99 cfs.
- **10. Right 22-07077 is limited to the irrigation of 218 acres in the place of use described above in a single irrigation season.
- **11. Right 22-07257 is limited to the irrigation of 280 acres in the place of use described above in a single irrigation season.
- **12. Right 22-07363 is limited to the irrigation of 79 acres in the place of use described above in a single irrigation season.

Dated this 18 day of July, 1995


Chief, Water Alloc. Bureau

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NOV 06 1995

MARCH 10, 1995

MERRILL BROWER & SONS INCORPORATED
PO BOX 147
TETONIA ID 83452

RE: CHANGE IN OWNERSHIP FOR A22-07077, A22-07363

Dear Sirs:

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.

Enclosed are typed Notices 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 these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) OK HY OK HY
Assigned by IDWR: A22-07077, A22-07363
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Merrill Brower et al.
- ☐ New Owner/Claimant (Purchaser): Merrill Brower & Sons Inc.
- ☐ New Mailing Address: P.O. Box 147
Tetonia
Idaho 83452
- ☐ New Telephone Number: (208) 456-2803
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Consent and Waiver and Tax Notices

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☒ Signature of New Owner/Claimant(s): Donna Brown U.P. Date 3/3/95
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner