

04-29-02

08:11

FROM: HOLDEN KIDWELL HAHN & CRAPO

208-523-9518

T-205 P.002/010 F-344

RECEIVED
MAY 09 2002
Department of Water Resources
Eastern Region

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

SUBCASE NO: 31-262

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Ray W. Rigby 4/30/02
Ray Rigby Date
Attorney for Perry L. Woodard

OBJECTOR:

Kent Foster
Kent Foster Date
Attorney for Mud Lake Water Users, Inc.

OBJECTOR:

Kent Foster
Kent Foster Date
Attorney for Independent Water Users

IDWR CONCURRENCE:

Ernie Carlson 5/9/02
Ernie Carlson Date
Water Rights Supervisor, IDWR

Candice M. McHugh 5/7/02
Candice M. McHugh (As to Form) Date
Attorney for IDWR

04-28-02.

08:12

FROM:HOLDEN KIDWELL HAHN & CRAPO

208-523-9518

T-205 P.003/010 F-344

04/23/2002

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

RIGHT NUMBER: 31-262

NAME AND ADDRESS: PERCY L. WOODARD
PO BOX 95
HAMER ID 83422

SOURCE: RAYS LAKE

TRIBUTARY: MUD LAKE

QUANTITY: 1.20 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.60 CFS. COMBINED RIGHT NOS.: 31-262, 31-267, 31-2307A, 31-2408A, 31-7095A.

PRIORITY DATE: 01/27/1914

POINT OF DIVERSION:

TOWN R36E S30 MESEWE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	1.200 CFS

PLACE OF USE: IRRIGATION WITHIN JEFFERSON County

TOWN R36E S31	MESE	35.0	TOWN R36E S31	MESE	41.0
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76 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 180 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-262, 31-267, 31-2307A, 31-2408A, 31-7095A.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPROPRIANT GROUND WATER RIGHTS IN COMBINATION WITH SURFACE WATER DIVERTED UNDER THIS RIGHT AND SHALL ONLY DIVERT SURFACE WATER UNDER THIS RIGHT WHEN WATER FROM THE APPROPRIANT GROUND WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.

IF THE GROUND WATER RIGHT(S) APPROPRIANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE, THIS RIGHT TO DIVERT SURFACE WATER SHALL NOT BE USED WITHOUT AN APPROVED TRANSFER PURSUANT TO SECTION 42-222, IDAHO CODE, OR APPROVAL OF THE DEPARTMENT IF A TRANSFER IS NOT REQUIRED.

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: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

1

SF5 31-262

04-28-02

08:12

FROM-HOLDEN KIDWELL HAHN & CRAPO

208-823-9518

T-205 P.004/010 F-344

CERTIFICATE OF MAILING

I certify that on May 13, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

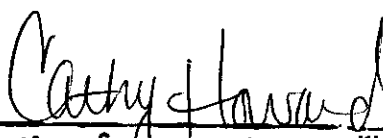
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

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

Ray Rigby
Attorney for Perry L. Wondard
P.O. Box 250
Rexburg, ID 83440-0250

Kent Foster
Attorney for Mud Lake Water Users, Inc.
Attorney for Independent Water Users
P.O. Box 50130
Idaho Falls, ID 83405



Signature of person or attorney mailing the form

04-29-02.

08:12

FROM:HOLDEN KIDWELL HAHN & CRAPO

208-523-9518

T-205 P.005/010 F-344

**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

SUBCASE NO: 31-267

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Ray W. Sigby 4/30/02
Ray Sigby Date
Attorney for Perry L. Woodard

OBJECTOR:

Kent Foster
Kent Foster Date
Attorney for Mud Lake Water Users, Inc.

OBJECTOR:

Kent Foster
Kent Foster Date
Attorney for Independent Water Users

IDWR CONCURRENCE:

Ernie Carlsen 5/9/02
Ernie Carlsen Date
Water Rights Supervisor, IDWR

Candice McHugh 5/12/02
Candice M. McHugh (As to Form) Date
Attorney for IDWR

04-28-02, 08:12 FROM:HOLDEN KIDWELL HAHN & CRAPO

208-523-9518

T-205 P.006/010 F-344

04/23/2002

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

RIGHT NUMBER: 31-267

NAME AND ADDRESS: PERRY L WOODARD
PO BOX 85
RAMER ID 83425

SOURCE: RAYS LAKE

TRIBUTARY: MUD LAKE

QUANTITY: 0.50 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.60 CFS. COMBINED RIGHT NOS.: 31-262, 31-267, 31-2307A, 31-2408A, 31-7095A.

PRIORITY DATE: 08/19/1917

POINT OF DIVERSION:

T07N R34E S30 NWSW/4 Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.500 CFS

PLACE OF USE:

IRRIGATION WITHIN JEFFERSON County

T07N R34E S31

W/4 15.0

T07N R34E S31

W/4 41.0

76 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-262 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 67 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 180 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-262, 31-267, 31-2307A, 31-2408A, 31-7095A.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPROPRIATE GROUND WATER RIGHTS IN CONJUNCTION WITH SURFACE WATER DIVERTED UNDER THIS RIGHT AND SHALL ONLY DIVERT SURFACE WATER UNDER THIS RIGHT WHEN WATER FROM THE APPROPRIATE GROUND WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.

IF THE GROUND WATER RIGHT(S) APPROPRIATE TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE, THIS RIGHT TO DIVERT SURFACE WATER SHALL NOT BE USED WITHOUT AN APPROVED TRANSFER PURSUANT TO SECTION 42-222, IDAHO CODE, OR APPROVAL OF THE DEPARTMENT IF A TRANSFER IS NOT REQUIRED.

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EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

04-29-02.

08:13

FROM-HOLDEN KIDWELL HAHN & CRAPO

208-523-9518

T-205 P.007/010 F-344

CERTIFICATE OF MAILING

I certify that on May 13, 2002 I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

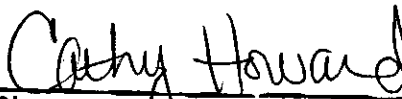
2. Copies to:

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Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

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

Ray Rigby
Attorney for Perry L. Woodard
P.O. Box 250
Rexburg, ID 83440-0250

Kent Foster
Attorney for Mud Lake Water Users, Inc.
Attorney for Independent Water Users
P.O. Box 50150
Idaho Falls, ID 83405



Signature of person or attorney mailing the form

04-29-02. 08:43

FROM-HOLDEN KIDWELL HAWN & CRAPO

208-523-8518

T-205 P.008/010 F-344

**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

SUBCASE NO: 31-10499

Case No. 39576

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

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The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law; and that they have appeared, prosecuted and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANTS:

Ray W. Rieby 4/30/02
Ray Rieby Date
Attorney for Sidney and Jana Ashcraft

OBJECTOR:

Ken Foster
Ken Foster Date
Attorney for Mud Lake Water Users, Inc.

OBJECTOR:

Ken Foster
Ken Foster Date
Attorney for Independent Water Users

IDWR CONCURRENCE:

Eric Carlson 5/9/02
Eric Carlson Date
Water Rights Supervisor, IDWR

Candice M. McHugh 5/9/02
Candice M. McHugh (As to Form) Date
Attorney for IDWR

04-29-02.. 08:13 FROM:HOLDEN KIDWELL HAHN & CRAPO

208-523-8518

T-205 P.008/010 F-344

04/23/2002

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

RIGHT NUMBER: 31-10499
NAME AND ADDRESS: SIDNEY ASHCRAFT
2204 E 1800 N
HANGER ID 03425
JANIS ASHCRAFT
2204 E 1800 N
HANGER ID 03425

SOURCE: BAYS LAKE
QUANTITY: 5.82 CFS

TRIBUTARY: MOD LAKE

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.42 CFS. COMBINED RIGHT NOS.: 31-4126, 31-10499, 31-10500, 31-11462.

PRIORITY DATE: 09/05/1932

POINT OF DIVERSION:

T07N R36E E20 SWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	5.820 CFS

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T06N R36E S06 Lot 3 NWSW	20.0	T06N R36E S06 Lot 4 NWSW	29.0
T07N R36E S31 SWSW	15.0	T07N R36E S31 NWSW	42.0
T07N R36E S31 Lot 3 WSW	40.0	T07N R36E S31 Lot 4 SWSW	40.0
T07N R36E S31 SWSW	42.0		

239 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 371 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-4126, 31-10499, 31-10500, 31-11462.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE RIGHT BOLDER SHALL USE THE FULL ALLOTMENT OF APPROPRIATE GROUND WATER RIGHTS IN CONJUNCTION WITH SURFACE WATER DIVERTED UNDER THIS RIGHT AND SHALL ONLY DIVERT SURFACE WATER UNDER THIS RIGHT WHEN WATER FROM THE APPROPRIATE GROUND WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT BOLDER.
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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(4), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

SF5 31-10499

04-29-02

08:44

FROM-HOLDEN KIDWELL HAHN & CRAPO

208-523-9518

T-205

P.010/010

F-344

CERTIFICATE OF MAILING

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Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

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Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 83720
Boise, ID 83720-0098

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Kent Foster
Attorney for Mud Lake Water Users, Inc.
Attorney for Independent Water Users
P.O. Box 50130
Idaho Falls, ID 83405

Ray Rigby
Attorney for Sidney & Jana Ashcraft
P.O. Box 250
Rexburg, ID 83440-0250

Cathy Howard
Signature of person or attorney mailing the form

04/23/2002

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

RIGHT NUMBER: 31-262

NAME AND ADDRESS: PERRY L WOODARD
PO BOX 85
HAMER ID 83425

SOURCE: RAYS LAKE

TRIBUTARY: MUD LAKE

QUANTITY: 1.20 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.60 CFS. COMBINED RIGHT NOS.: 31-262, 31-267, 31-2307A, 31-2408A, 31-7095A.

PRIORITY DATE: 01/27/1914

POINT OF DIVERSION:

T07N R36E S30 NWSWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.200 CFS

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T07N R36E S31	NENE	35.0	T07N R36E S31	NWNE	41.0
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76 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 180 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-262, 31-267, 31-2307A, 31-2408A, 31-7095A.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

04/23/2002

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

RIGHT NUMBER: 31-267

NAME AND ADDRESS: PERRY L WOODARD
PO BOX 85
HAMER ID 83425

SOURCE: RAYS LAKE

TRIBUTARY: MUD LAKE

QUANTITY: 0.50 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.60 CFS. COMBINED RIGHT NOS.: 31-262, 31-267, 31-2307A, 31-2408A, 31-7095A.

PRIORITY DATE: 08/10/1917

POINT OF DIVERSION:

T07N R36E S30 NWSWE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.500 CFS

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T07N R36E S31	NENE	35.0	T07N R36E S31	NWNE	41.0
---------------	------	------	---------------	------	------

76 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 31-262 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 67 ACRES IN A SINGLE IRRIGATION SEASON

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 180 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-262, 31-267, 31-2307A, 31-2408A, 31-7095A.

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EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

04/23/2002

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

RIGHT NUMBER: 31-10499
NAME AND ADDRESS: SIDNEY ASHCRAFT
2104 E 1800 N
HAMER ID 83425

JANA ASHCRAFT
2104 E 1800 N
HAMER ID 83425

SOURCE: RAYS LAKE TRIBUTARY: MUD LAKE
QUANTITY: 5.82 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.42 CFS. COMBINED RIGHT NOS.: 31-4126, 31-10499, 31-10500, 31-11462.

PRIORITY DATE: 09/05/1912

POINT OF DIVERSION:
T07N R36E S30 SWSWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	5.820 CFS

PLACE OF USE: IRRIGATION Within JEFFERSON County

T06N R36E S06 Lot 3 NENW	20.0	T06N R36E S06 Lot 4 NWNW	39.0
T07N R36E S31 SENW	15.0	T07N R36E S31 NESW	42.0
T07N R36E S31 Lot 3 NWSW	40.0	T07N R36E S31 Lot 4 SWSW	40.0
T07N R36E S31 SESW	42.0		

238 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 371 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-4126, 31-10499, 31-10500, 31-11462.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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EXPLANATORY MATERIAL: Decreed