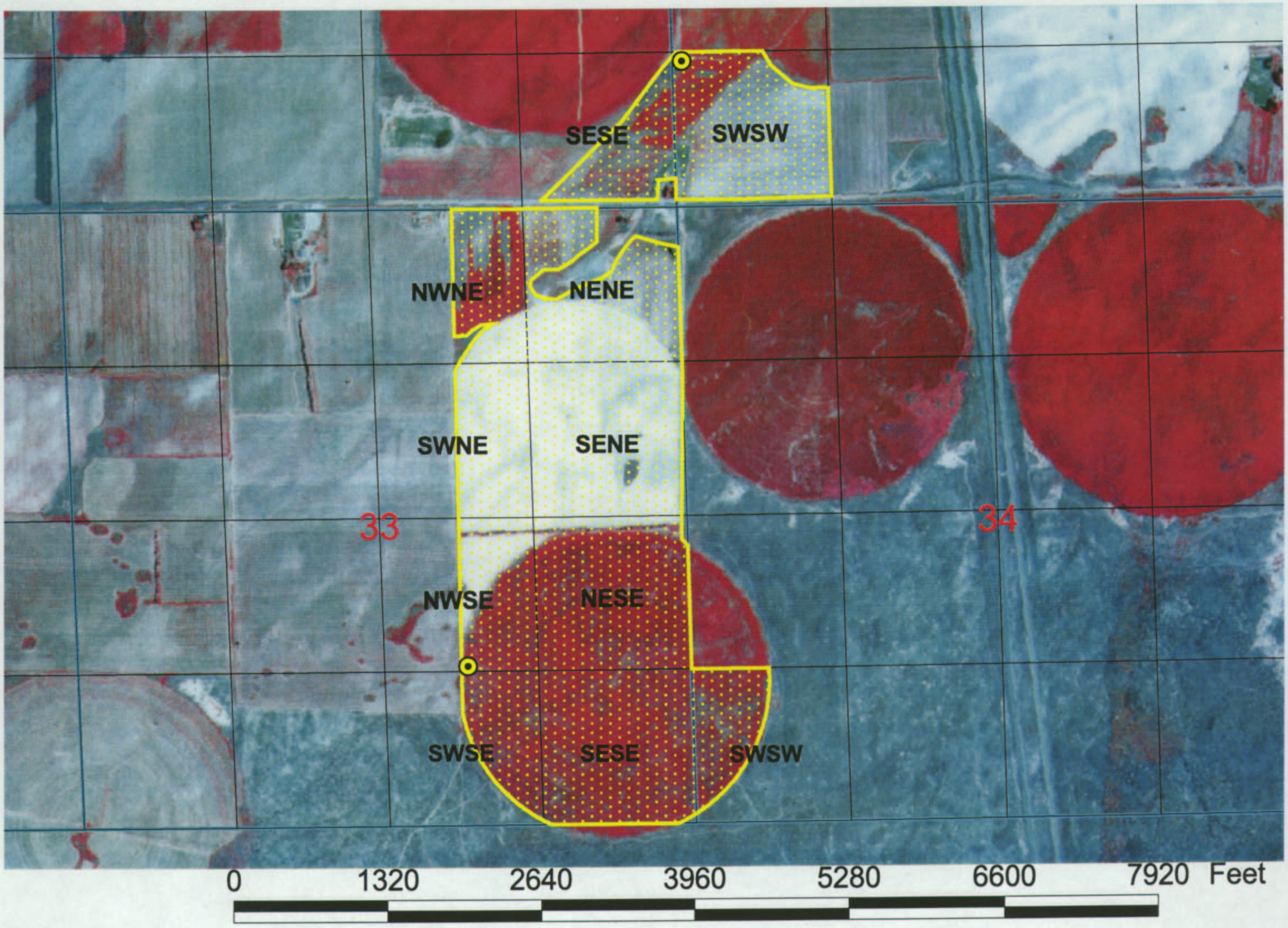
STATE OF IDAHO

Department of Water Resources

Water Right(s): 31-62A

31-63A

T07N R36E



LEGEND

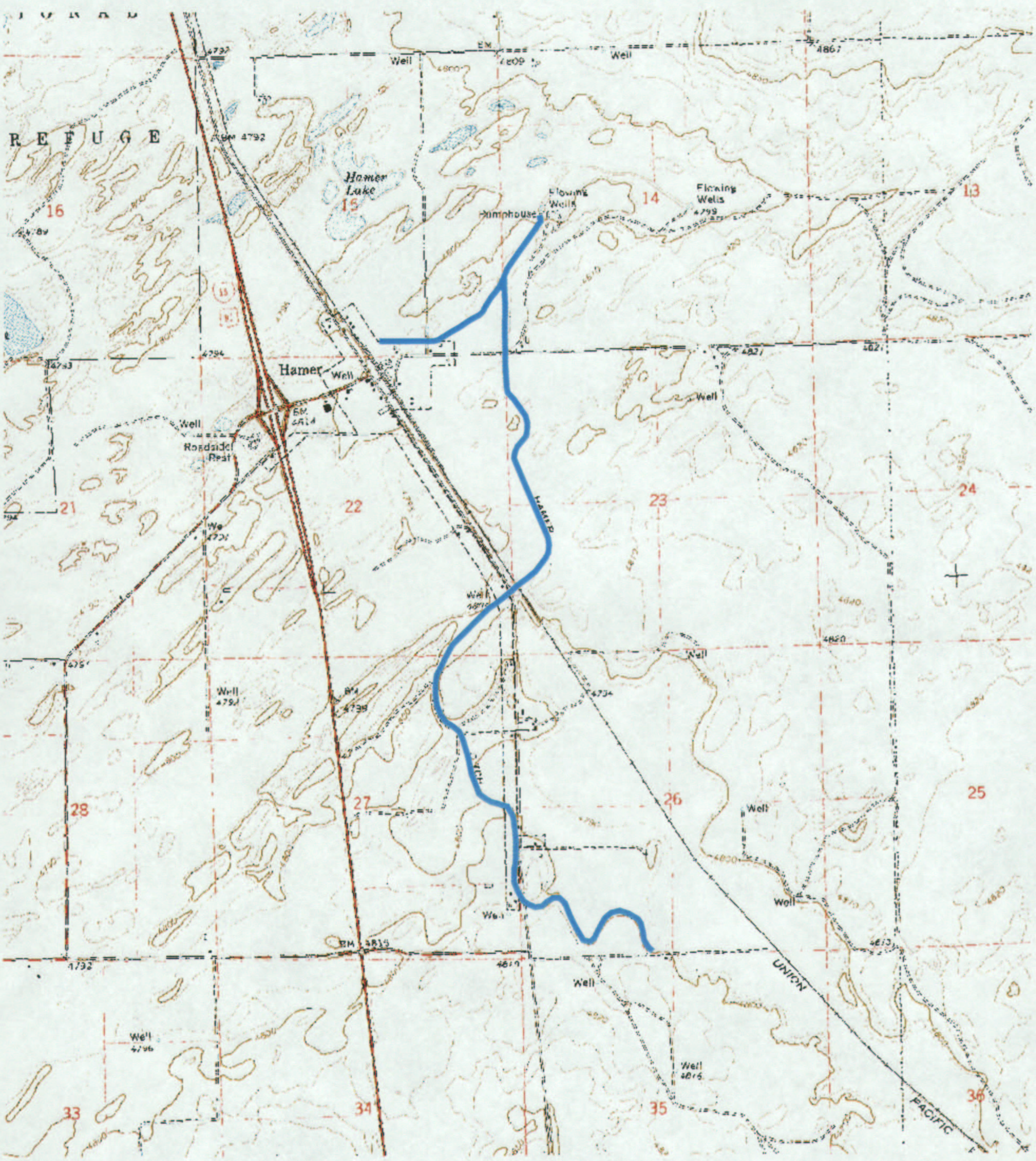
- Point of Diversion
- Place of Use
- Section Line
- Quarter-section line

Irrigated Acres = 285

N
W
E
S

GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: October 2001

USGS Map W41
Showing Hamer Canal
(Enhanced by GIS)
T 7N R 36E



15

Appwx. Claimed
POU 31-000625/635

Appwx. Claimed
POU 31-00062K/63K

Claimed POU
31-00062Q/63Q

Hamer

Well

BM 4814

Roadside Rest

Well 4791

Well 4805

Well 4799

Well

Well 4796

BM 4816

Well

Well 4816

Well

Ditch

Hamer

Union Pacific

21 22 23 24 27 26 28 34 35 36 4 3 2 1

4793 4794 4821 4792 4819 4820 4813 4823 4855

Date 3/15/00 Sig. L. Coulter

****

Claim A31-00062/63 Splits

Doc Source NAPP

W41 4/9/1980

14

R36E R37E

404 405 406 10' 407 408

Radio Facility

Borrow Pit

Storage T

Well

Hawgood

Claimed POU
31-00062L/63L

Underpass

Borrow Pit

Well

Borrow Pits

Sage Junction

Borrow Pit

Borrow Pit

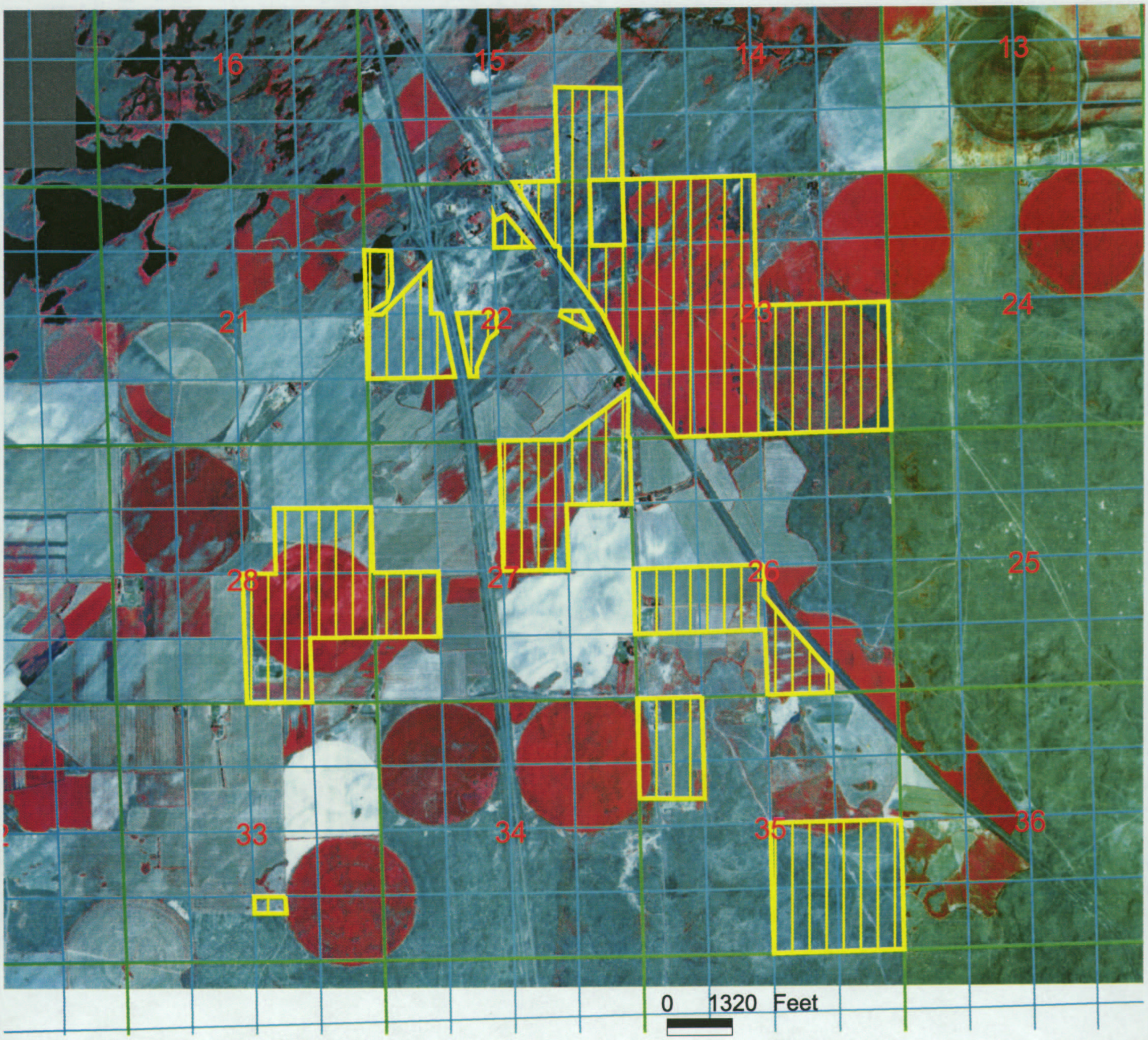
Well

3/15/00 L. Conton
****
Claim 31-00062/63 splits
Doc Source NAPP
W91 8/5/1980

13

IDAHO DEPARTMENT OF WATER RESOURCES

WR 31-00062Q, 63Q
Place of Use Following Transfer 4911
Township 7 N Range 36E



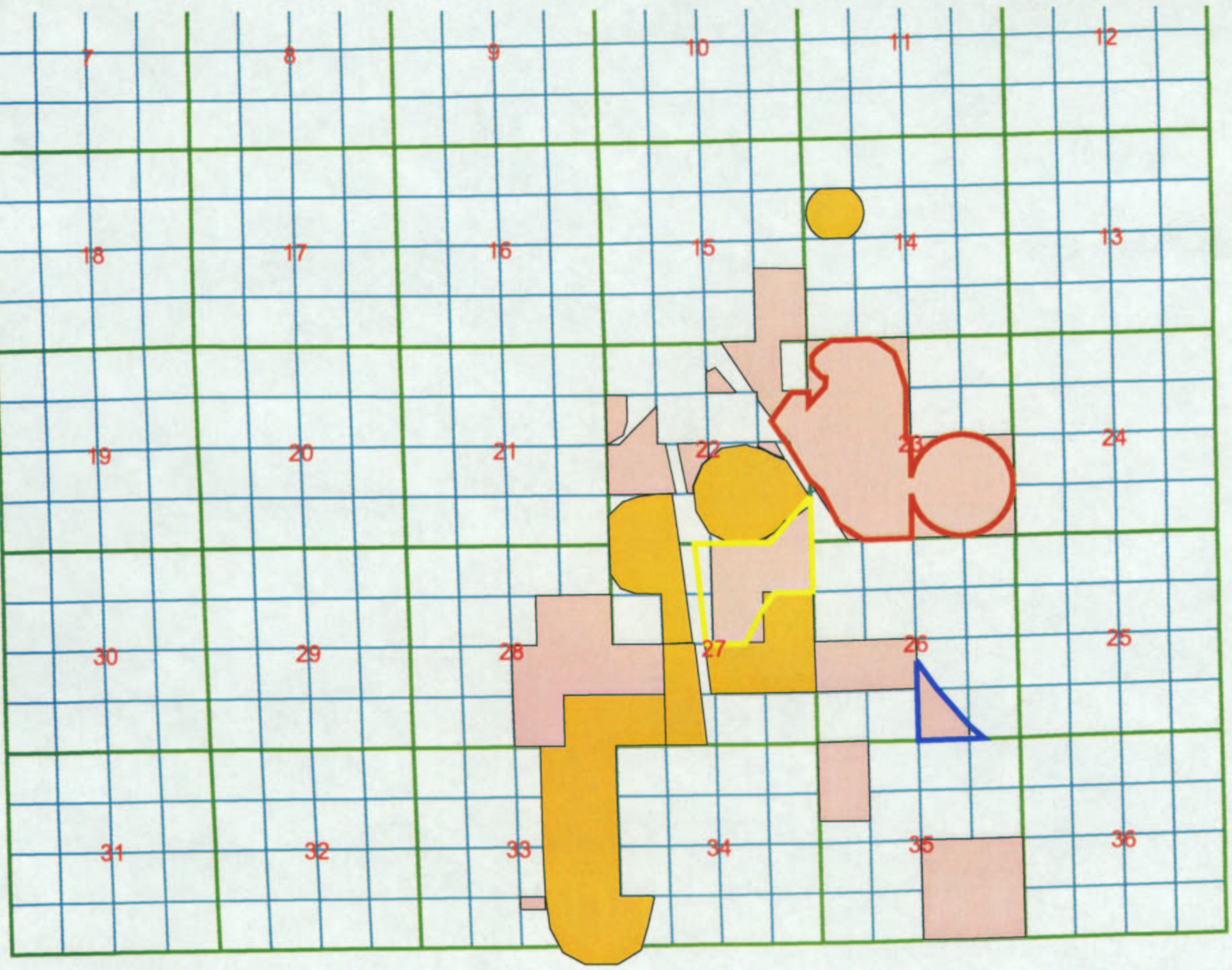
N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

12

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 11
Competing Claims for Hamer Canal Right
From Land List in Transfer 4911





Township 7 North Range 36 East

0 1320 Feet

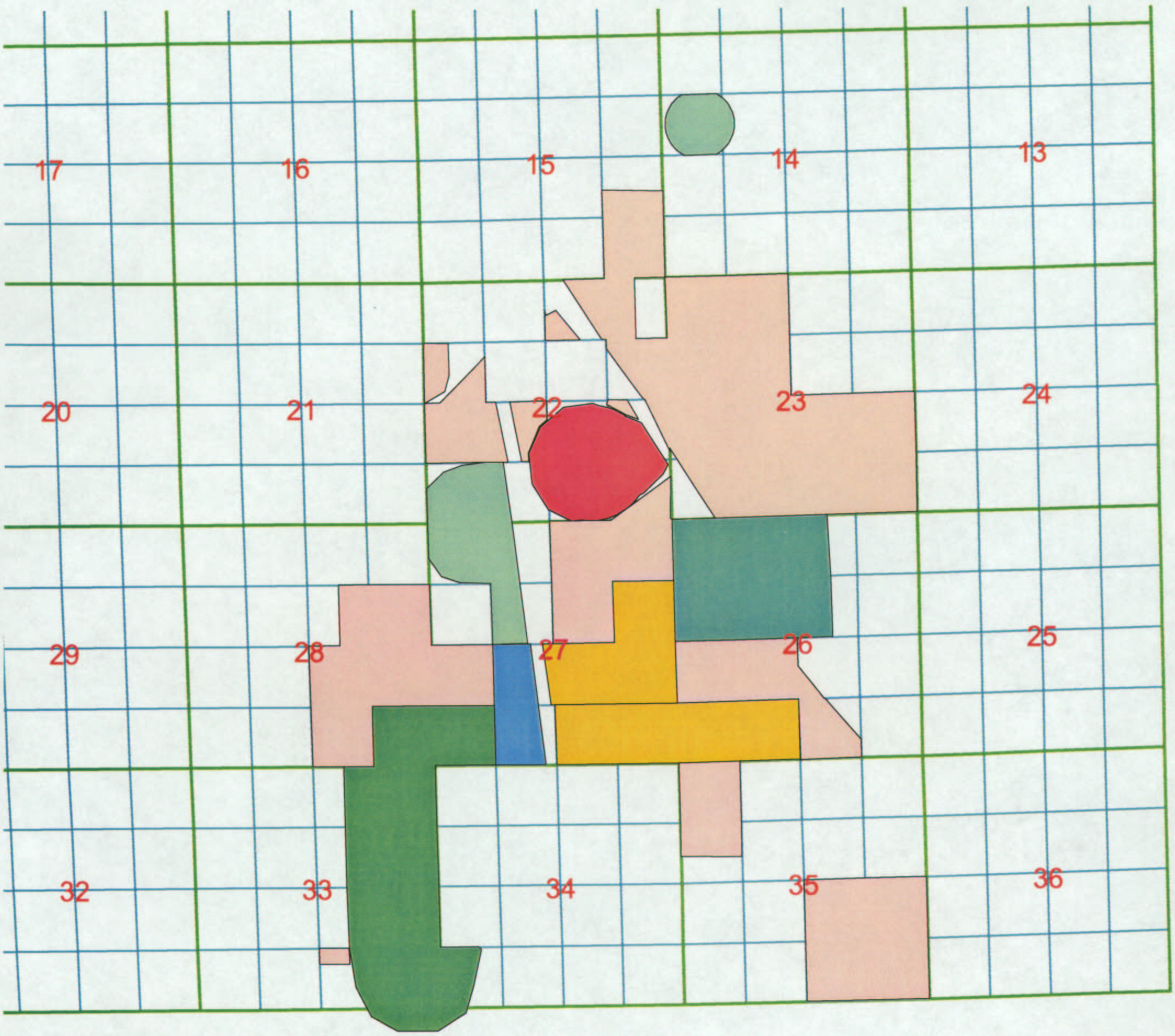
- Hamer Canal
- Formal Transfers
- 31-00062K and 63K
- 31-00062L and 63L
- 31-00062Q and 63Q
- 31-00062S and 63S



Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 10
Transfer 4780, Splits Savage Right



Township 7 North Range 36 East

0 1320 Feet

Hamer Canal
Dalling
Grover
Savage
Sanders
McGarry
Shurtliff

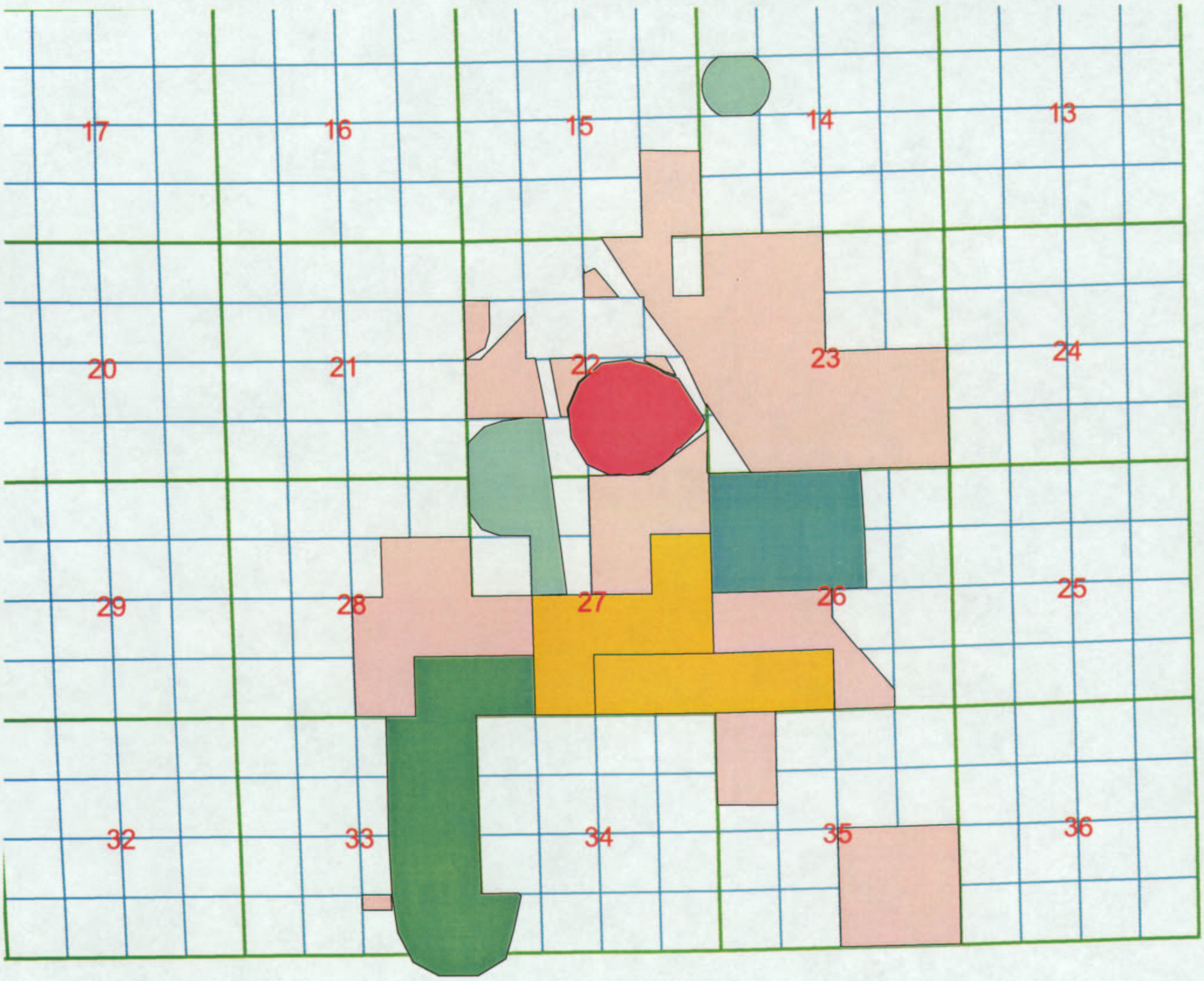
N
W
E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

10

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 9
Transfer 4911
Hamer Canal List New in This Transfer



Township 7 North Range 36 East

0 1320 Feet

- Hamer Canal
- Grover
- Savage
- Sanders
- McGarry
- Shurtliff

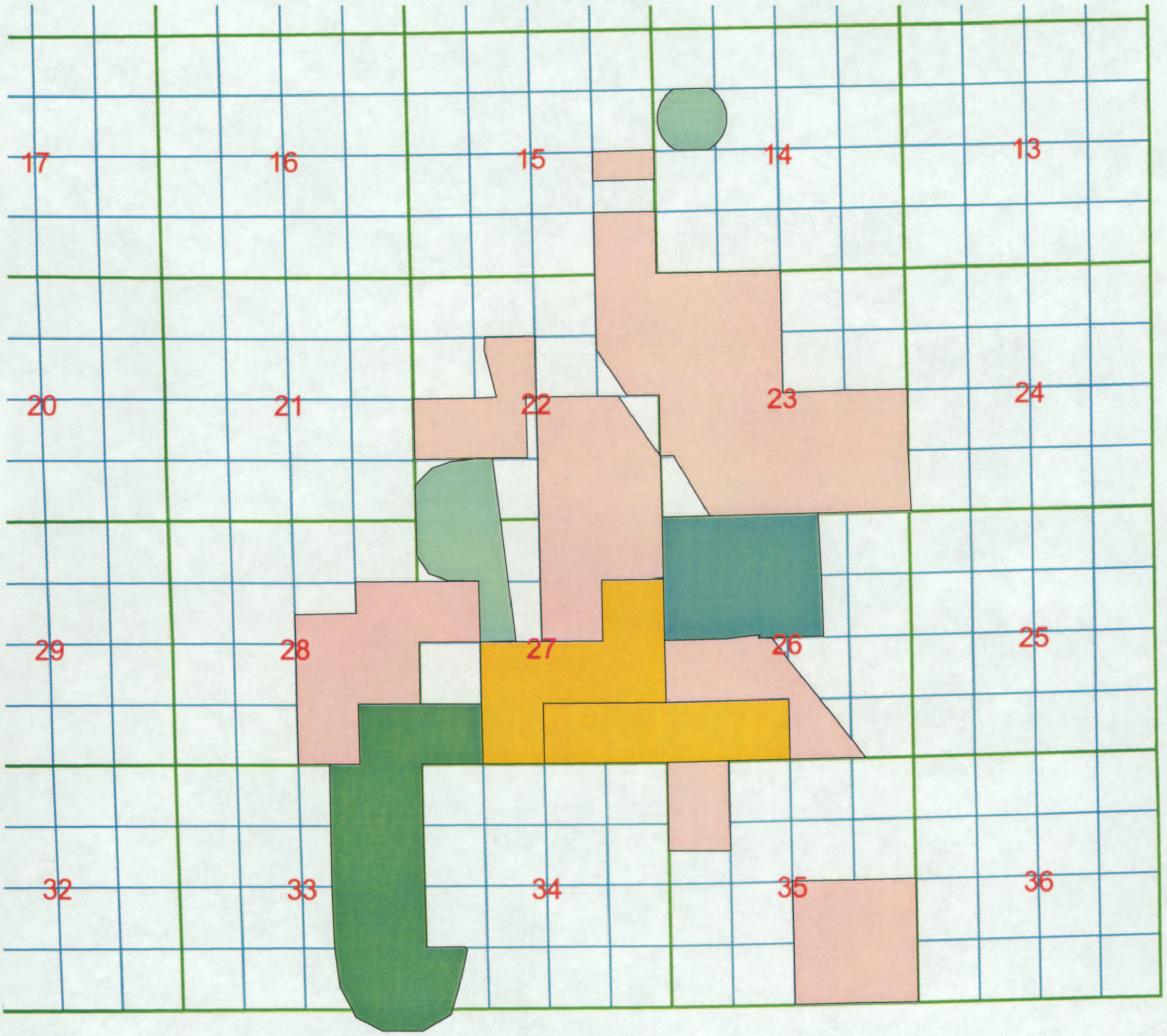
N
W
E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

9

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 8
Transfer 4932 change POU of Sanders Portion
2528 Acres



Township 7 North Range 36 East

0 1320 Feet

- Hamer Canal
- Grover
- Savage
- Sanders
- McGarry

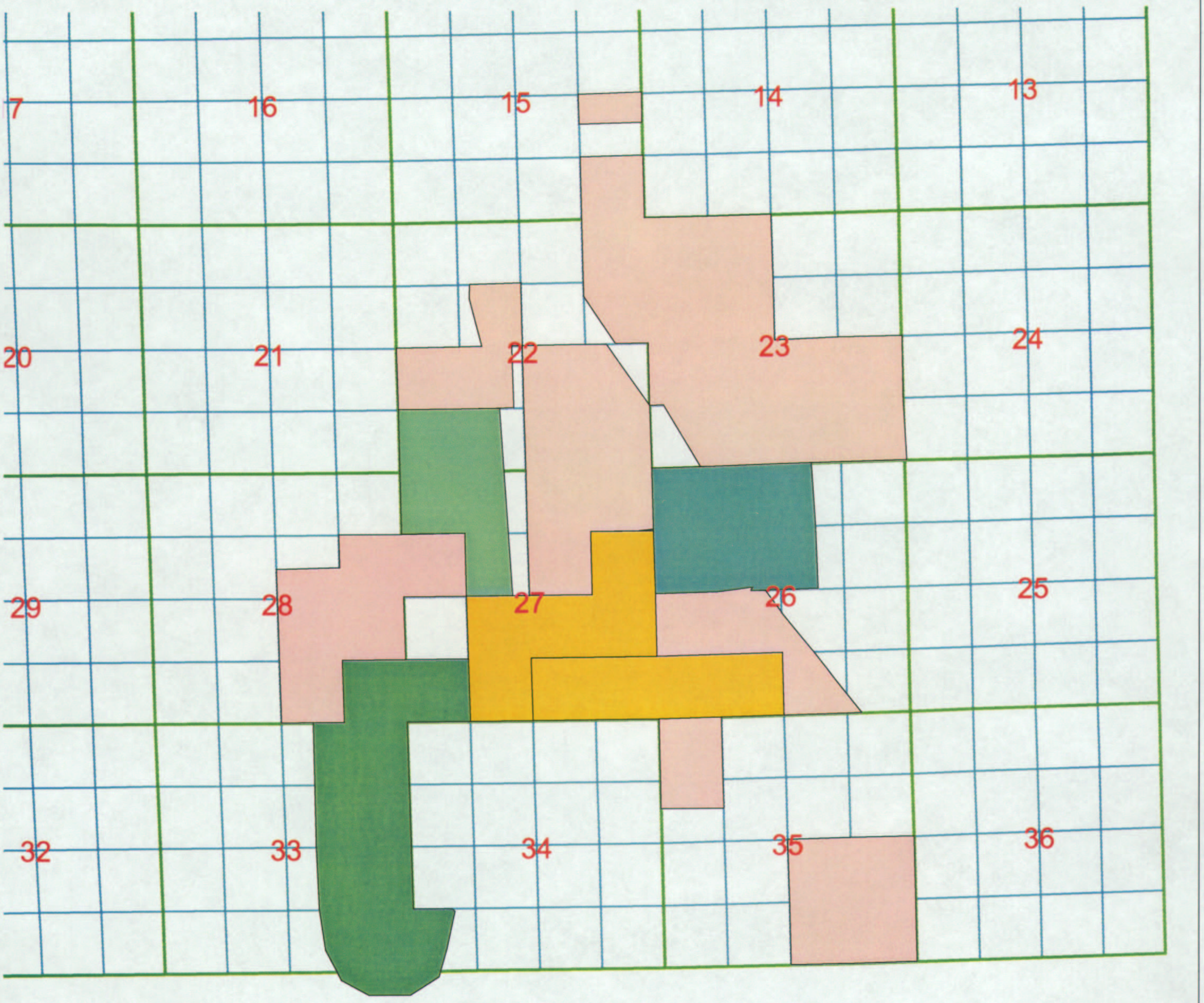
N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

8

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 7
Transfer 2984 removed 453 acres, added 285
2528 Acres



Township 7 North Range 36 East

0 1320 Feet

- Hamer Canal
- Grover
- Savage
- Sanders
- McGarry

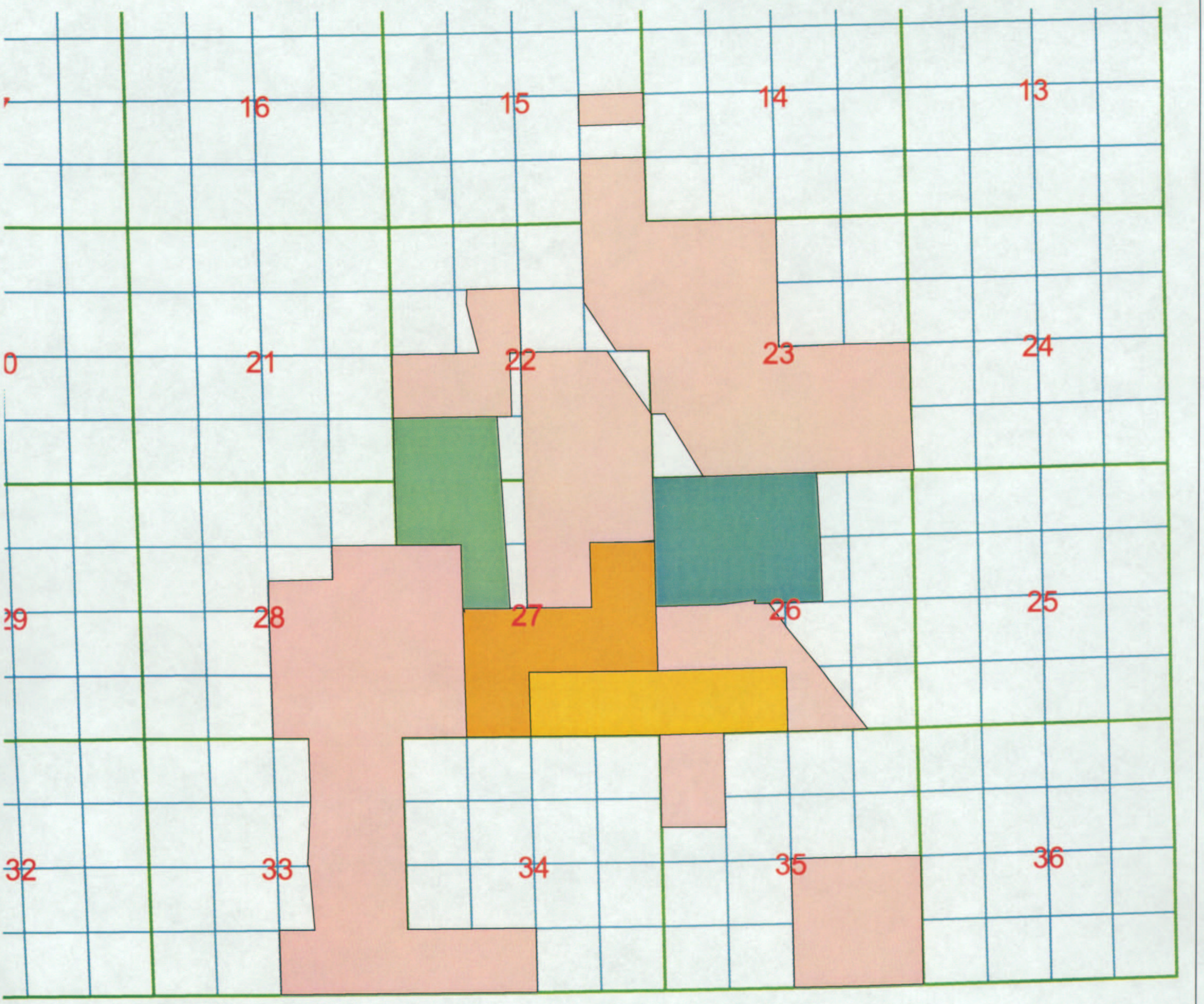
N
W
E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

7

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 6
Transfer 2425 removed 174 acres, added 155
2696 Acres



Township 7 North Range 36 East

0 1320 Feet

- Hamer Canal
- Grover
- Savage
- Sanders

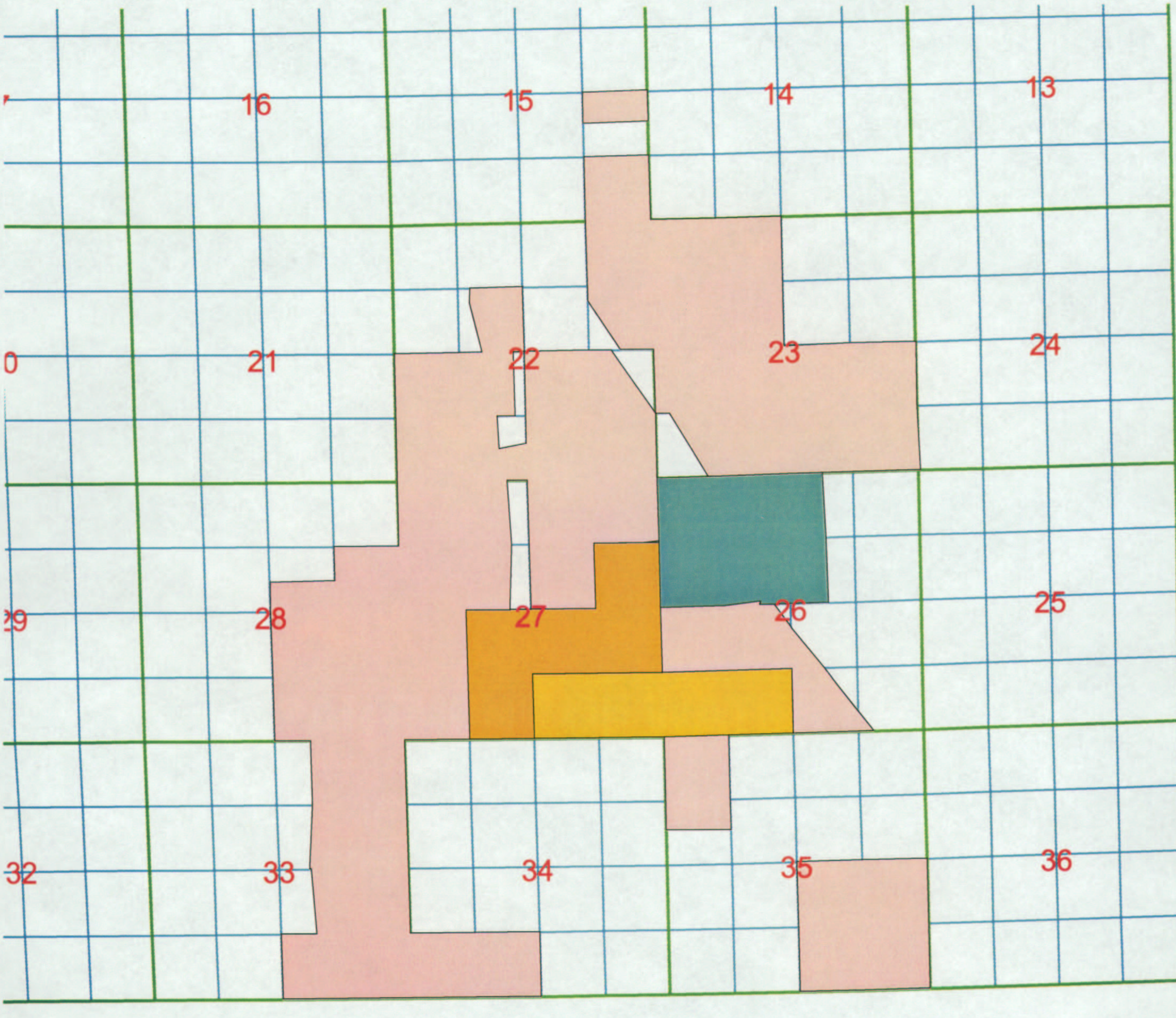
N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

6

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 5
Transfer 2403 , no reduction of acres
2715 Acres



Township 7 North Range 36 East

0 1320 Feet

Hamer Canal
Grover
Savage

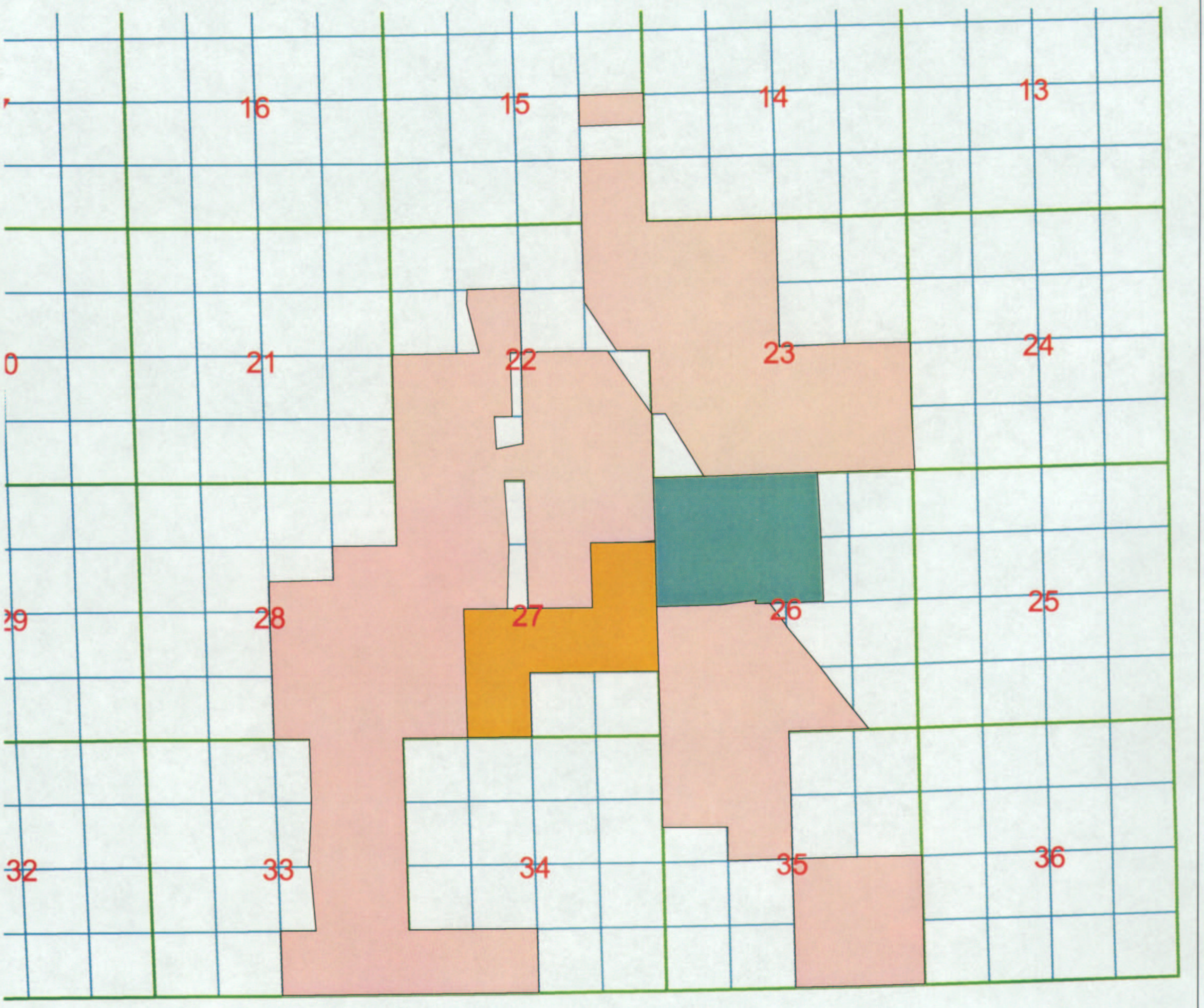
N
W
E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

5

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 4
Transfer 2423 , no reduction of acres
2715 Acres



Township 7 North Range 36 East

0 1320 Feet

Hamer Canal
Grover
Savage

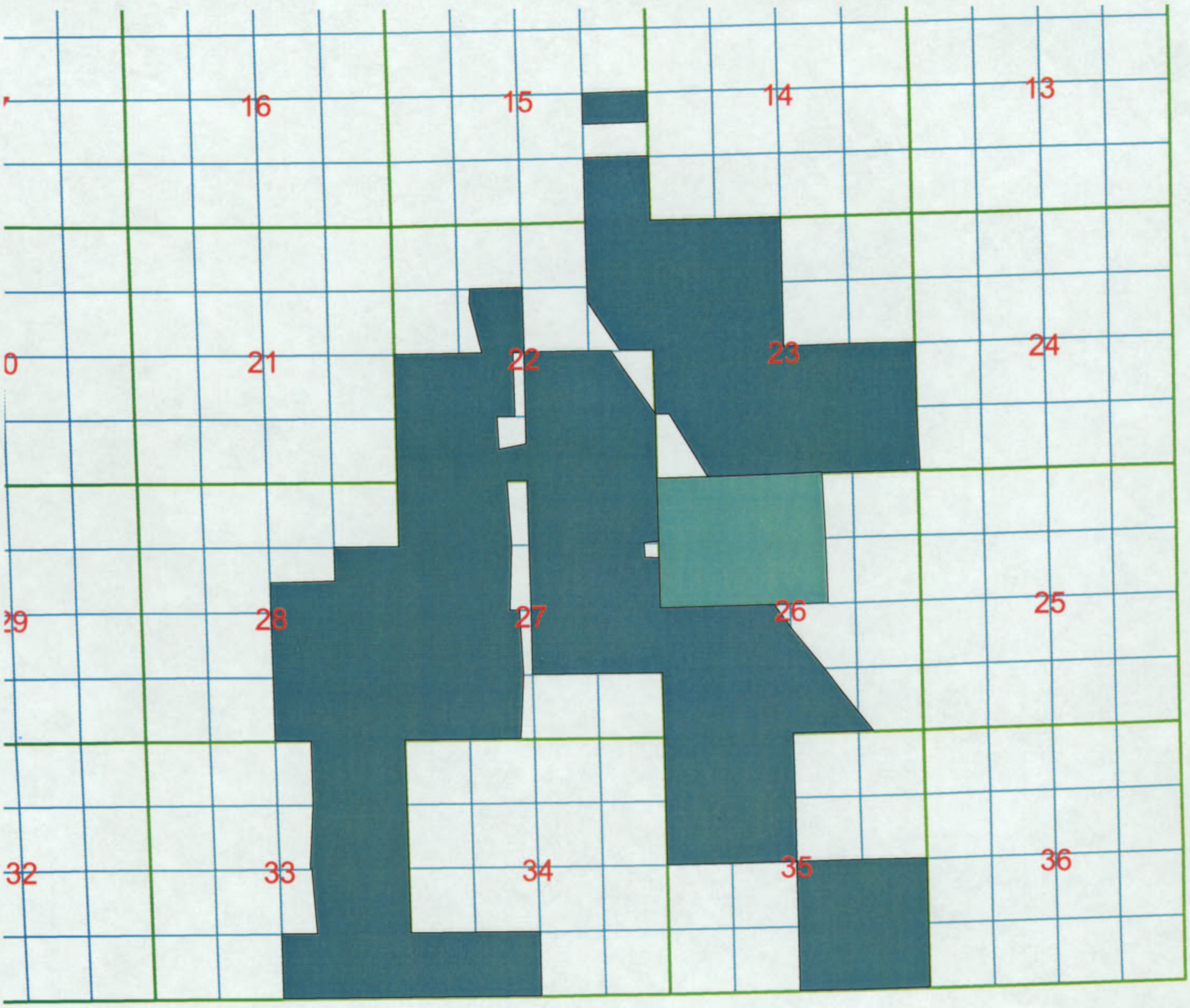
N
W
E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

4

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063
Transfer 2424 removed 311 acres, added 190 acres
2715 Acres



Township 7 North Range 36 East

0 1320 Feet

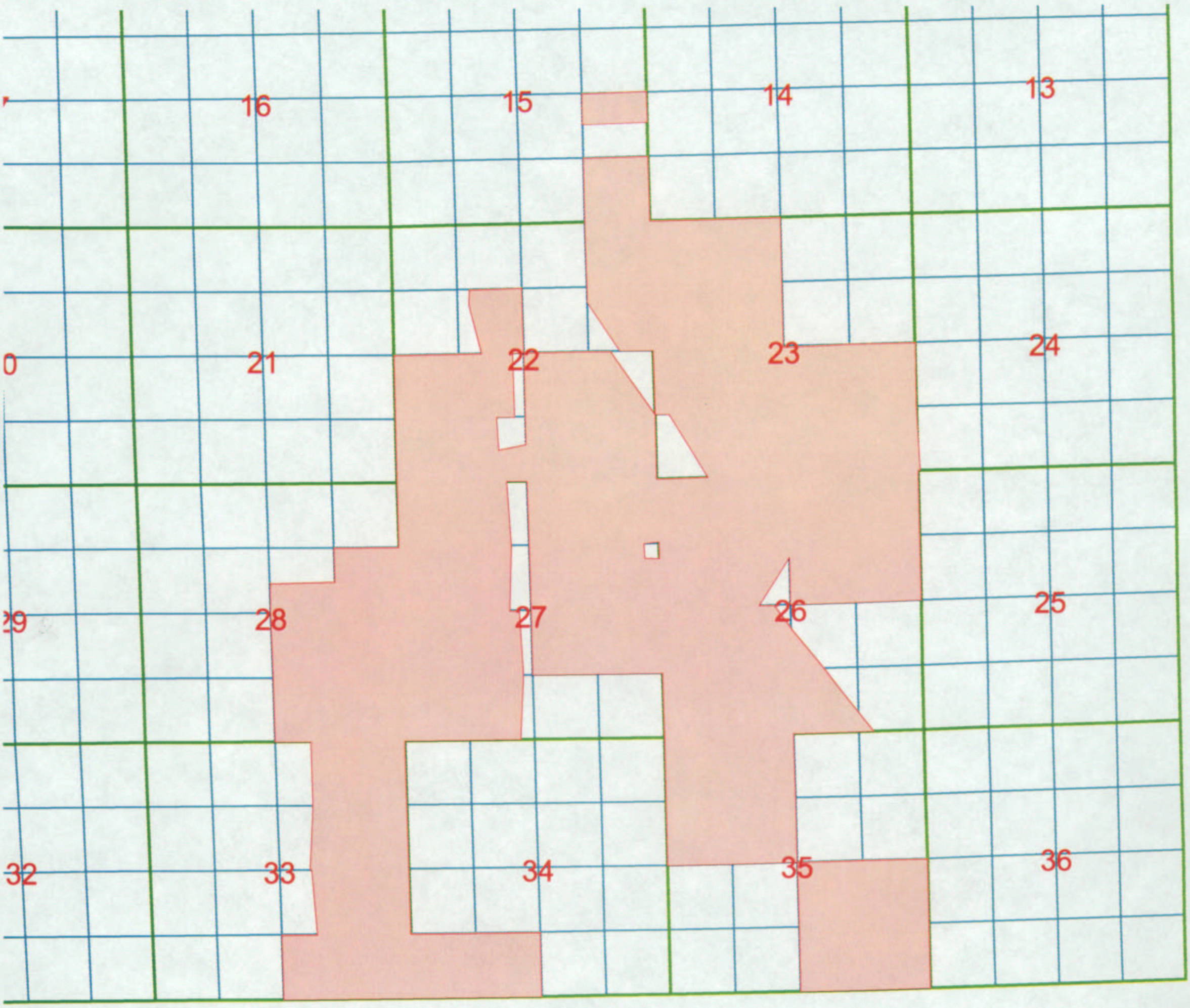
Grover Portion
Hamer Canal Portion

N
W
E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063
Transfer 1584 as described in T 2424 application
2836 Acres



Township 7 North Range 36 East

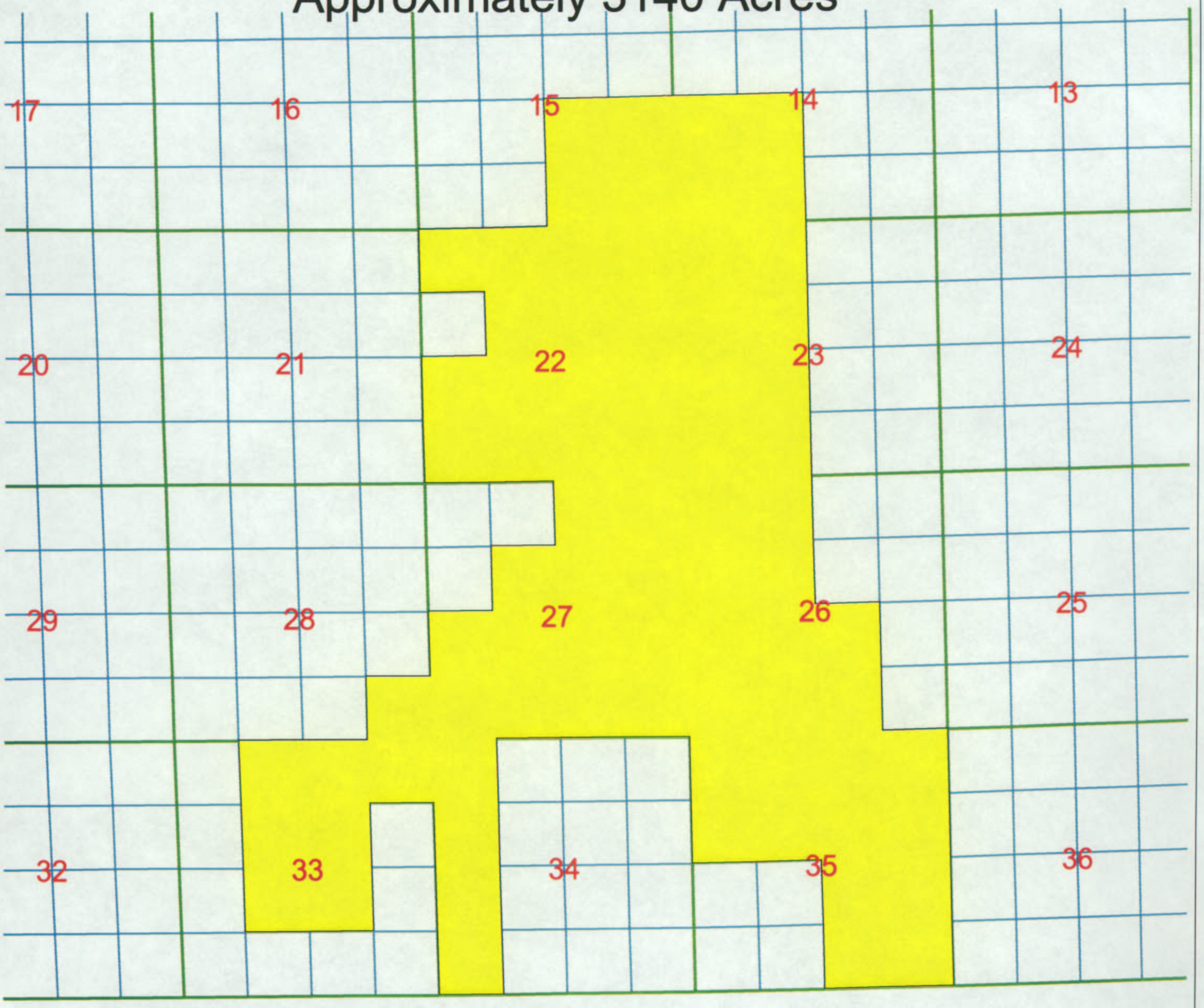
0 1320 Feet

N
W
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S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063
Original Decreed POU
Approximately 3140 Acres



Township 7 North Range 36 East

0 1320 Feet

- Point(s) of Diversion, This WR
- Other Points of Diversion
- Place of Use, This Right
- Other Places of Use
- Section Lines
- Quarter-quarter Sections

N
W E
S

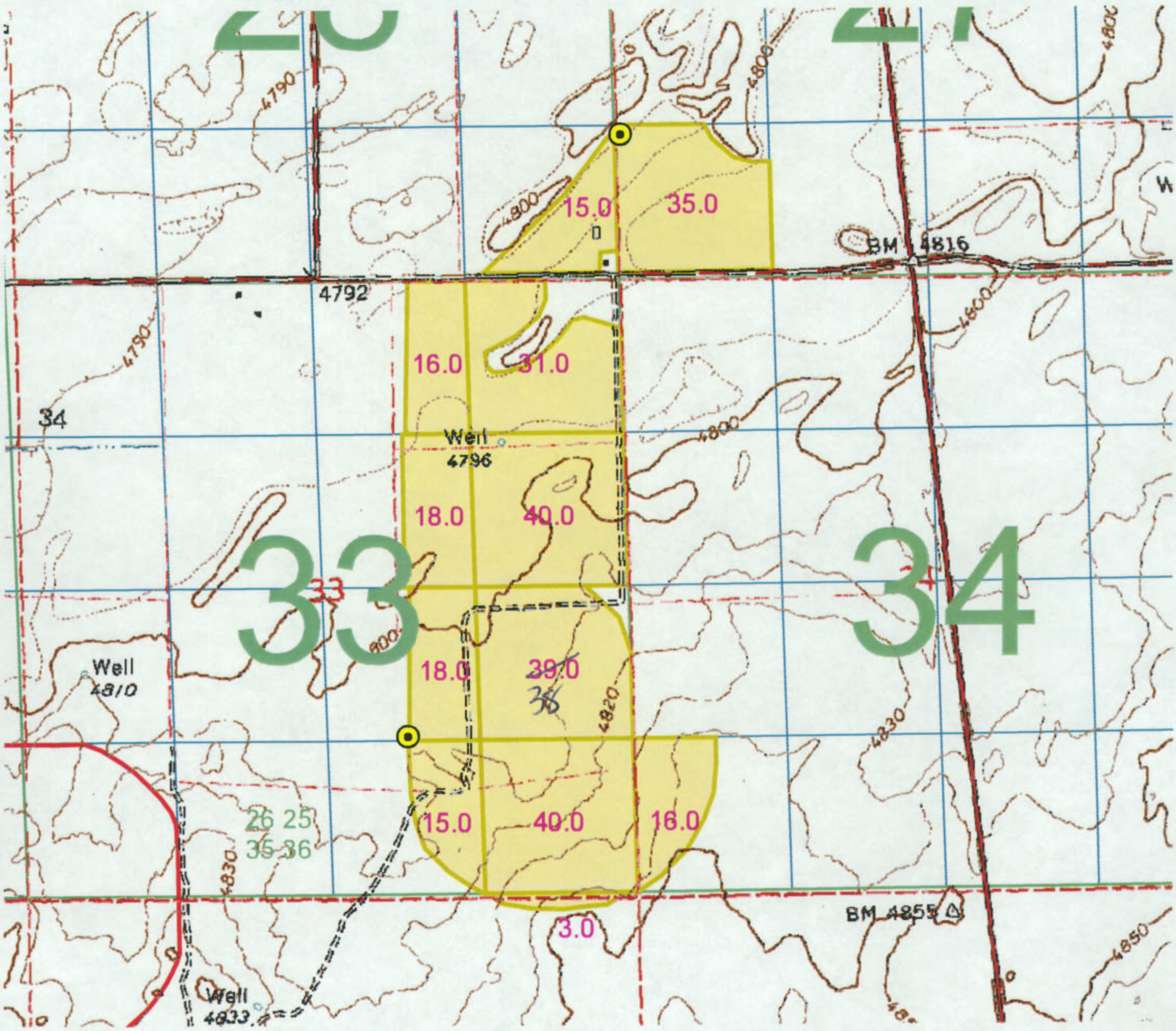
Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

1

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062A, 31-00063A, 31-07270

Township 6N Range 36E Section 4
Township 7N Range 35E Section 27, 38, 33, 34



0 1320 Feet

- Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This WR
- Place of Use - Other WR
- Sections
- Quarter-quarter Sections

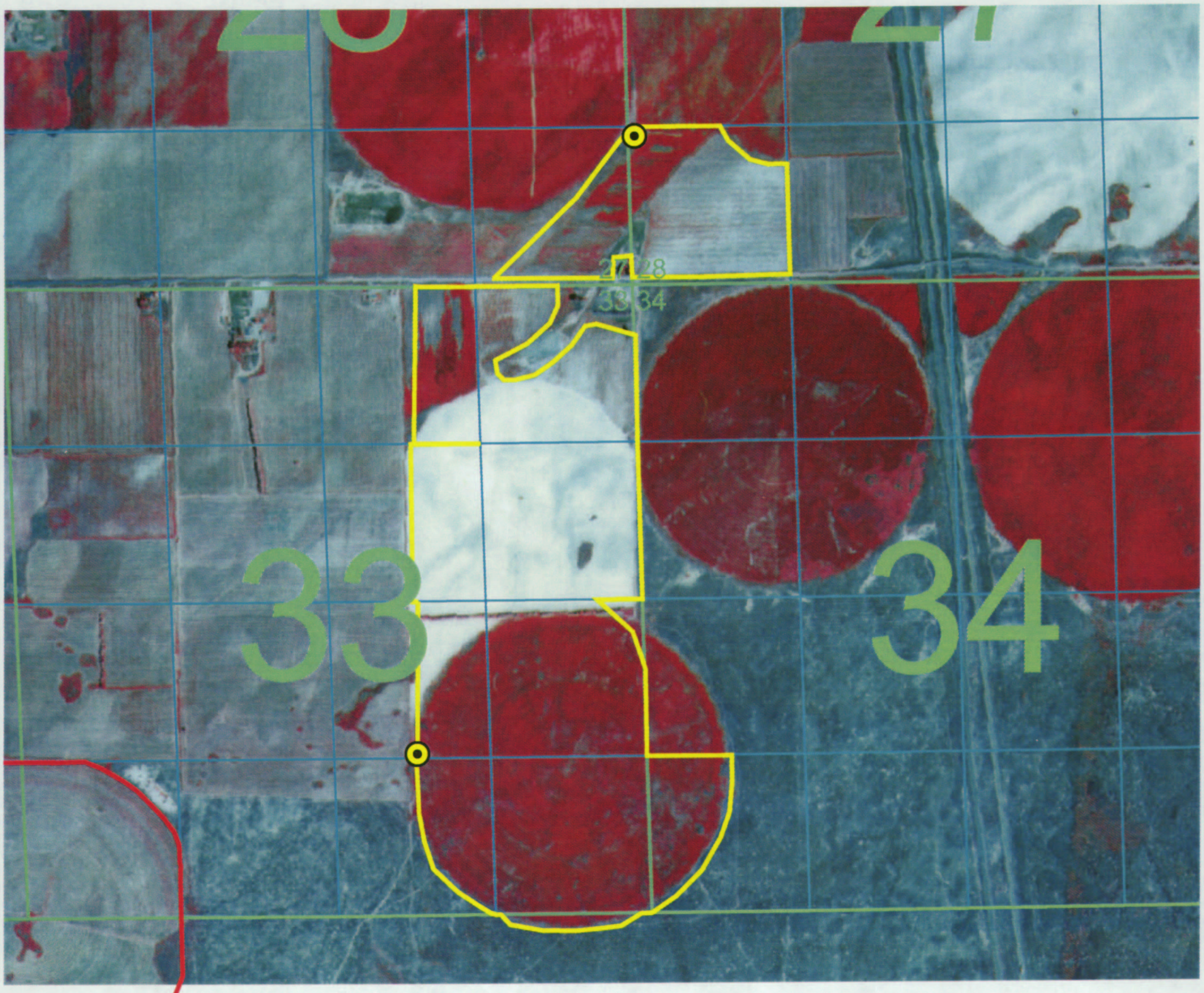
N
W E
S

GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 6/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062A, 31-00063A, 31-07270

Township 6N Range 36E Section 4
Township 7N Range 35E Section 27, 38, 33, 34



Point of Diversion - This Water Right
Point of Diversion - Other Water Rights
Place of Use - This WR
Place of Use - Other WR
Sections
Quarter-quarter Sections

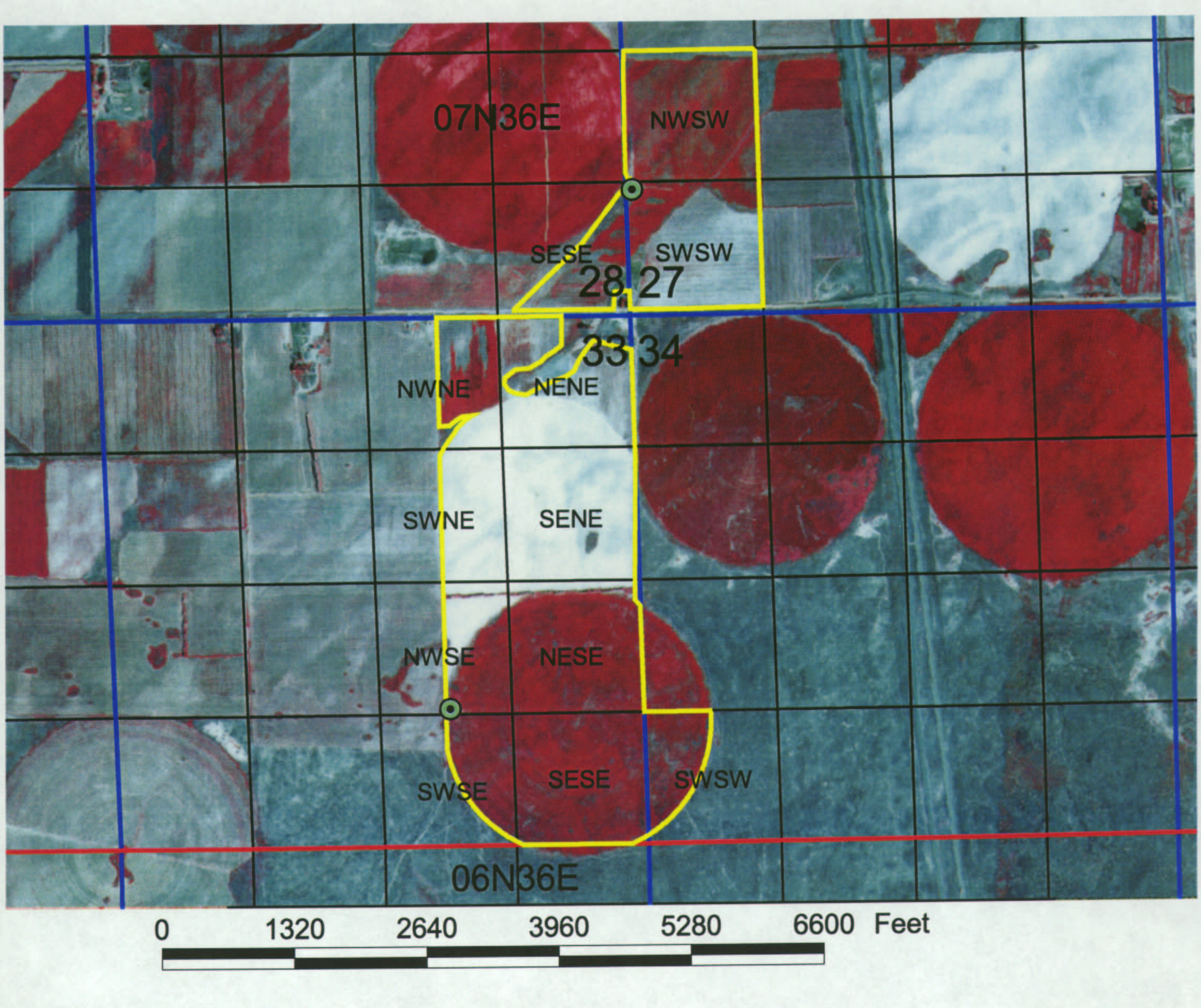
0 1320 Feet

N
W E
S

GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 6/2000

Department of Water Resources

Claim No.: 31-62A, 31-63A
31-11605



Irrigated Acres = 328

- Well.shp
- Water rights.shp
- Townships
- Sections
- QQ

N
W
E
S

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: February 2002

SCALE: 2 inches equal 1 mile. Draw plan in ink.

A 31-00062A

NOV 17 1992

MICROFILMED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 31-00062A

NAME AND ADDRESS: LOREN MCGARRY RANCHES
2388 E 1900 N
HC 69 BOX 1070
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 4.03 CFS
707.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1044.7 AF. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND 31-11619.

PRIORITY DATE: 10/31/1917

POINT OF DIVERSION:

T07N R36E S27	NWSWSW	Within Jefferson County	
S33	SENWSE		

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	05-01 TO 09-01	4.03 CFS 707.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation

T07N R36E S27	NWSW 40.0	SWSW 38.0	Within Jefferson County
S28	SESE 15.0		
S33	NENE 31.0	NWNE 18.0	
	SWNE 19.0	SENE 39.0	
	NESE 40.0	NWSE 20.0	
	SWSE 15.0	SESE 40.0	
S34	SWSW 13.0		

328.0 Acres Total

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 339 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND 31-11619.

THIS RIGHT IS LIMITED TO THE IRRIGATION FO 202 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 328 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062A, 31-00063A, AND 31-11605.

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

OTHER PROVISIONS (continued)

DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 JUL 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)	CERTIFICATE OF MAILING
)	
Case No. 39576)	
_____)	Water Right(s): 31-00062A

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 31-00062A was mailed on July 31, 2002, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

IDAHO DEPARTMENT OF LANDS
Represented by:
STEVEN J. SCHUSTER
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-332-3542

LOREN MCGARRY RANCHES
2388 E 1900 N
HC 69 BOX 1070
HAMER, ID 83425
Phone: 208-662-5227

ROBBIN GLATZ
Chief Deputy Clerk

RECEIVED

Water Resources
Adjudication Bureau

2002 JUL 31 PM 12:19

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

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

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 31-00062A

On May 29, 2002, a ***Special Master's Report and Recommendation*** was filed for the above water right. No Challenges were filed to the ***Special Master's Report and Recommendation*** and the time for filing Challenges has now expired. Pursuant to I.R.C.P. 53(e)(2) and ***SRBA Administrative Order 1***, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the ***Special Master's Report*** and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 31-00062A is hereby **decreed** as set forth in the attached ***Partial Decree*** Pursuant to I.R.C.P. 54(b).

DATED July 31, 2002

Roger Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

02/12/2002

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

RIGHT NUMBER: 31-62A

NAME AND ADDRESS: LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER ID 83425

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 4.030 CFS
707.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1044.7 AF. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND 31-11619.

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 981.5 AF. COMBINED RIGHT NOS.: 31-62A, 31-63A AND 31-7270.~~

PRIORITY DATE: 10/31/1917

POINT OF DIVERSION:

T07N R36E S27 NWSWSW Within JEFFERSON County
T07N R36E S33 SENWSE Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	5/01 9/01	4.030 CFS 707.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within JEFFERSON County

T07N R36E S27	NWSW	40.0	T07N R36E S27	SWSW	38.0
T07N R36E S28	SESE	15.0	T07N R36E S33	NENE	31.0
T07N R36E S33	NWNE	18.0	T07N R36E S33	SWNE	19.0
T07N R36E S33	SENE	39.0	T07N R36E S33	NESE	40.0
T07N R36E S33	NWSE	20.0	T07N R36E S33	SWSE	15.0
T07N R36E S33	SESE	40.0	T07N R36E S34	SWSW	13.0
~~T06N R36E S04~~	~~NENE~~	~~3.0~~			

~~285~~ 328 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 339 ~~339.2~~ ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND 31-11619.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~285~~ 328 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-62A, 31-63A AND 31-11605 ~~31-7270~~.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 202 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 - Decreed

RIGHT NO. 31-11605 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

~~THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE IN SECTION 27: 31-00062A, 31-00063A, 31-00062P, 31-00063P, 31-11605. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE IN SECTION 33: 31-00062A, 31-00063A, 31-07270, AND 31-11619.~~

Department of Water Resources

Claim No.: 31-62A, 31-63A
31-11605



Irrigated Acres = 328

- Well.shp
- Water rights.shp
- Townships
- Sections
- QQ

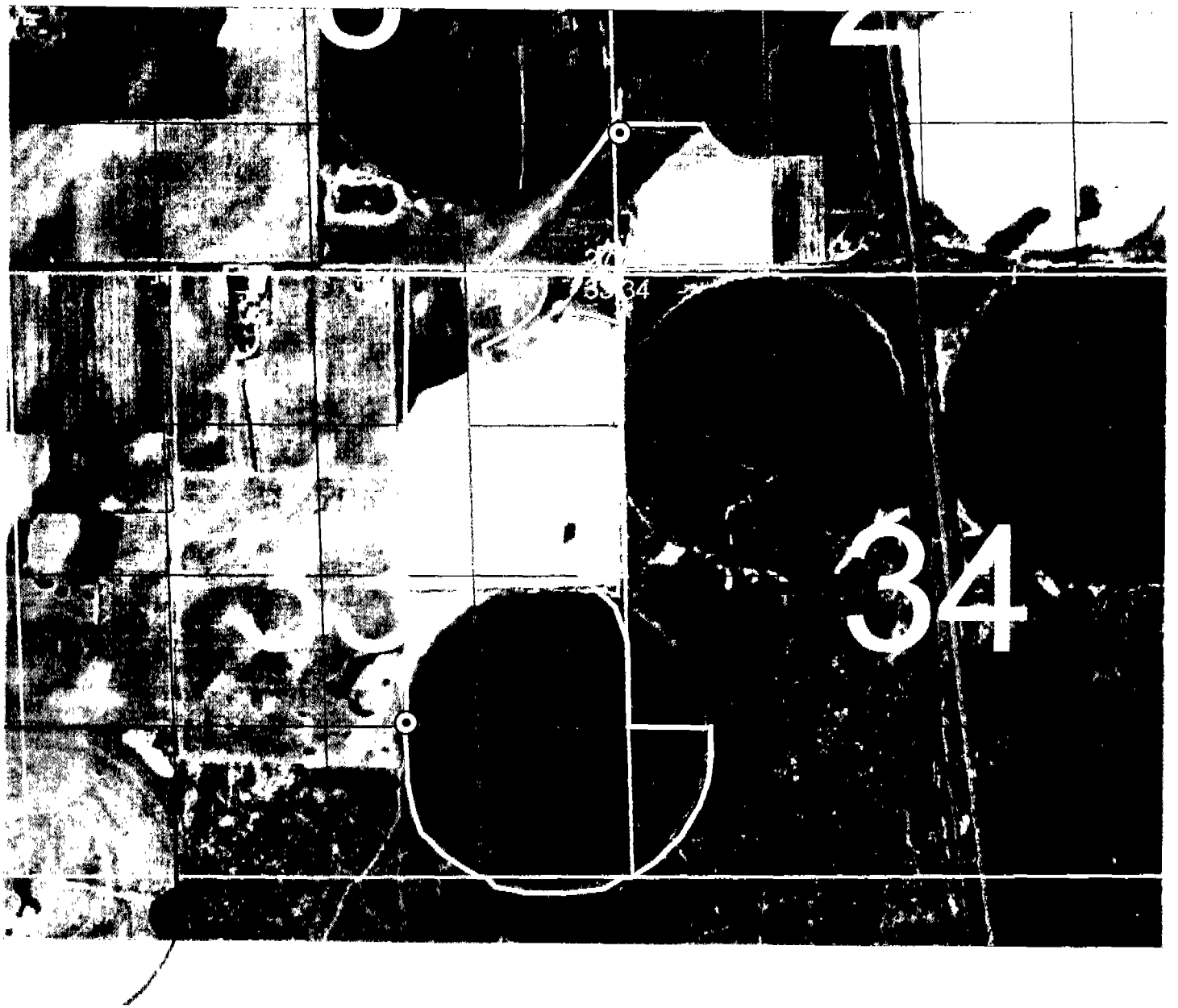
N
W
E
S

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: February 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062A, 31-00063A, 31-07270

Township 6N Range 36E Section 4
Township 7N Range 35E Section 27, 38, 33, 34



0 1320 Feet

- Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This WR
- Place of Use - Other WR
- Sections
- Quarter-quarter Sections

N
W E
S

GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 6/2000

01/04/2001

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

RIGHT NUMBER: 31-62A

NAME AND ADDRESS: LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 4.03 CFS
707 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-11605.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 881.5 AF. COMBINED RIGHT NOS.: 31-00062A, 31-00063A, 31-07270

PRIORITY DATE: 10/31/1917

POINT OF DIVERSION:

T07N R36E S27	NWSWSW	Within JEFFERSON County
T07N R36E S33	SENWSE	Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	5-01 9-01	4.03 CFS 707.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T06N R36E S4	NENE	3	T07N R36E S27	SWSW	35
T07N R36E S28	SESE	15	T07N R36E S33	NENE	31
T07N R36E S33	NWNE	16	T07N R36E S33	SWNE	18
T07N R36E S33	SENE	40	T07N R36E S33	NESE	38
T07N R36E S33	NWSE	18	T07N R36E S33	SWSE	15
T07N R36E S33	SESE	40	T07N R36E S34	SWSW	16

285 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 202 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE

IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062A, 31-00063A, 31-07270

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 - Decreed

RIGHT NO. 31-11605 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION 'NORTH WELL' DIVERSION DESCRIBED ABOVE IN SECTION 27: 31-00062A, 31-00063A, 31-00062P, 31-00063P, 31-11605

THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION 'SOUTH WELL' DESCRIBED ABOVE IN SECTION 33: 31-00062A, 31-00063A, 31-07270

Bae

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	LOREN MCGARRY RANCHES HC 69 1070 HAMER ID 83425 (208) 662-5227	10/31/1917	IRRIGATION	05-01	09-01	4.030 CFS	707.00 AFA
				TOTAL DIVERSION:		4.030 CFS	707.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: DECREED

Point(s) of Diversion: T07N R36E S27 NWSWSW JEFFERSON County
S33 SENWSE JEFFERSON County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
06N	36E	4	03																3.0
07N	36E	27											35						35.0
07N	36E	28																15	15.0
07N	36E	33	31	16	18	40									38	18	15	40	216.0
07N	36E	34											16						16.0
																TOTAL ACRES			285.0

POU County: JEFFERSON

Non-Irrigation Uses: NONE

Other Rights: A31-0063A AND A31-07270

Conditions of Approval:

C18 - 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.

Remarks: QNT USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 881.5 AF. COMBINED RIGHT NOS.: 31-00062A, 31-00063A, 31-07270

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Remarks: POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 202 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062A, 31-00063A, 31-07270.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION 'NORTH WELL' DIVERSION DESCRIBED ABOVE IN SECTION 27: 31-00062A, 31-00063A, 31-00062P, 31-00063P. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION 'SOUTH WELL' DESCRIBED ABOVE IN SECTION 33: 31-00062A, 31-00063A, 31-07270.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Comments: Date: 06/19/2000 User-ID: BCONTOR Subject: COPIED FROM REMARKS
****TRANSFER 3808 APPROVED A CHANGE IN THE POINT OF DIVERSION***

Date: 06/19/2000 User-ID: BCONTOR Subject: COPIED FROM REMARKS
****TRANSFER 3808 APPROVED A CHANGE IN THE POINT OF DIVERSION***

Audit: 06/19/00 BCONTOR

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: **A31-00062A**
Date Received: 6/08/1988
Receipt No: M000075
Received By: HJS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A3100062A

1. Name: LOREN MCGARRY RANCHES 208-662-5227
   Address: HC 69 1070
   HAMER, ID 83425

2. Date of Priority: OCT 31, 1917

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	36E	22	SE SE		JEFFERSON
		33	NW SE		JEFFERSON

5. Description of diverting works:
   TWO WELLS TO SPRINKLER LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/01	11/01	4.030	

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

8. Total consumptive use is 712.5 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	36E	4	NE NE		IRR	3.0
				Section Acres		3.0

MICROFILMED
NOV 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
07N	36E	27	SW	SW		IRR	35.0
					Section Acres		35.0
		28	SE	SE		IRR	15.0
					Section Acres		15.0
		33	NE	NE		IRR	31.0
			NW	NE		IRR	16.0
			SW	NE		IRR	18.0
			SE	NE		IRR	40.0
			NE	SE		IRR	38.0
			NW	SE		IRR	18.0
			SW	SE		IRR	15.0
			SE	SE		IRR	40.0
					Section Acres		216.0
		34	SW	SW		IRR	16.0
					Section Acres		16.0
					Total Acres		285.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
A31-0063A AND A31-07270

14. Remarks: This was pt 31-0062G under trans. 2984

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

MICROFILMED
NOV 17 1992

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: _____

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): Larry J McGarry Date: 6-8-88

_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
Title

_____, that I have signed the foregoing
Organization

document in the space below as _____ of
Title

_____ and that the statements contained in the
Organization

foregoing document are true and correct.

_____
Signature of Authorized Agent

_____
Title and Organization

_____
Date

State of Idaho)
) SS.
County of Clark)

Subscribed and sworn (or affirmed) before me this 8th day of June 19 88

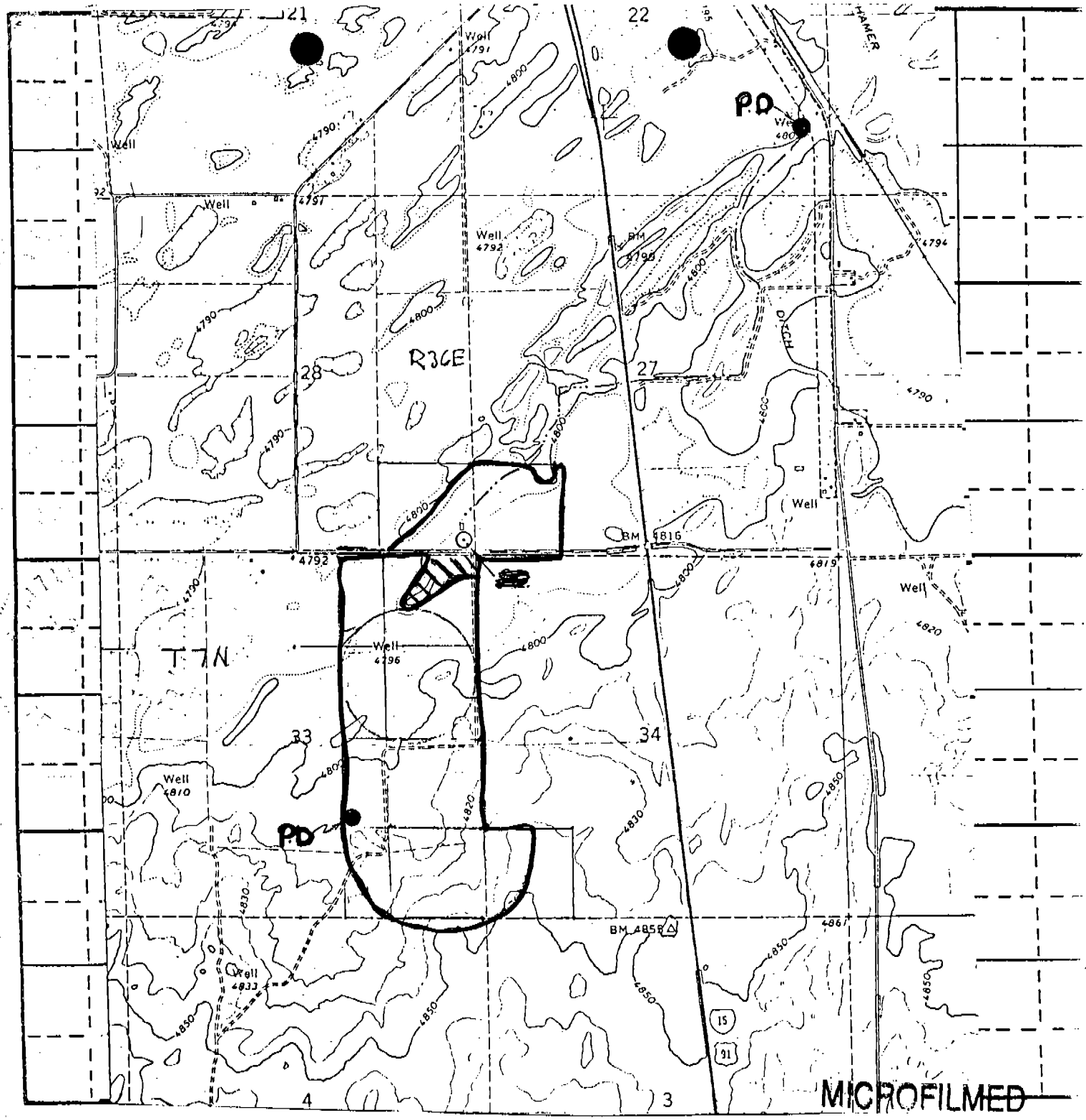
John Dale Carlson
Notary Public

Seal

Residing at Boise Id.

My Commission Expires 6/2/94

MICROFILMED
NOV 17 1992



SCALE: 2 inches equal 1 mile. Draw plan in ink.

A 31-00062A

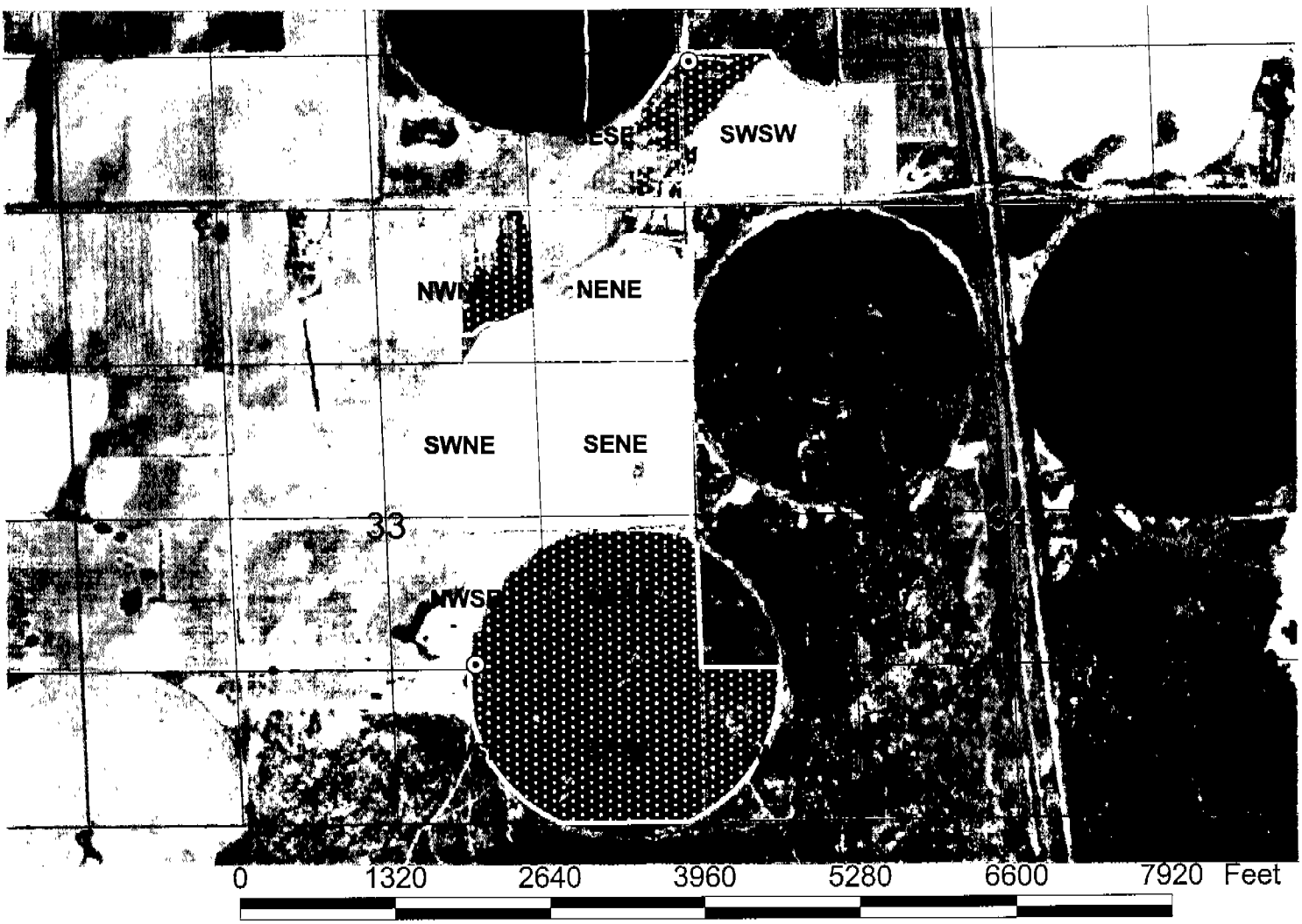
MICROFILMED
NOV 17 1992

STATE OF IDAHO

Department of Water Resources

Water Right(s): 31-62A
31-63A

T07N R36E



LEGEND

Point of Diversion

Place of Use

Section Line

Quarter-section line

Irrigated Area = 235

N
W
E
S

GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: E. Carlsen
Date: October 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:53:04
03/15/93

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A31-00062A

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	LOREN MCGARRY RANCHES HC 69 1070 HAILER ID 83425 (208) 662-5227	10/31/1917	IRRIGATION	5/1	9/1	4.08 CFS	707
			TOTAL DIVERSION:			4.08 CFS	
			CONSUMPTIVE USE:				712.5 AFA

WATER SOURCE: GROUNDWATER TRIBUTARY TO: STAGE: BENEFICIAL USE

POINT(S) OF DIVERSION: T07N R36E ~~S22 ~~ 666E~~~~ S33 SE NWSE 27 NWSWSW North well; South well JEFFERSON COUNTY; JEFFERSON COUNTY

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

			NE								NW								SW								SE					
T	R	S	NENE LT	NENE AC	NWNE LT	NWNE AC	SWNE LT	SWNE AC	SENE LT	SENE AC	NENW LT	NENW AC	NWNW LT	NWNW AC	SWNW LT	SWNW AC	SENW LT	SENW AC	NESW LT	NESW AC	NWSW LT	NWSW AC	SWSW LT	SWSW AC	SESW LT	SESW AC	NESE LT	NESE AC	NWSE LT	NWSE AC	SWSE LT	SWSE AC	SESE LT	SESE AC	SUM
06N	36E	6		03																															3.0
07N	36E	27																						35											35.0
07N	36E	29																															15		15.0
07N	36E	33		31		16		18		40																	38		18		15		43		216.0
07N	36E	34																						16											16.0
																													TOTAL ACRES						285.0

de

POU COUNTY: JEFFERSON

NON-IRRIGATION USES: NONE

OTHER RIGHTS: A31-0063A AND A31-07270

DATES: EXAM MADE DATE: VERIFIED DATE:

MISC: WATER DISTRICT NUMBER: FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

USE 502

POD ID _____
POU ID _____

P1P P06 31-00062A, 63A, ~~62P~~ 63P, 7270 for North well (section 27)

P06 31-00062A, 63A, 7270 for South well

POU1 K06 202 acres

E14 62A, 63A, 7270 285 acres

QNT ~~E25~~ E25 62A, 63A, 7270 (285 x 35 = ~~9975~~ 881.5)
(285 x 0.02 = 5.70)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/95

PAGE: 1

GENERAL INFORMATION

CLAIM NUMBER: A31-90062A

LAST: LOREN MCGARRY RANCHES FIRST:
ADDRESS: HC 69 1070
CITY: MAMER STATE: ID ZIP: 83425
PHONE NUMBER: 208-662-5227

OWNER CODE: C

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	N	

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: (___) ___-____

DATE OF FIELD EXAM: __/__/__ APPOINTMENT MADE: Y(__) N(__) TIME: ___:__ A(__) P(__)

ACCOMPANIED BY: _____ PHONE NUMBER: (___) ___-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

Desktop Review 6/19/00 slides on post 87
format transfer 3808 and NWMD GPS.
Note that this claim is based upon WR
Splits "K"

PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A31-00052A

A. AJ CLAIM: # A31-00062A PRIORITY DATE: 10-31-1917 STAGE: J

B. WR RECORD: # 31-00062A PRIORITY DATE: - - STAGE:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	Y	V

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(_) N(✓)
IF YES EXPLAIN.

NOTES: This AS claim conforms to WR split "K"

Priority confirmed from decree

RECOMMENDED PRIORITY DATE: 10-31-1917

REVIEWED BY B Cox DATE 6/19/00

POINT OF DIVERSION REVIEW SHEET CLAIM NUMBER: A31-30062A

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-00062A	07N	56E	~~22~~ 27	NW	SW	SW		JEFFERSON
A31-00062A	07N	56E	33	SE	NW	SE		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A31-00063A	NONE
A31-07270	

WR RECORDS IN SAME 40 ACRE TRACT

31-00062J
31-00062K
31-00063J
31-00063K
31-02206
31-07270

SOURCE: GROUNDWATER TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

3130062A THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

C. FIELD EXAM REQUIRED?

		DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY?	(Y/N)	Y	N
DUE TO SOURCE DISCREPANCY?	(Y/N)	Y	N

NOTES:

POD's accurate per transfer & NWRD GPS. This disagrees w/ claims but transfer supercedes claim.

POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-00062A

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
2N	36E	27	NW	SW	SW			North well
2N	36E	33	SE	NW	SE			South well

SOURCE: GW TRIB:

REVIEWED BY: BAC DATE: 6/19/00

SYSTEM DESCRIPTION:

Two wells to separate systems. Both wells serve as sources for A31-00062A, A31-00063A, 31-07200.

North well also serves as source for WR 31-00062P / 31-00062Q (AF A31-00062P, A31-00063P)

Appropriately this WR should have been split per separate systems, but recommended as transferred by post-87 formal transfer.

PLACE OF USE REVIEW SHEET CLAIM NUMBER: A51-90062A

A. ROOT WATER RIGHT NUMBERS: A51-90062A
A51-90062F
A51-90062H
A51-90062B
A51-90062C
A51-90062J
A51-90062K
A51-90062L

B. POU LISTING

TWP	RNG	SEC	1/4	1/6	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06N	36E	4	NE	NE		LOREN MCGARRY RANCHES	A51-90062A / 3.0	- /			
			NE	NE		LOREN MCGARRY RANCHES	A51-90063A / 3.0	- /			
			NE	NE		LOREN MCGARRY RANCHES	A51-97270 / 4.0	51-97270 / 4.0			
			NE	NE		LOREN MCGARRY RANCHES		51-90062K / 3.0			
			NE	NE		LOREN MCGARRY RANCHES		51-90063K / 3.0			
07N	36E	27	SW	SW		LOREN MCGARRY RANCHES	A51-90062A /35.0	- /	34.0		
			SW	SW		LOREN MCGARRY RANCHES	A51-90063A /35.0	- /			
			SW	SW		LOREN MCGARRY RANCHES		51-90062K /35.0			
			SW	SW		LOREN MCGARRY RANCHES		51-90063K /35.0			
			SW	SW		HAMER CANAL CO.		51-02206 /40.0			
			SW	SW		HAMER CANAL CO.		51-04002 /			
07N	36E	28	SE	SE		LOREN MCGARRY RANCHES	A51-90062A /15.0	- /	38.0		
			SE	SE		LOREN MCGARRY RANCHES	A51-90063A /15.0	- /			
			SE	SE		YEARSLEY , WADE	A51-97141A /14.0	51-97141A /14.0			
			SE	SE		LOREN MCGARRY RANCHES		51-90062K /15.0			
			SE	SE		LOREN MCGARRY RANCHES		51-90063K /15.0			
			SE	SE		HAMER CANAL CO.		51-02206 /40.0			
			SE	SE		HAMER CANAL CO.		51-04002 /			
			SE	SE		MC GARRY , LOREN		51-97436 /14.0			
07N	36E	33	NE	NE		LOREN MCGARRY RANCHES	A51-90062A /31.0	- /	37.0		
			NE	NE		LOREN MCGARRY RANCHES	A51-90063A /31.0	- /			
			NE	NE		LOREN MCGARRY RANCHES	A51-97270 /30.0	51-97270 /30.0			
			NE	NE		LOREN MCGARRY RANCHES		51-90062K /31.0			
			NE	NE		LOREN MCGARRY RANCHES		51-90063K /31.0			
			NE	NE		HAMER CANAL CO.		51-02206 /39.0			
			NE	NE		HAMER CANAL CO.		51-04002 /			

As per transfer

PLACE OF USE REVIEW SHEET CONTINUED CLAIM NUMBER: A31-00062A

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	#R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07N	36E	33	NW	NE		LOREN MCGARRY RANCHES	A31-00062A /16.0	- /	39.0		
			NW	NE		LOREN MCGARRY RANCHES	A31-00063A /16.0	- /			
			NW	NE		LOREN MCGARRY RANCHES	A31-07270 /16.0	31-07270 /16.0			
			NW	NE		STATEN , IVAN	A31-02500B / 5.0	31-02500B / 5.0			
			NW	NE		STATEN , IVAN	A31-10294 /	- /			
			NW	NE		TORGERSON , RONALD	A31-02500A /20.0	31-02500A /15.0			
			NW	NE		LOREN MCGARRY RANCHES		31-00062K /16.0			
			NW	NE		LOREN MCGARRY RANCHES		31-00063K /16.0			
			NW	NE		HAMER CANAL CO.		31-02206 /20.0			
			NW	NE		HAMER CANAL CO.		31-04002 /			
07N	36E	33	SW	NE		LOREN MCGARRY RANCHES	A31-00062A /18.0	- /	39.0		
			SW	NE		LOREN MCGARRY RANCHES	A31-00063A /18.0	- /			
			SW	NE		LOREN MCGARRY RANCHES	A31-07270 /18.0	31-07270 /18.0			
			SW	NE		TORGERSON , RONALD	A31-02500A /15.0	31-02500A /15.0			
			SW	NE		TORGERSON , RONALD	A31-10490 / 5.0	- /			
			SW	NE		LOREN MCGARRY RANCHES		31-00062K /18.0			
			SW	NE		LOREN MCGARRY RANCHES		31-00063K /18.0			
			SW	NE		HAMER CANAL CO.		31-02206 /20.0			
			SW	NE		HAMER CANAL CO.		31-04002 /			
07N	36E	33	SE	NE		LOREN MCGARRY RANCHES	A31-00062A /40.0	- /	54.0		
			SE	NE		LOREN MCGARRY RANCHES	A31-00063A /40.0	- /			
			SE	NE		LOREN MCGARRY RANCHES	A31-07270 /39.0	31-07270 /39.0			
			SE	NE		LOREN MCGARRY RANCHES		31-00062K /40.0			
			SE	NE		LOREN MCGARRY RANCHES		31-00063K /40.0			
			SE	NE		HAMER CANAL CO.		31-02206 /40.0			
			SE	NE		HAMER CANAL CO.		31-04002 /			
07N	36E	33	NE	SE		LOREN MCGARRY RANCHES	A31-00062A /38.0	- /	37.0		
			NE	SE		LOREN MCGARRY RANCHES	A31-00063A /38.0	- /			
			NE	SE		LOREN MCGARRY RANCHES	A31-07270 /38.0	31-07270 /38.0			
			NE	SE		LOREN MCGARRY RANCHES		31-00062K /38.0			
			NE	SE		LOREN MCGARRY RANCHES		31-00063K /38.0			
			NE	SE		HAMER CANAL CO.		31-02206 /40.0			
			NE	SE		HAMER CANAL CO.		31-04002 /			
07N	36E	33	NW	SE		LOREN MCGARRY RANCHES	A31-00062A /18.0	- /	39.0		
			NW	SE		LOREN MCGARRY RANCHES	A31-00063A /18.0	- /			
			NW	SE		LOREN MCGARRY RANCHES	A31-07270 /18.0	31-07270 /16.0			
			NW	SE		TORGERSON , RONALD	A31-02500A /18.0	31-02500A /10.0			
			NW	SE		TORGERSON , RONALD	A31-10490 /18.0	- /			
			NW	SE		LOREN MCGARRY RANCHES		31-00062K /18.0			
			NW	SE		LOREN MCGARRY RANCHES		31-00063K /18.0			
			NW	SE		HAMER CANAL CO.		31-02206 /20.0			
			NW	SE		HAMER CANAL CO.		31-04002 /			
07N	36E	33	SW	SE		LOREN MCGARRY RANCHES	A31-00062A /15.0	- /	30.0		

PLACE OF USE REVIEW SHEET CONTINUED CLAIM NUMBER: 51-00062A

TWP	RNG	SEC	1/4	1/4	LOT	NAME	Adj #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	SE		LOREN MCGARRY RANCHES	51-00063A /15.0	- /			
			SW	SE		LOREN MCGARRY RANCHES	51-07270 /15.0	51-07270 /15.0			
			SW	SE		LOREN MCGARRY RANCHES		51-00062K /15.0			
			SW	SE		LOREN MCGARRY RANCHES		51-00063K /15.0			
			SW	SE		HAMER CANAL CO.		51-02206 /40.0			
			SW	SE		HAMER CANAL CO.		51-00062J / 6.0			
			SW	SE		HAMER CANAL CO.		51-00063J / 6.0			
07N	36E	33	SE	SE		LOREN MCGARRY RANCHES	51-00062A /40.0	- /	57.0		
			SE	SE		LOREN MCGARRY RANCHES	51-00063A /40.0	- /			
			SE	SE		LOREN MCGARRY RANCHES	51-07270 /40.0	51-07270 /40.0			
			SE	SE		LOREN MCGARRY RANCHES		51-00062K /40.0			
			SE	SE		LOREN MCGARRY RANCHES		51-00063K /40.0			
			SE	SE		HAMER CANAL CO.		51-02206 /40.0			
07N	36E	34	SW	SW		LOREN MCGARRY RANCHES	51-00062A /15.0	- /	7.0		
			SW	SW		LOREN MCGARRY RANCHES	51-00063A /15.0	- /			
			SW	SW		LOREN MCGARRY RANCHES	51-07270 /18.0	51-07270 /18.0			
			SW	SW		LOREN MCGARRY RANCHES		51-00062K /16.0			
			SW	SW		LOREN MCGARRY RANCHES		51-00063K /16.0			
			SW	SW		HAMER CANAL CO.		51-02206 /40.0			
			TOTAL ACRES			51-00062A	285.00		376.00		

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(/) N( )
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? POU COUNTY: JEFFERSON

	DATABASE	FIELD EXAMINER
DUE TO POU DISCREPANCY? (Y/N)	Y	____

GIS shows apparent irrigation in NWSW of 34. This is not claimed nor authorized by post-87 transfer, so no invitation to submit enlargement claim.

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-90052A

PRESUMPTION FLAG:

NOTES:

4.03 cfs / 0.02 cfs/acre = 202 acre limitation this WR

285 acre limitation 62A, 63A 7270 (PPA)

RECOMMENDATIONS:

TOTAL ACRES: 285

REVIEWED BY: BAC DATE: 6/19/00

PURPOSES REVIEW SHEET CLAIM NUMBER: A31-30052A

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-30052A	IRRIGATION	FROM 04-01 TO 11-01	4.030 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		4.030 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
TOTAL DIVERSION RATE/VOLUME CLAIMED		

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	N
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	N
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(__) N(✓)

RECOMMEND TO WR STANDARDS OR OTHER? Y(__) N(✓) EXPLAIN IN NOTES, BELOW.

NOTES:

5/1-9/1 per post-57 Transfer

DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER: A31-00062A

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(✓) N(__) T 3808

AJ TOTAL CLAIMED DIVERSION RATE: 4.030 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)	Y	AL

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N(_) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A31-0063A AND A31-07270

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A31-00062A	GROUNDWATER	LOREN MCGARRY RANCHES	4.030	0.014		
A31-00063A	GROUNDWATER	LOREN MCGARRY RANCHES	1.670	0.005		
A31-02390A	GROUNDWATER	TORGERSON , RONALD	3.700	0.020		
A31-02390B	GROUNDWATER	STATEN , IVAN	0.100	0.020		
A31-07141A	GROUNDWATER	YEARSLEY , WADE	2.580	0.020		
A31-07270	GROUNDWATER	LOREN MCGARRY RANCHES	4.540	0.020		
A31-10430	GROUNDWATER	TORGERSON , RONALD	1.600	0.020		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A31-10234	DOMESTIC	STATEN , IVAN	FROM 01-01 TO 12-31	.040 CFS	

Claim files reviewed. 62A/63A/7270 are PPU, others are not overlaps but adjacent in same QQ.

 CLAIM NUMBER: A31-00628

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES 202 X 0.02 CFS/ACRE = 0.02 CFS = 4.04
(TAKEN FROM P/U REVIEW)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(__) N(✓)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(__) N(__) *** N/A

DIV VOL

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 712.5 AF/A

ACRES 202 X CONSUMPTIVE VOL. AF/A FOR AREA 3.5 = 707

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4.04 X 1.983 X 123 ≈ 1080 afa

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(___) N(___) N/A
SPLIT INTO 31-0062C & 31-00120 BY TRANS. 2425.

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

~~Combined Limitation 285 acre PPU X 3.5 afa~~

Combined Limitation 285 X 0.02 = 5.70 cfs

See A31-07270 CVR for combined volume limitation calculation

DIVERSION AMOUNT REVIEW SHEET CONTINUED CLAIM NUMBER: A51-90052A

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
Irr	5/1	9/1		4.03		707		
TOTAL FOR THIS RIGHT								

REVIEWED BY: Bac DATE: 6/19/00

BASIS OF CLAIM REVIEW SHEET

CLAIM NUMBER: A31-00062A

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	(✓)	( )
FORFEIT/ABANDON	(✓)	( )
ADDITIONAL DIV. AMOUNT	( ) N/A	( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-00062

TOTAL DIVERSION RATE OF WR SPLITS — DATABASE: 21.200 — EXAMINER: _____ CFS — See file

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-00062A	4.050	-		31-00062A	
-	A31-00062F	2.690	-		31-00062F	2.690
-	A31-00062N	2.460	-		31-00062N	2.450
-	A31-00062D	2.830	-		31-00062D	2.830
-	A31-00062C	1.240	-		31-00062C	
-	A31-00062J	5.440	-		31-00062J	7.210
-	A31-00062K	5.160	-		31-00062K	4.050
-	A31-00062L	1.580	-		31-00062L	1.240
-	-		-		31-00062	
-	-		-		31-00062E	
-	-		-		31-00062G	
-	-		-		31-00062M	3.740
	TOTAL CFS	21.480				21.200

DIVERSION RATE REVIEW

	DATABASE	FIELD EXAMINER
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	N	N
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)		Y

NOTES:

See file. See also A31-00062Q, 62K, 62L

CLAIM NUMBER: A31-300628

AUTHENTICATION:

SIGNATURE: B. Gorton DATE: 6/19/00

NAME OF FIELD EXAMINER: Bryce A Gorton TITLE: SWA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:43:51
03/13/95

QUICKLOOK INFORMATION

CLAIM NUMBER: 51-00062A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y				BAC CUR 6/19/02			
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
MAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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SEP 10 2001

Department of Water Resources

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 31-62A**
	)	
Case No. 39576	)	
	)	**STANDARD FORM 1**
	)	**OBJECTION**
	)	
	)	

NAME AND ADDRESS OF PERSON OBJECTING

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050

Daytime Phone: (208) 334-0200

Name & Address of Attorney, if any:

Attorney Name: ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

Attorney Address: 954 West Jefferson Street
PO Box 83720
Boise, Idaho 83720-0050

Attorney Phone No. (208) 334-0200
Idaho State Bar # 3453

CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Loren McGarry Ranches
Address: HC 69, Box 1070
Hamer, Idaho 83425

I object to the following elements as recommended in the Director's Report.

1. ☒ **Name and Address**
   Should be: Idaho Department of Lands
   954 West Jefferson Street
   PO Box 83720
   Boise, Idaho 83720-0050

2. ☐ **Source**
   Should be: As claimed

3. ☐ **Quantity**
   Should be: As claimed

4. ☐ **Priority Date**
   Should be: As claimed

5. ☐ **Point(s) of Diversion**
   Should be: As claimed

6. ☐ **Instream Flow Description**
   Should be: As claimed

7. ☐ **Purpose(s) of Use**
   Should be: As claimed

8. ☐ **Period of Year**
   Should be: As claimed

9. ☐ **Place of Use**
   Should be: As claimed

10. **I object because:**

☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING OBJECTION(S):

The State of Idaho, through the Idaho Department of Lands, is the owner of a portion of the land upon which use is claimed. This land is State Public School endowment land. This land is more particularly described as the NE¼NE¼ of Section 4, Township 6 North, Range 36 East, Boise Meridian. The claimant does not have a valid water right for use on the endowment land because a private claim cannot be made on such lands.

VERIFICATION

State of Idaho)
) ss.
County of Ada)

Steven J. Schuster, duly sworn, upon oath, deposes and says:

That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands which is a party/claimant in this proceeding as defined by I.C. § 42-1401A (1) and (6), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

ALAN G. LANCE
Attorney General
CLIVE J. STRONG
Deputy Attorney General
STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

Steven J. Schuster

STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

Subscribed and sworn to before me on this 6th day of September 2001.

SUZANNE M. COOLEY NOTARY PUBLIC STATE OF IDAHO

Suzanne M. Cooley

Notary Public for Idaho
Residing at: Boise, ID
My Commission expires: 7-22-2002

CERTIFICATE OF MAILING

I certify that on this 6th day of September, 2001, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: Loren McGarry Ranches
Address: HC 69, Box 1070
Hamer, Idaho 83425

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, Idaho 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724

Steven J. Schuster

STEVEN J. SCHUSTER
Deputy Attorney General
Idaho Department of Lands

Ernie

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OCT 17 2001
Department of Water Resources
Eastern Region

October 2, 2001

State of Idaho
Idaho Department of Lands
954 West Jefferson Street
Boise, ID 83720

Dept. of Lands:

Loren McGarry Ranches, Hamer, Idaho wishes to relinquish any claim to the water rights on the land located at NE1/4 NE1/4 of Section 4, Township 6 North, Range 36 East, Boise Meridian.

Thank you,

Loren P. McGarry

Loren McGarry
Loren McGarry Ranches

Copies:
Clerk of the District Court - Snake River Basin
IDWR Document Depository
Chief, Natural Resources Division - Office of the Attorney General
United States Department of Justice - Environment and Natural Resource Division

Basi	Seque	Spli	Basis	Status	Priority Da	Diversi	Source Li	Water Use	Owner List	Vers	Source Ta
31	62	A	Beneficial	Active	########	4.03	GROUND	IRRIGATIC	LOREN MCGARRY RANCHES (Current)		wrAdjudica
31	63	A	Beneficial	Active	5/1/1928	1.67	GROUND	IRRIGATIC	LOREN MCGARRY RANCHES (Current)		wrAdjudica
31	7270		License	Active	########	4.64	GROUND	IRRIGATIC	LOREN MCGARRY RANCHES (Current)		wrAdjudica
31	62	A	Decreed	Active	########	4.03	GROUND	IRRIGATIC	LOREN MCGARRY RANCHES (Current)	1	wrAdjudica
31	63	A	Decreed	Active	5/1/1928	1.67	GROUND	IRRIGATIC	LOREN MCGARRY RANCHES (Current)	1	wrAdjudica
31	7270		License	Active	########	4.64	GROUND	IRRIGATIC	LOREN MCGARRY RANCHES (Current)	1	wrAdjudica
31	62	K	Decreed	Active	########	4.03	GROUND	IRRIGATIC	LOREN MCGARRY RANCHES (Current)		wrWaterRi
31	63	K	Decreed	Active	5/1/1928	1.67	GROUND	IRRIGATIC	LOREN MCGARRY RANCHES (Current)		wrWaterRi
31	7270		License	Active	########	4.64	GROUND	IRRIGATIC	MC GARRY, LOREN J (Current)		wrWaterRi

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Department of Water Resources

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NOV 19 2001
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	)	A. Subcase No. 31-00062A
	)	
Case No. 39576	)	**STANDARD FORM 2**
	)	**RESPONSE TO OBJECTION**
_____	)	

B. NAME AND ADDRESS OF PERSON RESPONDING:

Name: United States of America, acting through the USDA Forest Service
Address: 550 W. Fort St. MSC 033
Boise, ID 83724

Name and Address of Attorney:

Attorney Name: David L. Negri
Attorney Address: United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St. MSC 033
Boise, ID 83724
Attorney Phone: (208) 331-5943

C. NAME AND ADDRESS OF PERSON WHO FILED OBJECTION TO WHICH YOU ARE RESPONDING:

Name: Idaho Department of Lands
Address: 954 West Jefferson Street
P.O. Box 83720
Boise, ID 83720-0050

D. I am responding to the objection(s) to the following elements:

1. X Name and Address

2. ☐ Source

3. ☐ Quantity

4. ☐ Priority Date

5. ☐ Point(s) of Diversion

6. ☐ Instream Flow Description

7. ☐ Purpose(s) of Use

8. ☐ Period of Year

9. ☐ Place of Use

11. Recommendation:

☐ This water right should not exist

☐ This water right was not recommended, but should be recommended with the elements described above.

VERIFICATION

State of Idaho)
) ss.
County of Ada)

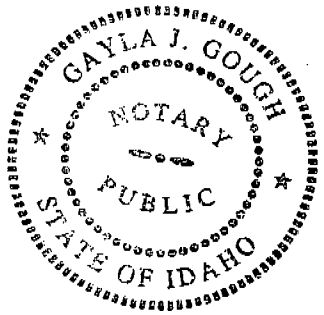
MICHAEL COLLETTE, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this response, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding, and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

Michael Collette

David L. Negri
United States Department of Justice

Subscribed and sworn to before me on: November 8, 2001



(seal)

Gayla J. Gough
Notary Public for: Idaho
Residing at: Kuna, Idaho
My Commission Expires: 11-17-2004

CERTIFICATE OF MAILING

I certify that on November 9, 2001, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original BY HAND DELIVERY to:

   Clerk of the District Court
   Snake River Basin Adjudication
   P.O. Box 2707
   Twin Falls, ID 83303-2707

2. One copy by U.S. Mail to the claimant of the water right at the following address:

   Loren McGarry Ranches
   HC 69 Box 1070
   Hamer, Idaho 83425

3. One copy by U.S. Mail to the party who filed the objection at the following address:

   Steven J. Shuster
   Deputy Attorney General
   Idaho Department of Lands
   954 West Jefferson Street
   P.O. Box 83720
   Boise, Idaho 83720-0050

4. Copies by U.S. Mail to:

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

   Chief, Natural Resources Division
   Office of the Attorney General
   State of Idaho
   P.O. Box 44449
   Boise, ID 83711-4449

   United States Department of Justice
   Environment & Natural Resources Division
   550 West Fort Street, MSC 033
   Boise, ID 83724

David L. Negri

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Eastern Region

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Department of Water Resources

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: 31-62A**
	)	
	)	**AMENDED**
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:

Loren McGarry 2/25/02
Loren McGarry Date
Loren McGarry Ranches.

OBJECTOR:

Steven J. Schuster 3/4/02
Steven J. Schuster Date
Deputy Attorney General
Idaho Department of Lands

IDWR CONCURRENCE:

Carter Fritschle 2-14-02
Carter Fritschle Date
Adjudication Water Rights Supervisor, IDWR

Candice M. McHugh 2/14/02
Candice M. McHugh (As to Form) Date
Attorney for IDWR

02/12/2002

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

RIGHT NUMBER: 31-62A

NAME AND ADDRESS: LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER ID 83425

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 4.030 CFS
707.00 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1044.7 AF. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND 31-11619.

~~USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.70 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 881.5 AF. COMBINED RIGHT NOS.: 31-62A, 31-63A AND 31-7270.~~

PRIORITY DATE: 10/31/1917

POINT OF DIVERSION:

T07N R36E S27 NWSWSW Within JEFFERSON County
T07N R36E S33 SENWSE Within JEFFERSON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	5/01 9/01	4.030 CFS 707.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE MAY 1 AND AFTER SEPTEMBER 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within JEFFERSON County

T07N R36E S27	NWSW	40.0	T07N R36E S27	SWSW	38.0
T07N R36E S28	SESE	15.0	T07N R36E S33	NENE	31.0
T07N R36E S33	NWNE	18.0	T07N R36E S33	SWNE	19.0
T07N R36E S33	SENE	39.0	T07N R36E S33	NESE	40.0
T07N R36E S33	NWSE	20.0	T07N R36E S33	SWSE	15.0
T07N R36E S33	SESE	40.0	T07N R36E S34	SWSW	13.0
~~T06N R36E S04~~	~~NENE~~	~~3.0~~			

~~285~~ 328 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 339 ~~339.2~~ ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-62A, 31-63A, 31-7270, 31-11605 AND 31-11619.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~285~~ 328 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-62A, 31-63A AND 31-11605 ~~31-7270~~.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 202 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

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 - Decreed

RIGHT NO. 31-11605 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

~~THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE IN SECTION 27: 31-00062A, 31-00063A, 31-00062P, 31-00063P, 31-11605. THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE IN SECTION 33: 31-00062A, 31-00063A, 31-07270, AND 31-11619.~~

CERTIFICATE OF MAILING

I certify that on March 6, , 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

Steve J. Schuster
Deputy Attorney General
Idaho Department Of Lands
P.O. Box 83720
Boise, ID 83720-0050

Loren McGarry
Loren McGarry Ranches
HC 69 Box 1070
Hamer, ID 83425

Cathy Howard

Signature of person or attorney mailing the form

01/16/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: ~~February~~ March 9, 2001

Water right number: 31-62A

LOREN MCGARRY RANCHES
HC 69 BOX 1070
HAMER, ID 83425

Daytime Telephone Number: (208)662-5227
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Corner left off in NW, SW Sec 34

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ **I AGREE with this proposed recommendation: no changes need to be made.**

DATE: 2/21/001 **SIGNATURE:** [signature]

Please print your name: Pete McGARRY

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, (208) 525-7161

MEMORANDUM

To: A31-7141C File
Loren Mc Garry Ranches AJ File
31-62A
31-63A
31-727A

Fr: Bryce Contor

Date: 12/23/2000

Re: Phone conversations w/ Brent Dalling & Wade Yearsley

I called Brent to discuss whether he had irrigated any lands in the SESE. If he had, he could sign an amended claim asserting accomplished transfer, and I could recommend the full licensed acres.

Brent said he had not irrigated those lands, but that his predecessor Wade Yearsley would know if they had been irrigated prior to Brent's purchase.

We also discussed the lack of an AJ claim on the NWSW of section 27. This belongs to Mc Garry but Brent is interested because he is leasing the ground w/ an option to buy.

Brent stated that those lands had been irrigated by handlines out of Wade Yearsley's small well immediately to the North. I told Brent that Mc Garry had a post-67 transfer that may prevent asserting enlargement &/or accomplished transfer. but that I would look at the files Tuesday.

12/23/2000 (2)

I then called Wade Yearsley. He confirmed everything Brent had said and added some details.

The important details of these conversations are:

1) 31-7141C has only been used in the SWSE of section 28. The entire parcel is 20 acres. The feedlot has been present almost from the beginning. Therefore the original finding of about 15 or 16 acres is probably correct.

2) The diversion rate claimed & licensed for 31-7141C is 0.38 cfs, which is more than 0.02/acre on the recommendable acres. If NWMD exam shows current capacity requires the full 0.38, I plan to recommend the 0.38 with an appropriate 14-day volume limitation based on the 0.02/acre rate. This will be on the grounds that the developed diversion rate was within the original license authorization and is required for the installed system. Any injury can be asserted in the objection period.

3) When Wade Yearsley installed his small well, he had a lease arrangement with McGarry for the 40 acres just south of his 80 acres. He installed a pump designed for 4½ hundreds, as he recalls the design flow was about 800 GPM.

4) Wade watered the full 90 acres from this well up through about 1985. For two or three years thereafter, Justin Place rented the McGarry 40 and continued to use Yearsley's well for water supply. Sometime later the current pivot was installed & the McGarry 40 has been irrigated from McGarry's well in SWSW of 27 via the pivot.

Based on the above, I need to carefully review the McGarry claims & recommendations and post-87 transfers. One concern I discussed with Brent is that the post-87 transfers may prevent asserting enlargement / accomplished transfer.

However, I need to review with Harold Jones the status of enlargements & transfers at the time the McGarry transfers were approved. It may be that at that time, transfers could not recognize enlargements.

It also may be that the transfer only involved the Hamer Canal right and not the 7000-series license.

If possible, my plan is to assert an enlargement / and accomplished transfer of PD when Yearsley began irrigating the McGarry 40. Then, assert a second accomplished transfer of PD when the pivot was installed (back to the original licensed PD). of McGarry's 4000-series license

Bruce A. Conlon

To: A31-00062A
A31-00063A
A31-07270
Jennifer Crabtree
Fr: Bryce Contor
Date: 6/28/2000

Re: Change of Ownership

Mr. Huskinson was in the office today. He indicated that the McGarry family exercised their option to re-purchase this property, so there will be no change of ownership.

To: A31-00062A
A31-00063A
A31-07270
Fr: Bryce Contor
Date: 6/20/2000

Re: Change of Ownership

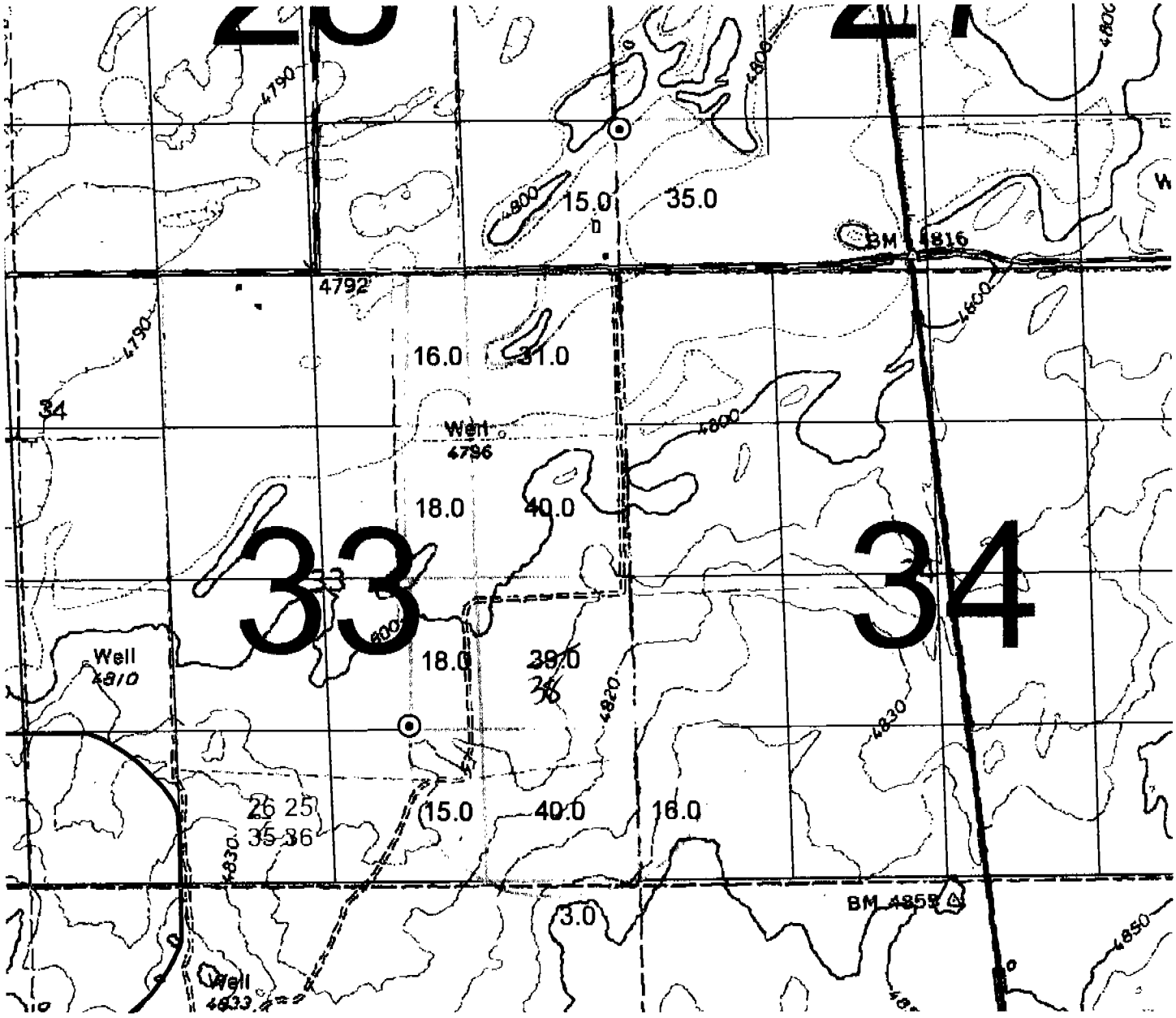
Today I talked w/ Scott Clawson, manager of Cornelison Farms. According to Scott, McGarry is still the owner of the POU of these rights, and Cornelison Farms has a long term lease - perhaps as long as 20 years.

The documentation submitted by Huskinson for the Change of Ownership appeared to include an option for McGarry to re-purchase the property within a certain time period. If Mr. Clawson's information is correct, apparently this has happened.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062A, 31-00063A, 31-07270

Township 6N Range 36E Section 4
Township 7N Range 35E Section 27, 38, 33, 34



0 1320 Feet

- Point of Diversion - This Water Right
- Point of Diversion - Other Water Rights
- Place of Use - This WR
- Place of Use - Other WR
- Sections
- Quarter-quarter Sections

N
W E
S

GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 6/2000

Form No. 222 8/84

Transfer No. 2984

Water Right No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Amended APPLICATION FOR TRANSFER OF WATER RIGHT Amended

APPROVED

To Change the Point of Diversion and/or the Place of Use

Name of applicant LOREN McGARRY RANCHES Phone 662-5227

Post Office address Hamer, ID 83425

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 33 Decreed to Hamer Canal Company (Name)

in case of Sauve vs Abbott

dated in 11-1-1930 in U.S. Dis. Court (Name of court) county of Jefferson

T. 2425/31-0062G

b. ~~Decree No.~~ 31-0063G issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Purchased with land.

3. Source of water groundwater tributary to _____

4. Date of priority 10-31-1917 (31-0062G) 5-1-1928 (31-0063G)

5. Water is used for the following purposes:

31-0062G amount 10.87 cfs for Irrigation purposes from 5-1 to 9-1

31-0063G amount 4.54 cfs for Irrigation purposes from 5-1 to 9-1

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 15.41 cubic feet per second &/or

b. _____ acre feet per annum

7. Location of original point of diversion is SE ¼ of SE ¼ of Section 22

Township 7N Range 36E, B.M., in Jefferson County

Additional points of diversion, if any NWSW, NESW and NWSE, Sec. 14, T. 7N, R. 36E

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	15													20			40	60
		22	20			33			30		32	40			33	40	40	40	308
		23					40	40	39	40	40	37	32	40	40	40	40	40	168
		26									38	40				5	32	2	117
		27	40	40	40				40			40	40						240
		28			20	40									40	40	40	40	220
		33	39	20	20	40									40	20	40	40	259
		34											40	40					80
		35						40	21						40	40	40	40	221

Total number of acres to be irrigated 1973

9. Describe any other water rights used for the same purpose as described above 31-2206, 31-2248 31-7287/7319/7203/2389/7141/7436/7102/7270/7298

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

DO NOT MICROFILM
From WR License File Microfiche

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. 4.03 31-0062G
1.67 31-0063G cubic feet per second &/or
b. 5.70 acre feet per annum

2. Point of diversion SE ¼ SE ¼, Section 22 Township 7N
Range 36E, B.M., Jefferson County
Additional points NWSW, NESW, NWSE, Sec. 14, T. 7N, R. 36E

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	27										40	40						80
		28																40	40
		33	39	20	20	40									40	20	34	40	253
		34											40	40					80

Total number of acres to be irrigated 453

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

a. Amount of water to be diverted 4.03 31-0062G
1.67 31-0063G c.f.s. &/or _____ acre feet
5.70

b. Description of diverting works 3 wells, open ditches and sprinkler systems.

c. Describe the reasons for the proposed changes We want to bring the record up to date with actual practices.

2. Change in point of diversion

Point of diversion SE ¼ SE ¼, Section 28 Township 7N
Range 36E, B.M., Jefferson County
Additional points SESE, Sec. 22, and NWSE, Sec. 33, T. 7N, R. 36E.

3. Change in place of use

a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
This application identifies the lands now irrigated by the applicant. The land left without water has not been irrigated.

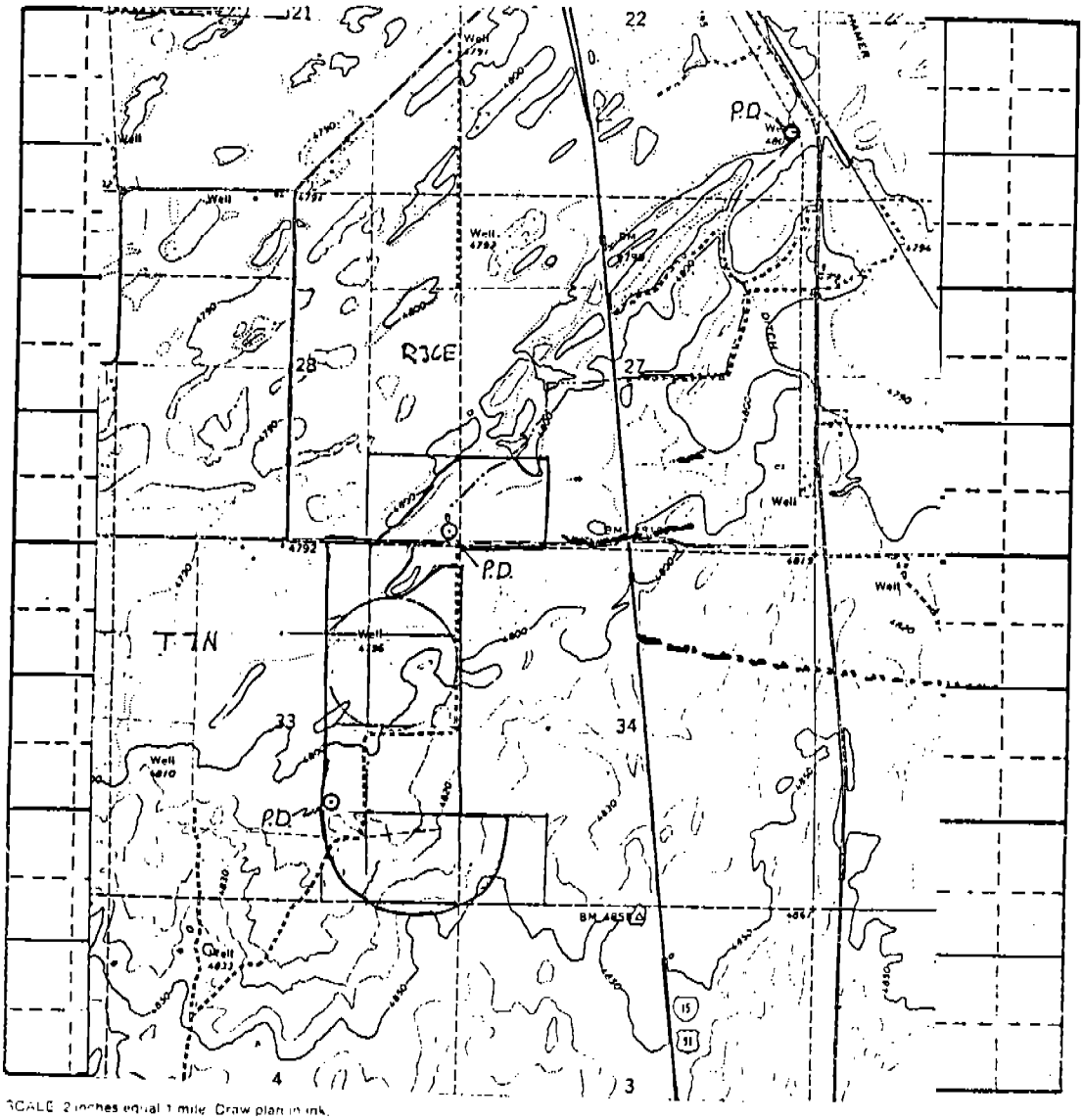
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DO NOT MICROFILM
From WR License File Microfiche
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TWP.	RANG[redacted]	SEC.	NE¼				NW¼				[redacted]				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	36E	27											35						35
		28																15	15
		33	31	16	18	40									38	18	15	40	216
		34											16						16
6N	36E	4	3																3

Total number of acres to be irrigated 285

4. Describe any other water rights used for the same purpose as described above. 31-7270

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE 2 inches equal 1 mile. Draw plan in ink.

****
DO NOT MICROFILM
From WR License File Microfiche
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D. REMARKS

This application provides a description of the actual land being irrigated with ground water and also changes the points of diversion so that water historically delivered by the Hamer Canal Co. can also be diverted directly from my two wells.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Teresa McGarry
(Signature of Applicant)

Subscribed and sworn to before me this 26 day of August, 19 85

Cheryl Thompson
(Notary Public)

My commission expires March 30, 1988

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-0062K/0063K and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 30th day of December, 19 85

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by WJF Date _____ Protest filed by _____

Prelim. check by WJF Fee $30.00

Receipted by CW Date 9-19-85 #35203

Published in Jerome County Times

Pub. dates 10/10 & 10/17/85

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Watermaster recommendation requested on 10-11-85

WD #31 rec'd. 10-12-85

Recommended for approval denial

by RE Jun

DO NOT MICROFILM
From WR License File Microfiche

****
DO NOT MICROFILM
From WR License File Microfiche
****



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

June 16, 2000

Robert Huskinson
35 S Mill Hollow Road
Rexburg, ID 83440

Dear Mr. Huskinson:

I am returning the Notice of Change of Ownership you submitted in February for some of the Loren McGarry water rights.

The deed attached to the Notice references the place of use associated with McGarry rights A31-00062A, A31-00063A, and A31-07270. However, the Notice asks for ownership to be changed on rights A31-00141 and A31-00142.

If you wish to have the ownership of A31-00062A, A31-00063A, and A31-07270 changed to your name, please add them to the water right list on the Notice, and return it with the copy of the deed attached.

If you wish to have the ownership of A31-00141 and A31-00142 changed to your name, please also attach a deed documenting that you have purchased the place of use of these water rights. I have enclosed printouts of the water right for your convenience.

Note that effective July 1, there will be a fee of $25/water right for changes of ownership.

Please call me at 525-7161 if you have questions.

Sincerely,

Bryce A. Contor

Hamer Canal Company, a corporation. T.# 2403 2890 3394 2425 2984

31 0062

1917 - October 31 21.2 c.f.s.

31 0063

1928 - May 1 6.8 c.f.s.

Source: Waters pumped from wells driven in the bed of Turmin Lake.

T.# 2403, 2423 2890 2424 2984 2425 3394

Point of Diversion: In Turmin Lake, which is located in the Southwest Quarter of Section 14, Township 7 North, Range 36 East, B.M.

See Water Lic 1
31-2206

For use on the following described land, to-wit: The Southwest Quarter of Section 14; the Southeast Quarter of Section 15; the West Half of Section 23; the East Half, the Southwest Quarter, the North Half of the Northwest Quarter, and the Southeast Quarter of the Northwest Quarter of Section 22; the West Half, and the West Half of the Southeast Quarter of Section 26; the East Half, the Southwest Quarter, the Southeast Quarter of the Northwest Quarter of Section 27; the Southeast Quarter of the Southeast Quarter of Section 28; the East Half, and the Northwest Quarter of Section 35; the West Half of the West Half of Section 34; the North Half of the Northeast Quarter, the Southwest Quarter of the Northeast Quarter, the East Half of the Northwest Quarter, the Northwest Quarter of the Southeast Quarter, and the Northeast Quarter of the Southwest Quarter of Section 35 -- all being in Township 7 North, Range 36 East, B.M.

No. 33

****

Claim A31-00062A

Doc Source Suave V. Abbott

Date 6/8/00 Sig. bac

57

To: Splits of A31-00062 and A31-00063
Fr: Bryce A. Contor
Date: 3/16/2000

Re: Split analysis, competing claims.

These water rights are the splits of the original Hamer Canal Co. rights. They shared a common POU and common POD's. 31-00062 was for 21.2 cfs with priority 10/31/1917. 31-00063 was for 8.8 cfs with priority 5/1/1928. Total is 30.0 cfs. Both are groundwater rights.

Transfer 1584 added points of diversion. Subsequent transfers split off parts of the original right, as individual shareholders began diverting their shares from private wells on their own POU. Some subsequent transfers change POU or POD of these split-off portions. Adjudication claims have been received corresponding to each of these splits by formal transfer.

Following the formal transfers, a portion of the original rights remained unchanged, as recorded in WR record 31-00062Q and 31-00063Q. Competing adjudication claims have been filed on this remaining portion.

This memo outlines the history of splits, and gives some information on competing claims. It relies on the following documentation, which is filed with A31-00062A:

- GIS maps of history of formal transfers. Pages 1 through 10.
- GIS map of competing claims for the remaining portion (WR splits "62Q" and "63Q"). Page 11.
- GIS map showing 1987 irrigation of lands under WR splits "Q." Page 12.
- 1980 NAPP showing 1980 irrigation of lands under competing claims. Pages 13 and 14.
- Close-up from USGS map W41 showing Hamer Canal delivery system, enhanced by GIS. Page 15.
- Memo from president and past presidents of Hamer Canal Company regarding ownership of shares, June 25, 1983. Page 16.
- Affidavit from officials of Hamer Canal Company regarding ownership of shares, 1984. Page 17.

- Stipulation and Agreement of shareholders of Hamer Canal Company, 1980. Page 18.
- Ernie Carlsen memo of conversation w/ Neal Savage, June 1980. Page 19.
- Excerpt from USDA Water Facility Operations Proposal for the Hamer Canal Company, 1941. Pages 20 and 21.
- Second copy of Stipulation and Agreement with cfs notations. Page 22.
- Review of claims and comparison with Stipulation and Agreement. Pages 23 and 24.

The memo also relies on some documentation found in file A31-00062L regarding denied transfer application 2890, and conversations with Harold Jones and Ernie Carlsen. Jones and Carlsen were involved in the original transfers and in the investigation of application 2890.

I. History of Place of Use

While the decreed place of use covered approximately 3140 acres, Mr. Jones and Mr. Carlsen indicate that this was at best a service area rather than an actual place of use. With the severe leakage of the canal and the sandy soils in the area, 30 cfs would have been adequate for only a fraction of the original decreed acres.

GIS map # 12 shows that some of the areas covered by WR splits "Q" were not under irrigation in 1987 and likely had not been for some time. Jones and Carslen recall that additional GW licenses were developed for other lands under the Hamer Canal. Documentation in 31-00062L shows this for the Wade Yearsley places of use, and the WR and AJ databases bear this out for lands in section 23. Other places of use were not investigated.

It appears that all of the competing claims "L," "K," Q," and "S" all were under irrigation in 1980 and 1987. "L," however, is in a location that could not physically have been served by the Hamer Canal but would have to represent an accomplished transfer.. This claim in fact is based upon the denied transfer application 2890. Jones and Carlsen indicate that they found no evidence that no original Hamer Canal lands were dried up to accommodate the transfer. Conversation memos in A31-00062L indicate that the claimant acknowledges that all the original Hamer Canal lands were still being irrigated.

Claims "K," "Q," and "S" are in locations where irrigation from the Hamer Canal would have been physically possible.

II. Overlapping Water Rights on Competing Claims

Claims "L" are overlapped by license 31-02337 and claim A31-02337. The license authorizes 1.68 cfs on 84 acres (0.02 cfs/acre). The AJ claim is for 112 acres, which is substantiated by GIS analysis.

The claimant appears to have an ownership claim on the unallocated Hamer Canal rights (see "ownership" below). Because no Hamer Canal lands have been dewatered, the Hamer Canal rights will have to overlap the licensed right, rather than cover the enlargement acres. The license is already for 0.02 cfs/acre, but since the lands are surface irrigated, a Hubble analysis might justify additional diversion rate on the licensed 84 acres. However, this becomes problematic in light of the enlargement; how do we justify a need for additional diversion rate, and at the same time justify additional acres without additional diversion rate? (Note that NWMD measured over 6.0 cfs; the license is for 1.68.)

Claimant has been requested to provide additional documentation of the history of the use of the claimed right. Further analysis and investigation will be filed in A31-00062L. At first blush it appears that even though claimant may have title to the right, there has not been a valid accomplished transfer or enlargement of the original Hamer Canal rights. Upon receipt of documentation I will continue review.

Claims "Q" are not overlapped by any WR or claim. I've requested documentation of use and ownership from claimant. Upon receipt, I will begin CVR investigation.

Claims "S" are overlapped by beneficial use claim A31-10503 and license-based claim A31-07203. These overlaps have not been investigated. Ownership review below indicates the claimant does have an interest in the Hamer Canal rights. I have also requested documentation and will proceed with CVR review upon receipt.

III. Ownership

Documentation of ownership is incomplete and contradictory:

1. Memo from past presidents of Hamer Canal Co. (1983, p. 16) indicates that "existing water rights in the Upper Hamer Canal Company, now belong to Dave Murdock and Loren McGarry." This is contradicted, however, by Rene Shurtliff's ownership documentation in transfer 4911 (1997). It is unclear if there may also be others with legitimate claims to the water apparently granted to Murdock by this memo. Specifically, it is unclear who now has title to the shares of Shirley and Lounsbury (see items 3, 4, and 5).

2. Affidavit of officials of Hamer Canal Co. (1984, p. 17) indicate that Dave Murdock "has purchased water rights in excess of the amount he is still using" and that he specifically had purchased the rights to 212 acres in sections 22

and 28. Wade Yearsley, owner of the lands, provided an affidavit that the Hamer Canal Water had been used on those lands but no longer is, and that he had no claim on the Hamer Canal shares. However, documentation in A31-00062L shows that those places of use continued to be irrigated under other rights and claims.

3. Stipulation and Agreement (1980, p18) accounts for 18.1 cfs of the 30.0 decreed cfs. The Neal Savage conversation memo (1980, p. 19) indicates that all the shareholders signed the Stipulation and Agreement. However, the list itself appears to only be a list of shares proposed to be transferred out of the company. No number of shares is listed for signers Ralph Lounsbury, Loren McGarry, or Dan Murdock. Further, "zero" shares are listed for Rene Shurtliff.

4. Water Facilities Operation Proposal (Pages 20 and 21) indicates that in 1941 there were 322 shares of stock outstanding. The stipulation asserts 5 miners inches per share. Thirty CFS * 50 inches/cfs * 1 share/5 inches indicates 300 shares outstanding.

5. The copy of the Stipulation and Agreement with cfs notations (Page 22) accounts for all of the stipulated shares except Lynn Shirley's.

6. Review of Claims (Pages 23 and 24) identifies claims associated with McGarry ("A"), Murdock's original shares ("K"), and Shurtliff ("J").

   Murdock's "L" claim, and Dalling's "Q" claim, are not linked back to any signers of the Stipulation and Agreement or any of the stipulated shares.

   The review accounts for all the stipulated shares except Shirley's and all the signers except Lounsbury and Shirley.

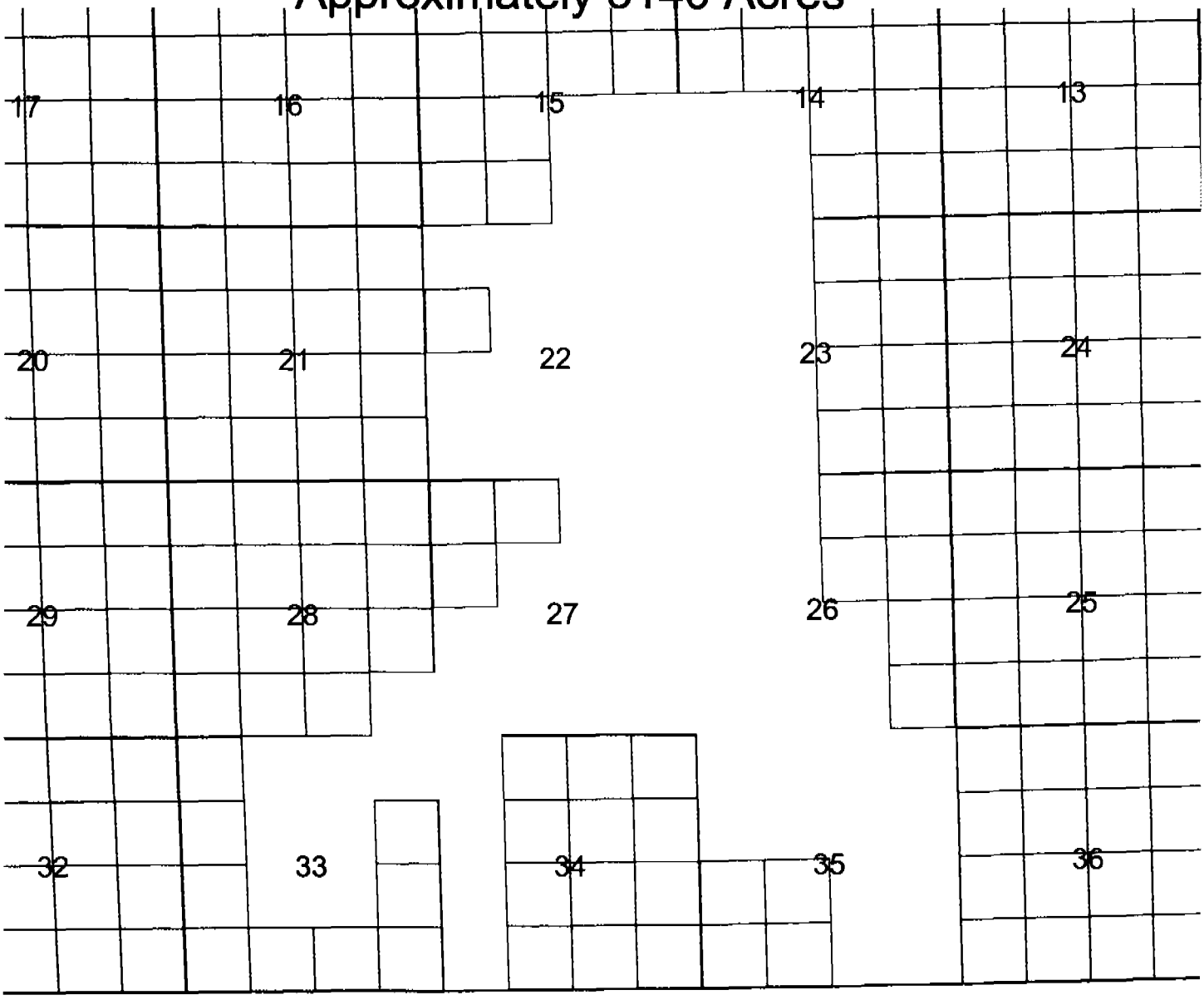
IV. Diversion Rate

The decreed diversion rate was 30.0 cfs. However, the Water Facilities Operation Proposal (Pages 20 and 21) indicates that in 1941, the canal was "assessing 322 shares of stock... and delivering approximately two miner's inches of water per share." This is only about 13 cfs. However, it is likely that part of the proposal, and part of transfer 1584, were efforts to recover diversion capacity lost to declining pumping water levels.

The formal transfers were all processed under the assumption that the original diversion rate was valid and I plan to do the same with AJ claims, as ownership and historical use documentation allows.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063
Original Decreed POU
Approximately 3140 Acres



Township 7 North Range 36 East

0 1320 Feet

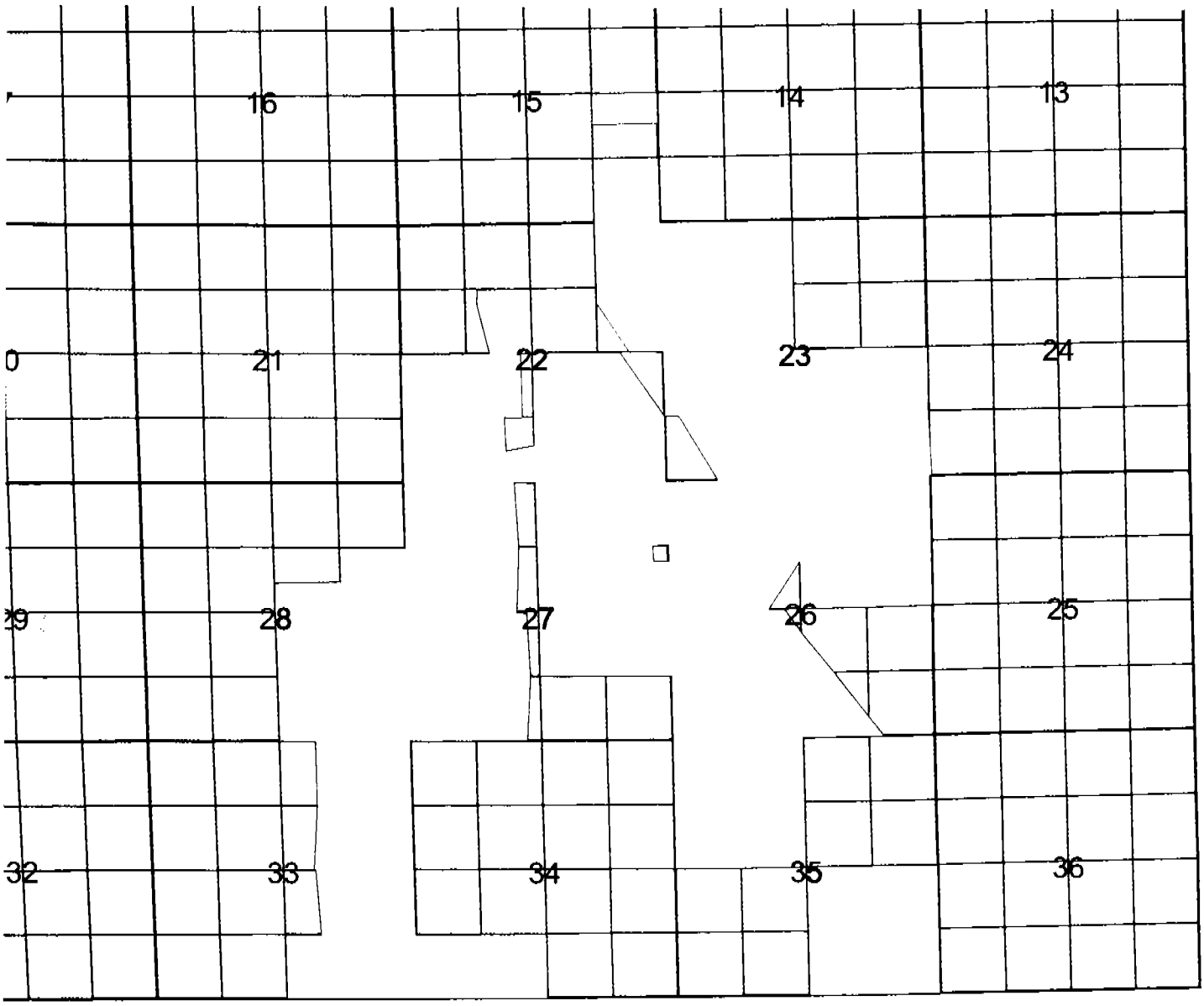
Point(s) of Diversion, This WR
Other Points of Diversion
Place of Use, This Right
Other Places of Use
Section Lines
Quarter-quarter Sections

N
W
E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

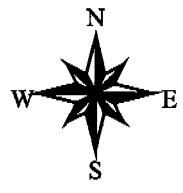
IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063
Transfer 1584 as described in T 2424 application
2836 Acres



Township 7 North Range 36 East

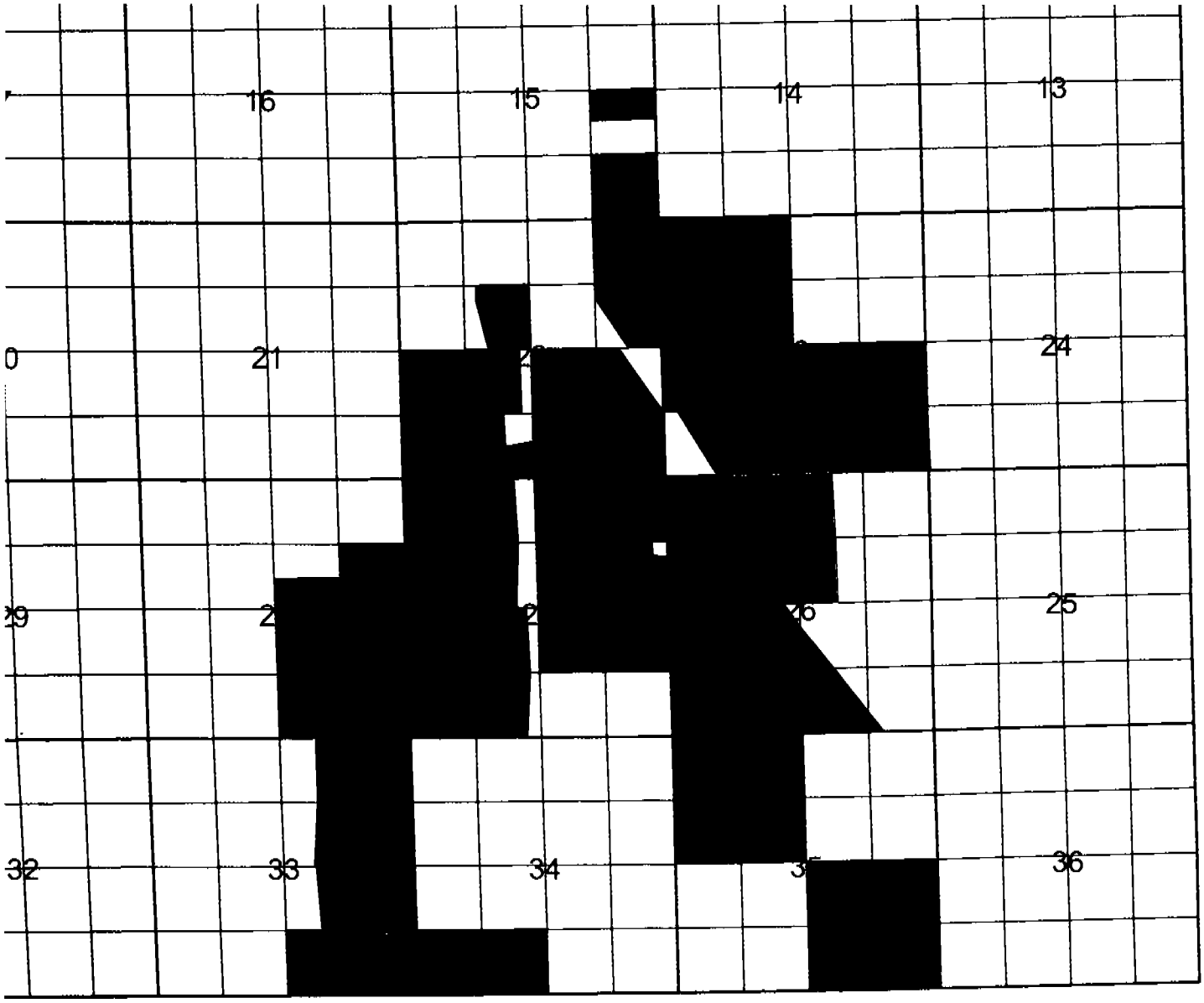
0 1320 Feet



Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063
Transfer 2424 removed 311 acres, added 190 acres
2715 Acres



Township 7 North Range 36 East

0 1320 Feet

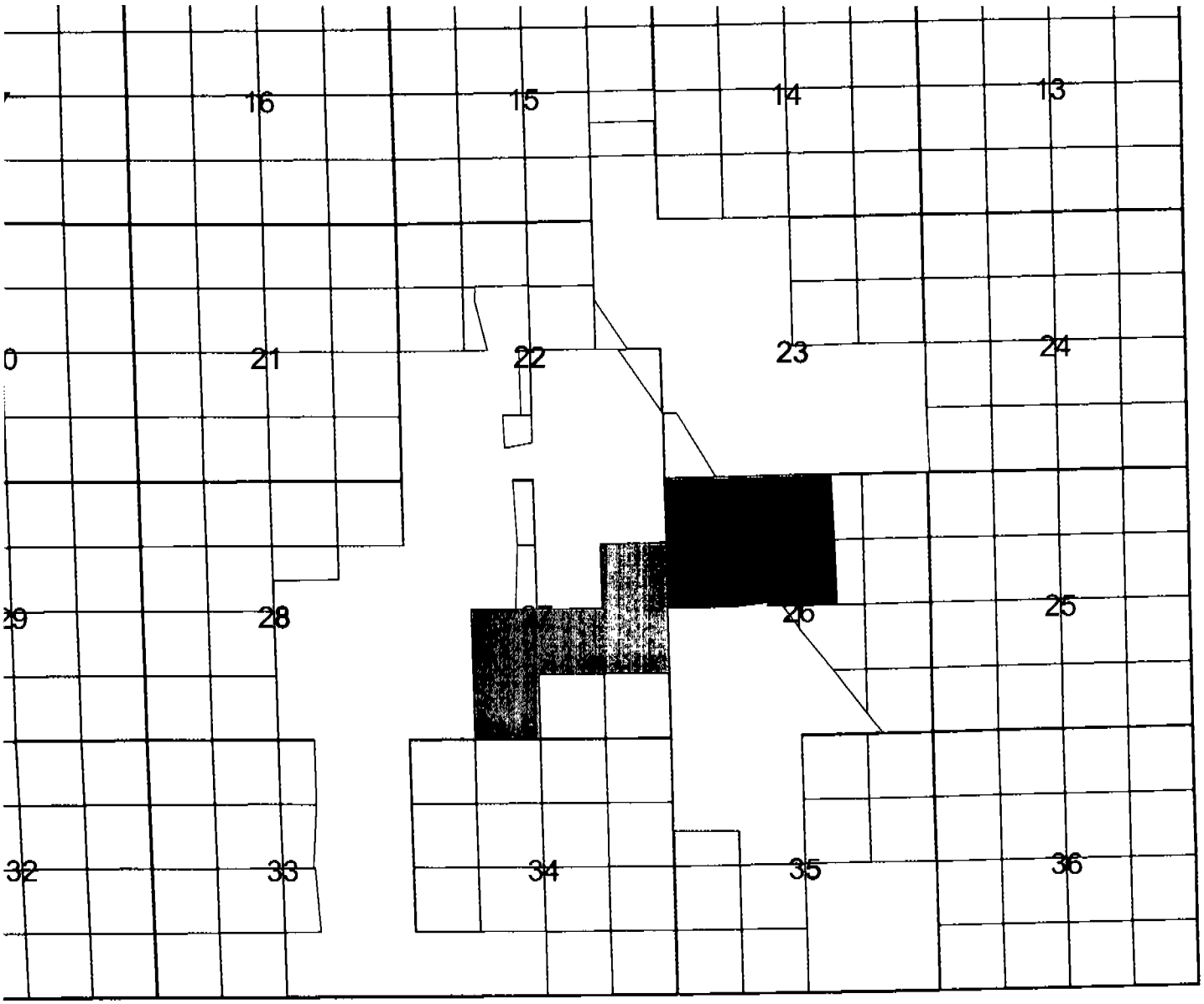
Grover Portion
Hamer Canal Portion

N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 4
Transfer 2423 , no reduction of acres
2715 Acres



Township 7 North Range 36 East

0 1320 Feet

Hamer Canal
Grover
Savage

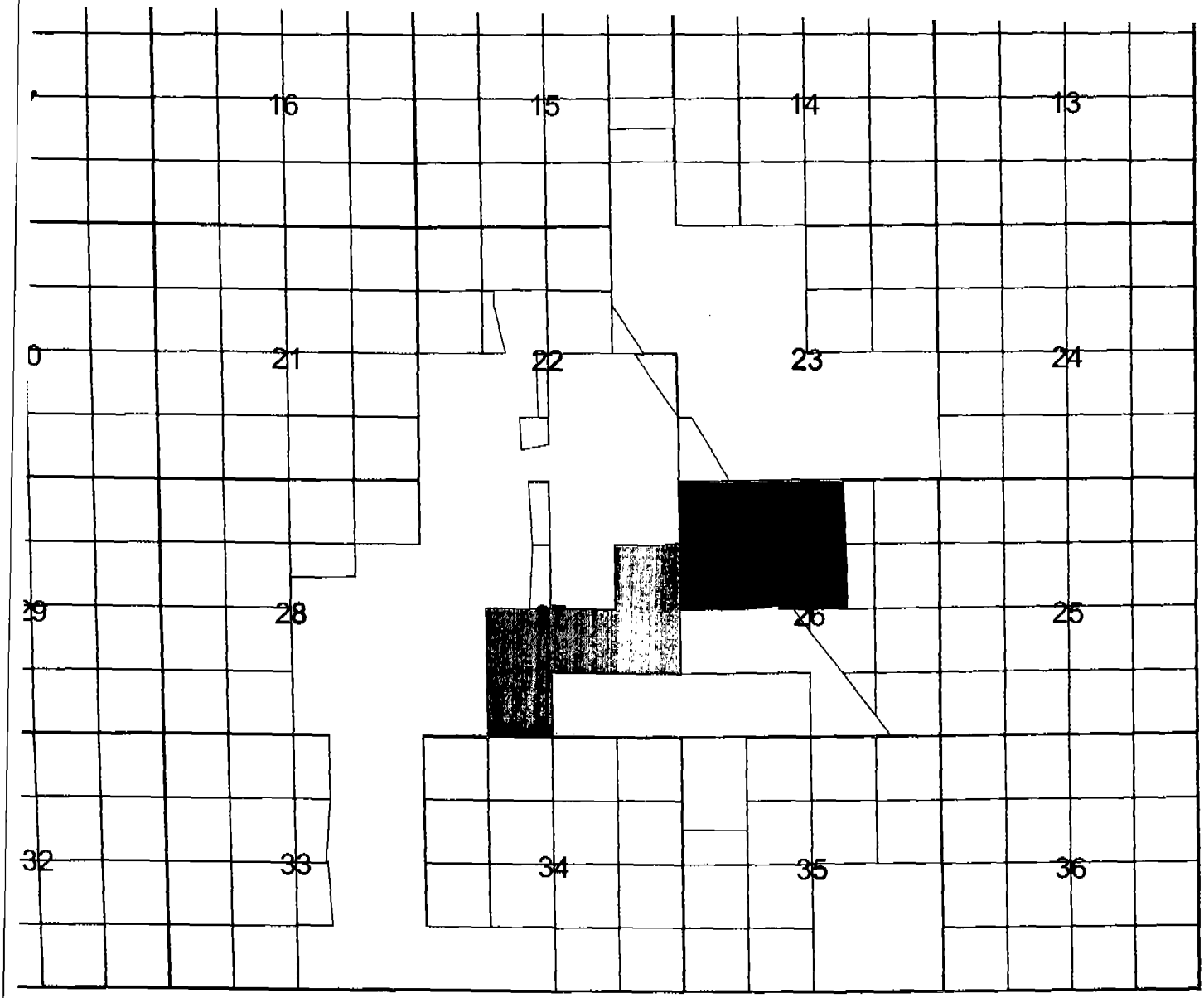
N
W
E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

4

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 5
Transfer 2403 , no reduction of acres
2715 Acres



Township 7 North Range 36 East

0 1320 Feet

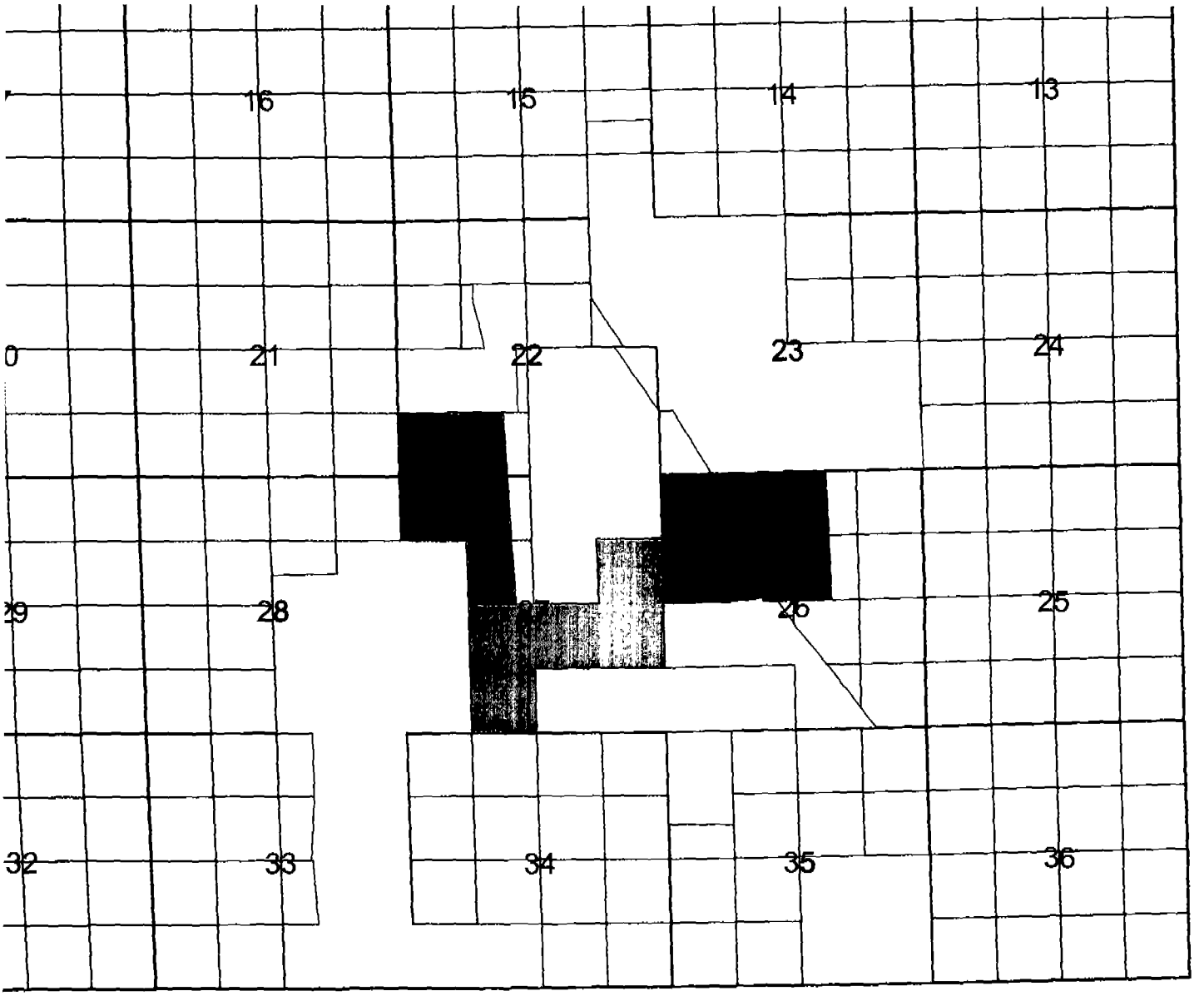
Hamer Canal
Grover
Savage

N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 6
Transfer 2425 removed 174 acres, added 155
2696 Acres



Township 7 North Range 36 East

0 1320 Feet

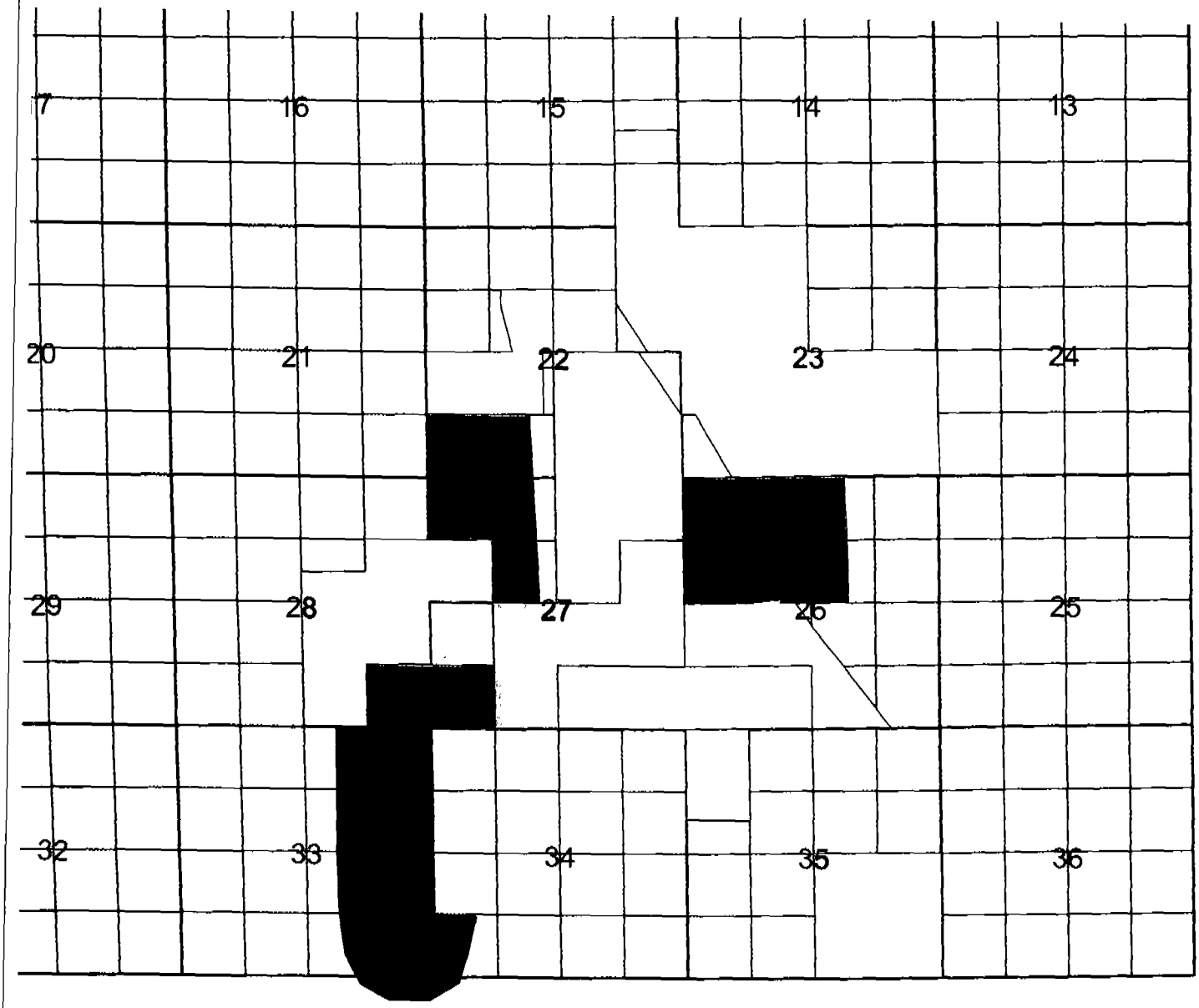
- Hamer Canal
- Grover
- Savage
- Sanders

N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 7
Transfer 2984 removed 453 acres, added 285
2528 Acres



Township 7 North Range 36 East

0 1320 Feet

- Hamer Canal
- Grover
- Savage
- Sanders
- McGarry

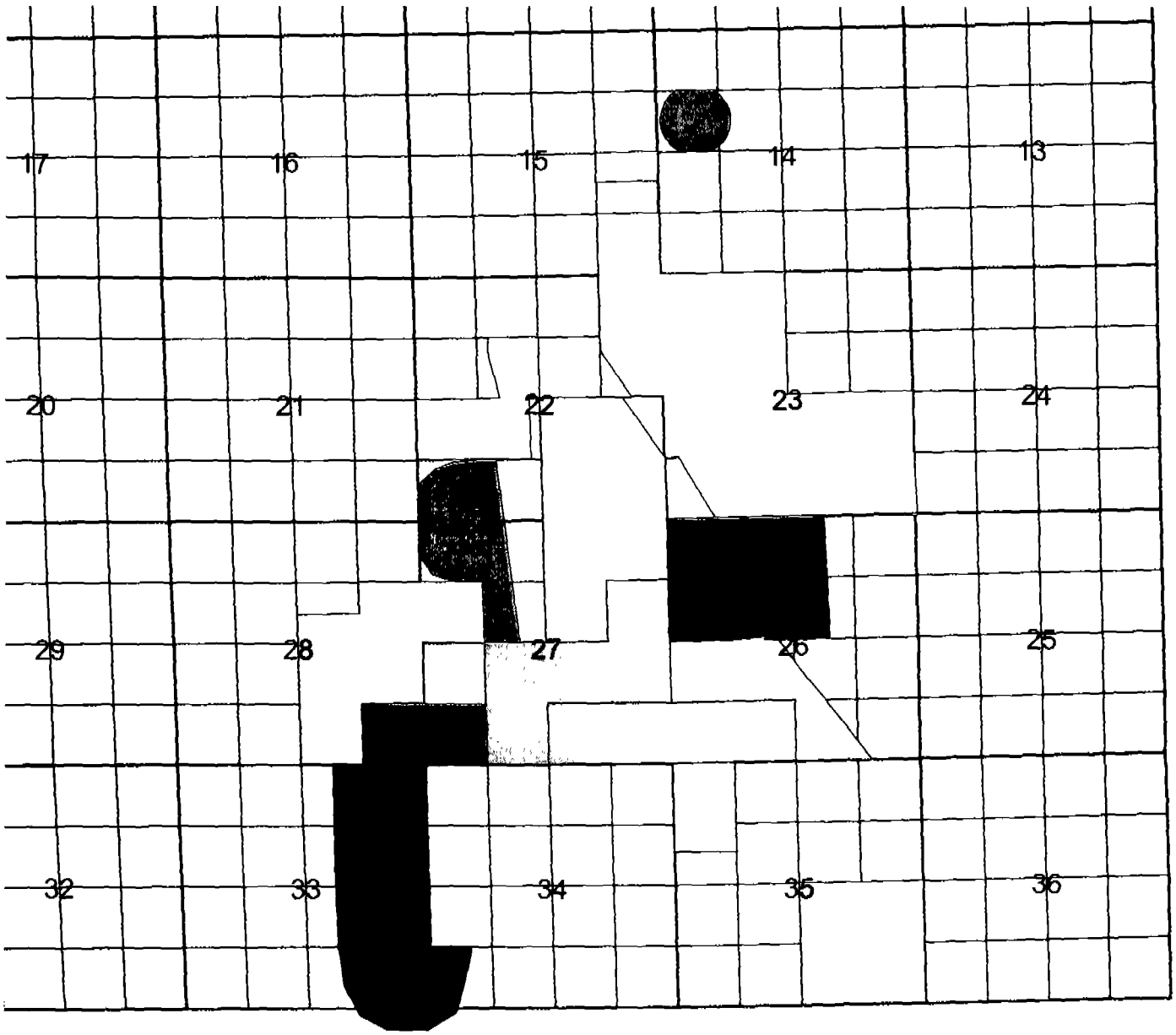
N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

7

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 8
Transfer 4932 change POU of Sanders Portion
2528 Acres



Township 7 North Range 36 East

0 1320 Feet

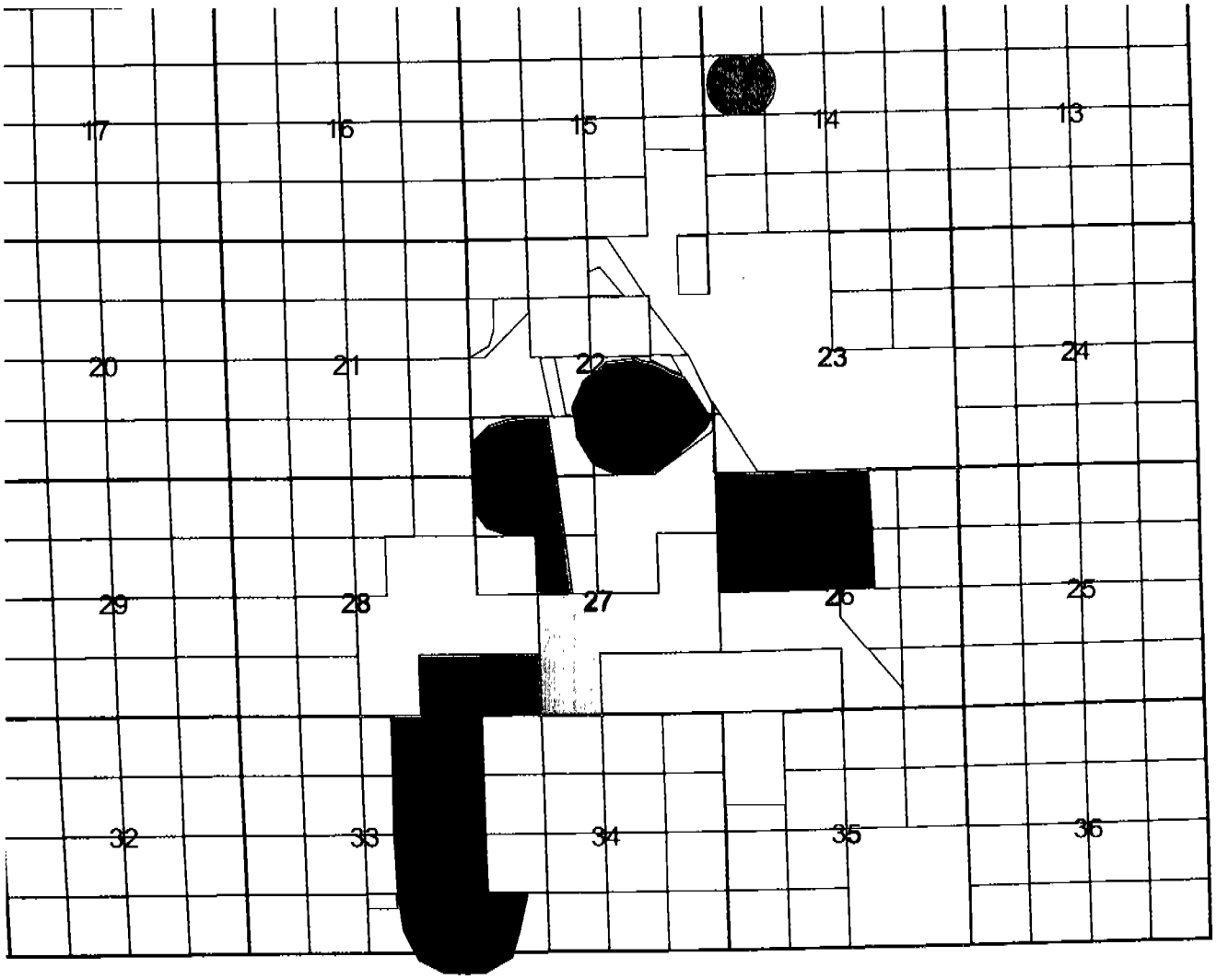
- Hamer Canal
- Grover
- Savage
- Sanders
- McGarry

N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 9
Transfer 4911
Hamer Canal List New in This Transfer



Township 7 North Range 36 East

0 1320 Feet

- Hamer Canal
- Grover
- Savage
- Sanders
- McGarry
- Shurtliff

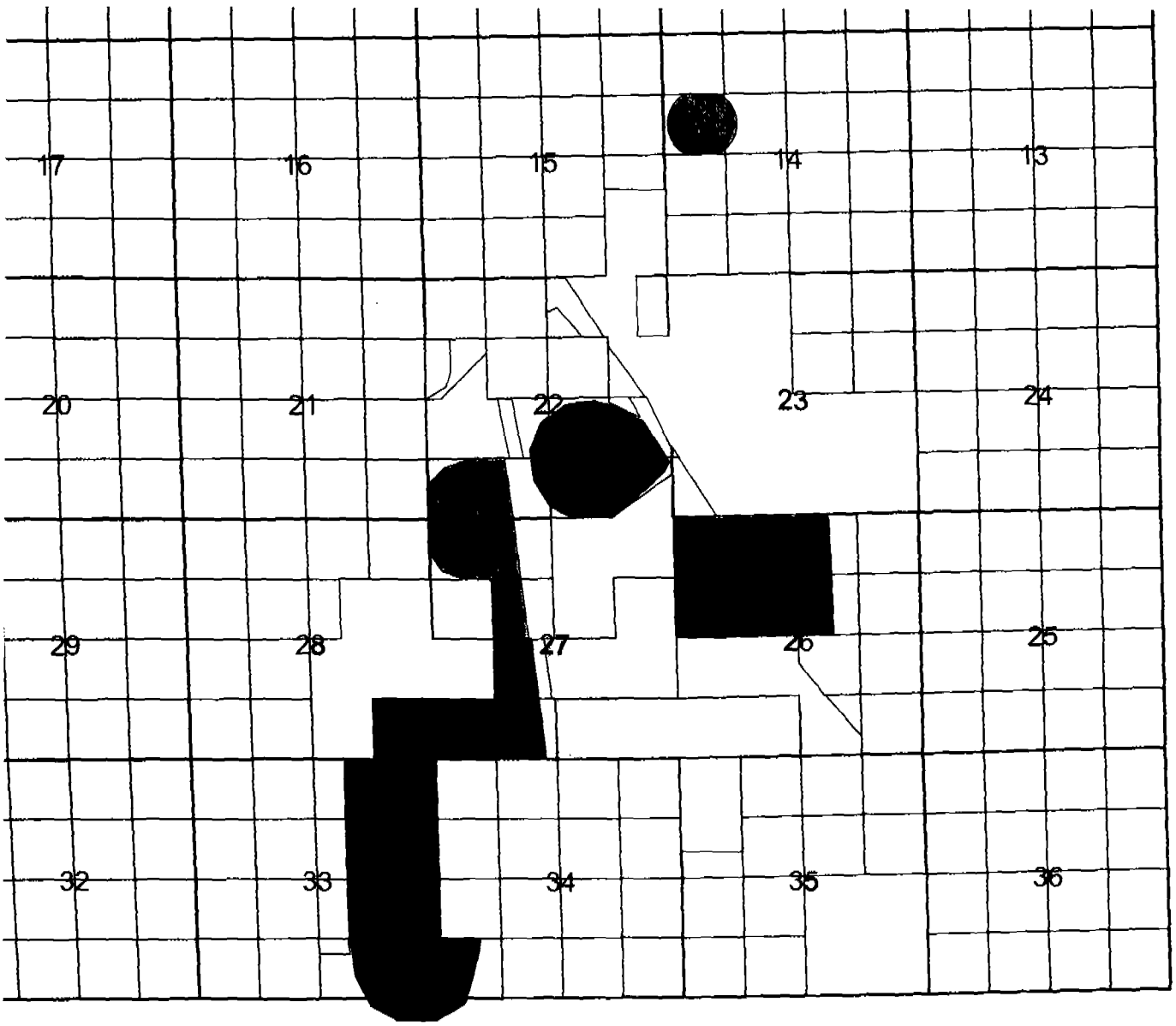
N
W E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

9

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 10
Transfer 4780, Splits Savage Right



Township 7 North Range 36 East

0 1320 Feet

Hamer Canal
Dalling
Grover
Savage
Sanders
McGarry
Shurtliff

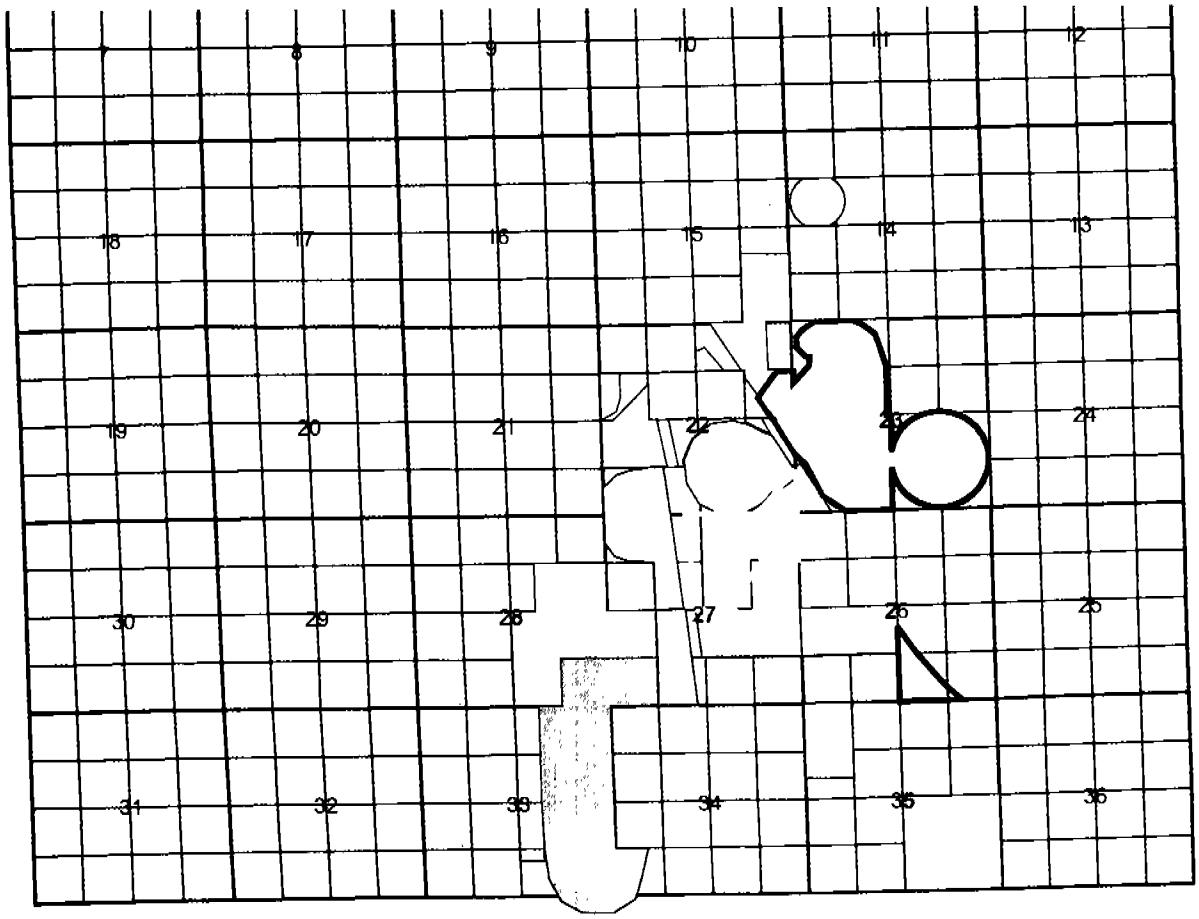
N
W
E
S

Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

10

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062, 31-00063, Step 11
Competing Claims for Hamer Canal Right
From Land List in Transfer 4911





Township 7 North Range 36 East

0 1320 Feet

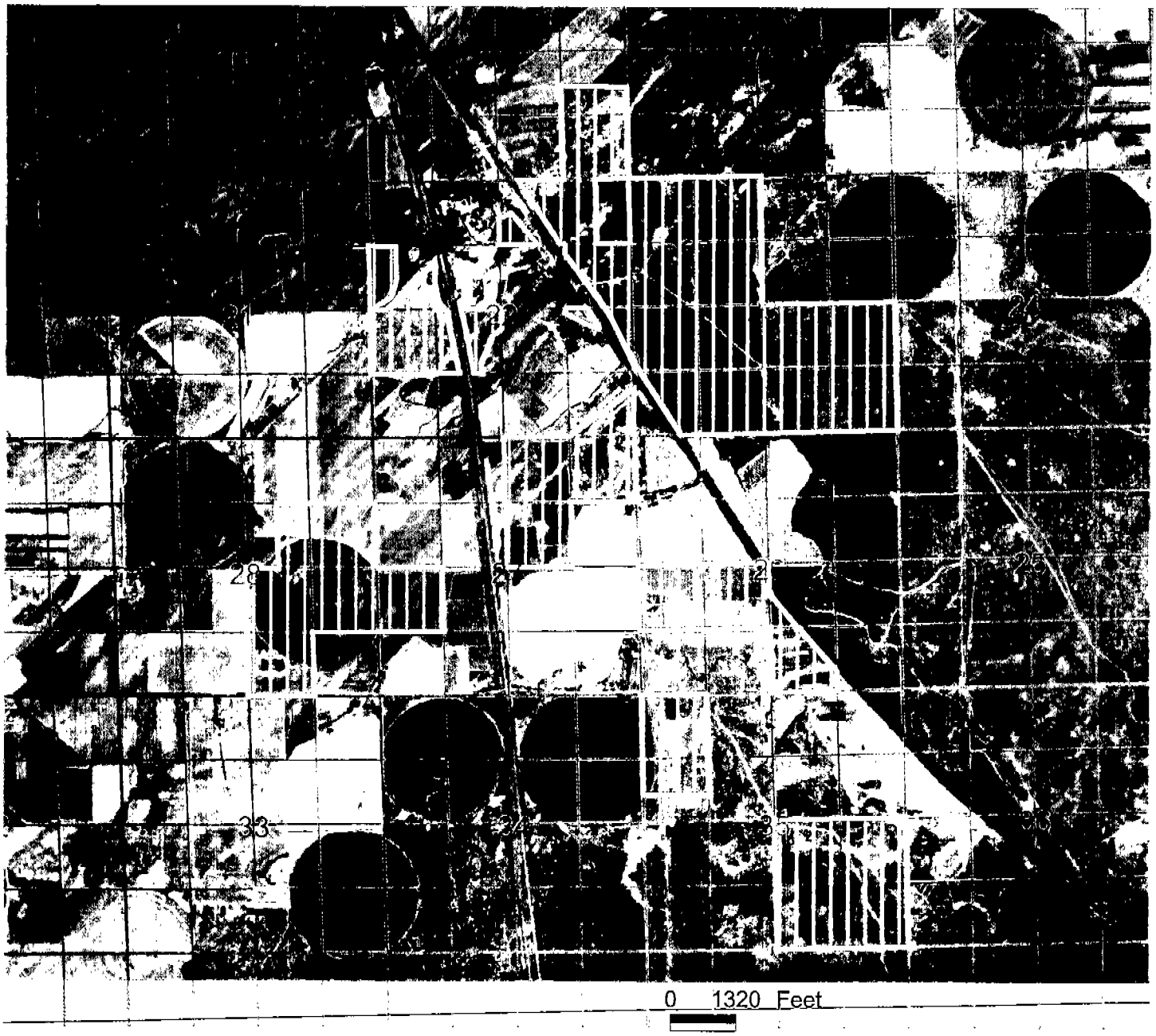
- Hamer Canal
- Formal Transfers
  - 31-00062K and 63K
  - 31-00062L and 63L
  - 31-00062Q and 63Q
  - 31-00062S and 63S

N
W E
S

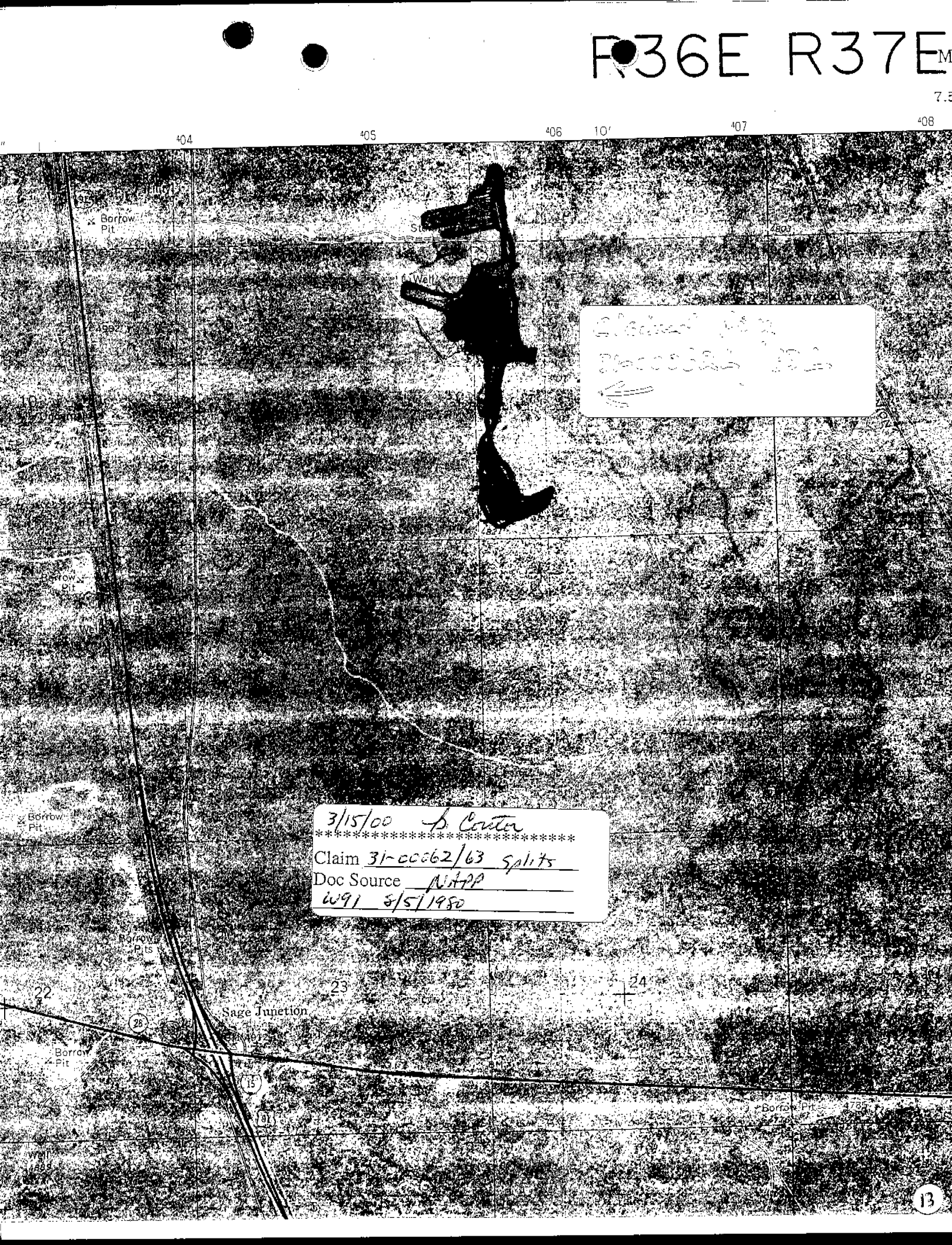
Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000

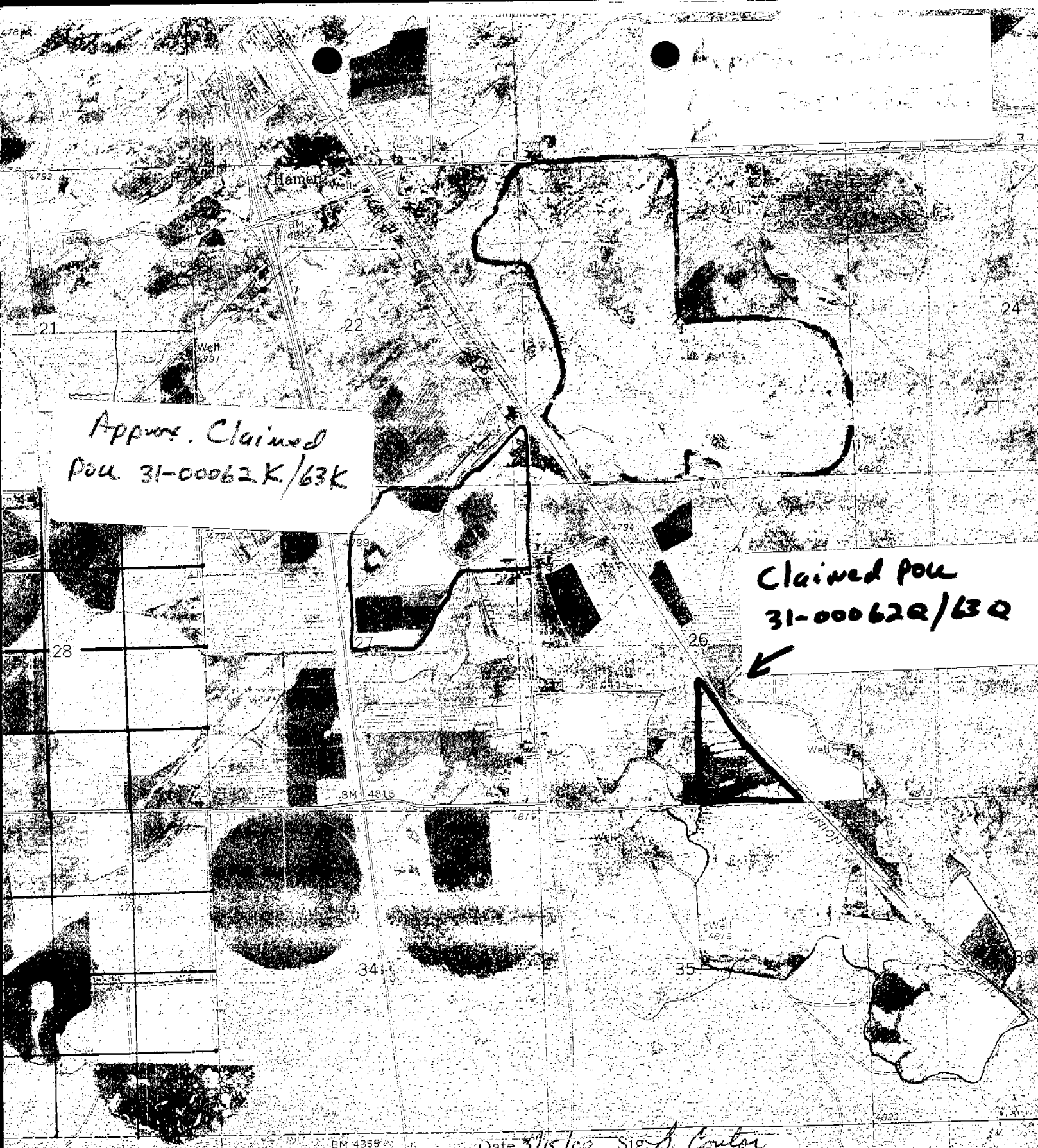
IDAHO DEPARTMENT OF WATER RESOURCES

WR 31-00062Q, 63Q
Place of Use Following Transfer 4911
Township 7 N Range 36E



Prepared by Bryce A. Contor from 1987/1988 NAPP Photography, 3/2000


R36E R37E
404
405
406
407
408
Borrow Pit
Well
Sage Junction
22
23
24
3/15/00 K. Carter
****
Claim 31-00062/63 splits
Doc Source NAPP
W91 8/5/1980



Date 3/15/00 Sig. L. Coulter

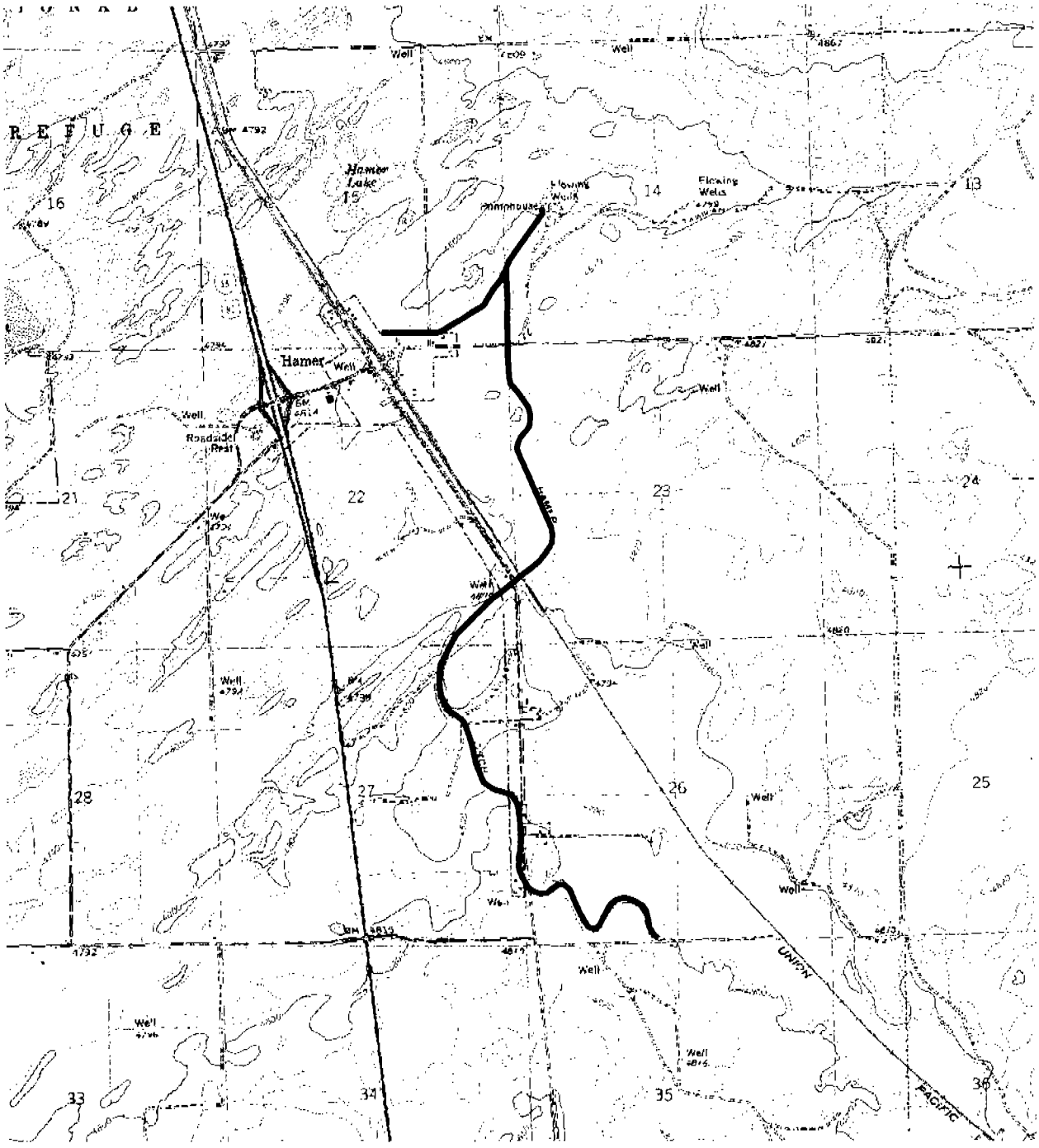
****

Claim A31-00062/63 Splits

Doc Source NIAPP

W41 4/9/1980

USGS Map W41
Showing Hamer Canal
(Enhanced by GIS)
T 7N R 36E



» «

MEMORANDUM
June 25, 1983

TO: John Carlson
Idaho Dept. of Water Resources
450 S. State Street
Boise, Idaho 83702

FROM: Dave Murdoch
1354 Three Fountains
Idaho Falls, Idaho 83401

RE: Water Rights in Hamer Canal
Carey Act Application

WE, THE PRESIDENT AND PAST PRESIDENTS OF THE HAMER CANAL COMPANY, DO CERTIFY THAT THE EXISTING WATER RIGHTS IN THE UPPER HAMER CANAL COMPANY, NOW BELONG TO DAVE MURDOCK AND LOREN McGARY.

Loren McGary:

Keith Driver:

Neil Savage:

Notary Public:
Date:

****
DO NOT MICROFILM
From WR License File Microfiche
****

16

IN THE MATTER OF:)
)
) AFFIDAVIT
)
)
)
)
State of Idaho)
County of _____)

_____ being first duly sworn,

deposes and says: We attest , as past officials of the Hamer Canal Co. that Dave Murdock has purchased water rights in excess of the amount he is still using from the canal. We further attest that Dave Murdock is the owner of those canal shares previously delivered to irrigate 312 acres of land located within the N½SW¼ Section 22; S½NE¼, N½SE¼, SW¼SE¼, Section 28 all in Township 7N, Range 36E, B.M., Jefferson County.

_____
(Signature)

Subscribed and sworn to before me this ___ day of _____, 19__

_____
(Notary Public)

Residing at _____
My Commission Expires _____

****
DO NOT MICROFILM
From WR License File Microfiche
****

STIPULATION AND AGREEMENT

We, the undersigned stockholders of Hamer Canal Company hereby agree to the following individuals transferring their shares of water in this Company to wells other than those presently owned by Hamer Canal.

Lynn Shirley	15 shares
Wesley Grover	38 shares
Reese Sanders	40 ~~37~~ shares
Aaron Savage	40 shares
Neal Savage	28 shares
Rene Shurtliff	0 shares
Grant Ashcraft	20 shares

The Decreed Water Rights for Hamer Canal Company are equivalent to 30.0 cfs or 1500 miners inches, and each share represents 5 miners inches.

Signed this _____ day of February, 1980.

Wesley L Grover
WESLEY GROVER

Ralph Lounsbury
RALPH LOUNSBURY

Loren McGary
LOREN McGARY

Dan Murdock
DAN MURDOCK

Reese Sanders
REESE SANDERS

Aaron Savage
AARON SAVAGE

Neal W Savage
NEAL SAVAGE

Rene Shurtliff
RENE SHURTLIFF

L. L. Shirley
Lynn Shirley

Grant Ashcraft
GRANT ASHCRAFT

Date 3/15/00 Sig. B. Coulton
****
Claim 31-00062/63 splits
Doc Source Hamer Canal
Special Area File

CONVERSATION MEMORANDUM

DATE June 2, 1980

FILE Transfers for water rights
No. 31-0062/0063

NAME OF PARTY Neal Savage

EMPLOYEE Ernest Carlsen EMC

RE: Hamer Canal Transfer

Today while Neal Savage was in the office we discussed the state office's concern about accepting the stipulation & agreement signed by the stock holders, as authorization for transferring the water. Mr. Savage indicated all the stock holders for Hamer Canal Co. signed the stipulation & he was fairly certain the Company's by laws stated such Transfers required approval by a majority of the stock holders. However, to eliminate any doubt he will provide a copy of the by-laws to accompany each application.

Date 3/15/00 Sig. B. Coulter
****
Claim 31-00062/63 Splits
Doc Source Hamer Special Area File

#2

UNITED STATES DEPARTMENT OF AGRICULTURE
BUREAU OF AGRICULTURAL ECONOMICS

WATER FACILITIES OPERATIONS PROPOSAL

FOR THE

HAMER CANAL COMPANY

MUD LAKE BASIN, IDAHO

Page 23
Water facilities operations Proposal for Hamer Canal
1 share = 5 miners inches

WATER UTILIZATION SECTION
DIVISION OF LAND ECONOMICS

OCTOBER 1941

Date 3/15/00 Sig. B. Coulter
****
Claim 31-00062/63 5 pl. hrs
Doc Source Hamer Canal Special Area File

Organization

The Hamer Canal Company is a non-profit water users association incorporated in 1918. It was originally capitalized at $12,500 and issued 500 shares of stock at $25.00 per share. Each share of stock was intended to entitle the user to five miner's inches of water, continuous flow. 1/ At the present time the company is assessing 322 shares of stock and is delivering approximately two miner's inches of water per share. A board of five directors, elected by the stockholders, is authorized to levy assessments, employ watermasters, develop additional water supplies, and fix charges for distribution of water. Two members of the board receive salaries. The secretary receives $100 per year and the treasurer $25 per year. Present salary of the watermaster is $350 per season. Water rights have been decreed to the company which distributes the water in amounts proportionate to the number of shares of stock held by individual members.

Lands of the company are shown on Map 1 and are described under the section on the water rights in the proposal.

Present Water Use

The pumping plants of the Hamer Canal Company were struck by lightning the latter part of July, temporarily disabling both motors. As a result of the emergency demand for assistance to replace the plant in operating condition, assistance was requested

1/ One miner's inch of water, by Idaho statute, is equal to one fiftieth of one cubic foot per second.

Date 3/15/00 Sig. D. Coulter
****
Claim 31-00062/63 Splits
Doc Source 1941 "Water Facts
Operators Propose" from
Hamer Canal Special Area File

STIPULATION AND AGREEMENT

We, the undersigned stockholders of Hamer Canal Company hereby agree to the following individuals transferring their shares of water in this Company to wells other than those presently owned by Hamer Canal.

Lynn Shirley	15 shares	1.5 cfs
Wesley Grover	38 shares	3.8 cfs – Cory Petersen
Reese Sanders	40 ~~39~~ shares	4.0 cfs – Sanders 3.48 — Savage, Dalling
Aaron Savage	40 shares	4.0 cfs — Σ = 18.1 cfs
Neal Savage	28 shares	2.8 cfs – Neal Savage
Rene Shurtliff	0 shares	0 cfs – Shurtliff 2.30
Grant Ashcraft	20 shares	2.0 cfs – Ashcraft 2.0

The Decreed Water Rights for Hamer Canal Company are equivalent to 30.0 cfs or 1500 miners inches, and each share represents .5 miners inches.

Signed this _____ day of February, 1980.

Wesley Grover
WESLEY GROVER

Ralph Lounsbury
RALPH LOUNSBURY

Loren McGary
LOREN McGARY

Dan Murdock
DAN MURDOCK

Reese Sanders
REESE SANDERS

Aaron Savage
AARON SAVAGE

Neal Savage
NEAL SAVAGE

Rene Shurtliff
RENE SHURTLIFF

L. L. Shirley
Lynn Shirley

Grant Ashcraft
GRANT ASHCRAFT

****
Claim 31-00062 and 63 splits
Doc Source WR File, Vault, Boise - 31-00062
Date 2/25/00 Sig. B. Conlon

MICROFILMED

A31-00062/63 Review of Claims

Claims Based on Transfers

AS	WR	cfs	claimant		Stipulation Link
62A	62K	4.03	McGary	5.70	?
63A	63K	1.67			
62C	62L	1.24	Neal Savage	1.76	Neal Savage 2.8 cfs
63C	63L	0.51			
62F	62F	2.69	Cory Peterson (Grover)	3.80	Wesley Grover 3.8 cfs
63F	63F	1.11			
62H	62H	2.46	Reese Sanders	3.48	Reese Sanders 4.0 cfs
63H	63H	1.02			
62J	62R	1.61	Shuntich	2.30	Rene Shuntich 0.0 cfs
63J	63R	0.69			
62N	62N	2.12	Aaron Savage	3.0	Aaron Savage 4.0 cfs
63N	63N	0.88			
62P	62P	0.71	Brent Dalling (Aaron Savage)	1.0	
63P	63P	0.29			

A31-00062/63

Claims based on BWR split Q

AJ	cfs	claimant		Stipulation Link
62K	3.16	> Murdock	6.32	?
63K	3.16			
62L	1.58	> Murdock	2.24	?
63L	0.66			
62Q	0.55	> Dalling	0.78	?
63Q	0.23			
625	0.59	> Ashcraft	2.00	Ashcraft 2.0
635	1.41			

To: Splits of A31-00062
Fr: Bryce A. Contor
Date: 2/17/2000

Re: Split History

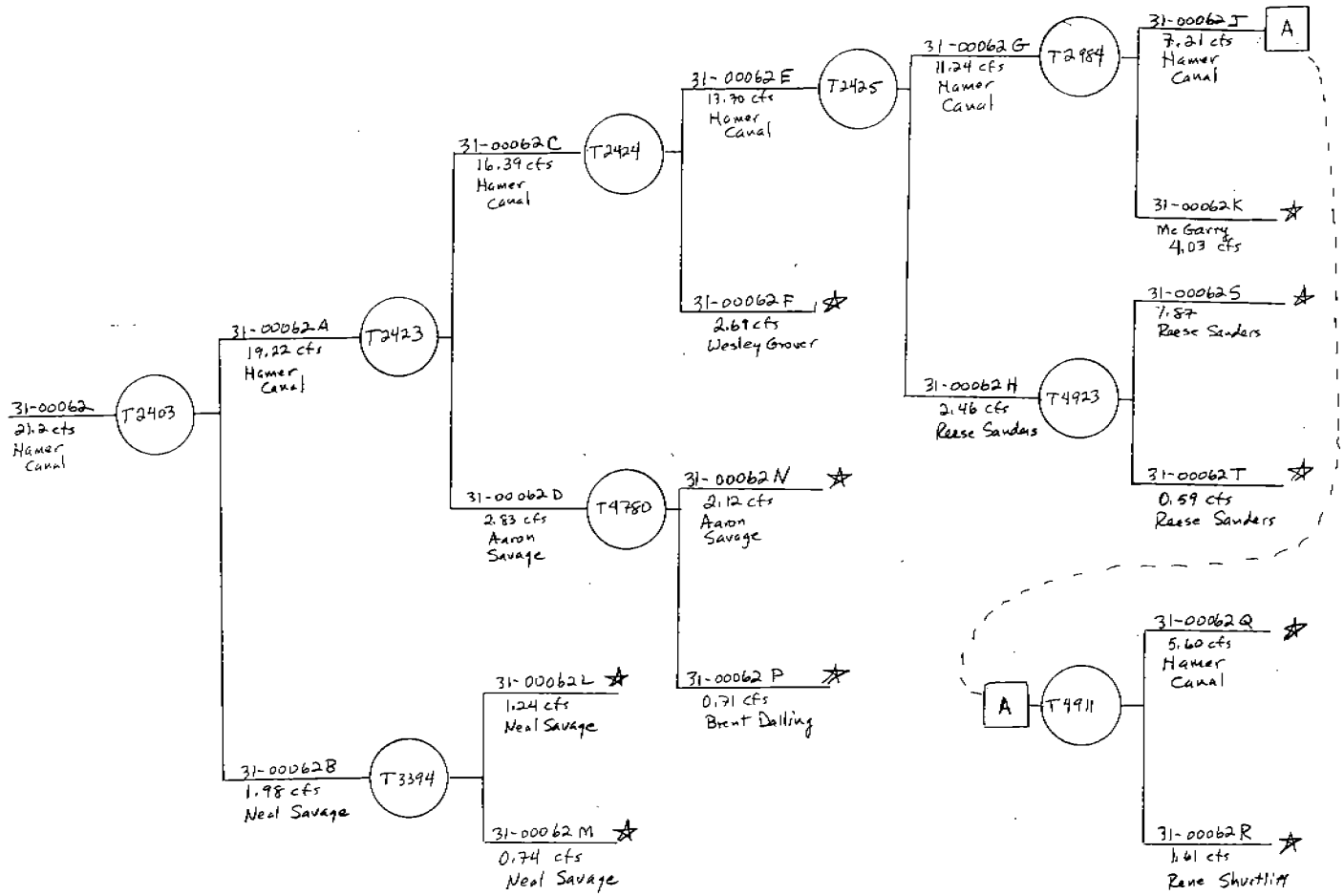
Attached are split histories for the WR side and AJ side. Primary documentation is in A31-00062A. Additional documentation is in A31-00063A. A31-00062J, and A31-00062H.

Claim A31-00062H, corresponding to WR 31-00062H, needs to be split per T4923. Transfer split WR into portions "S" and "T," but claim "S" has already been used to represent a part of original WR 31-00062Q.

Four claims -- A31-00062K, A31-00062L, A31-00062Q, and A31-00062S -- appear to have their basis in WR 31-00062Q. These will need careful research of ownership history, original POU, and accomplished transfer. Memo in splits of '63 indicates that 31-00062Q is underclaimed, but this is incorrect. Both 31-00062Q and 31-00063Q are overclaimed.

Note that Hamer Elementary School has an irrigation well that may also reflect part of the original Hamer Canal Co. right. See file A31-10292.

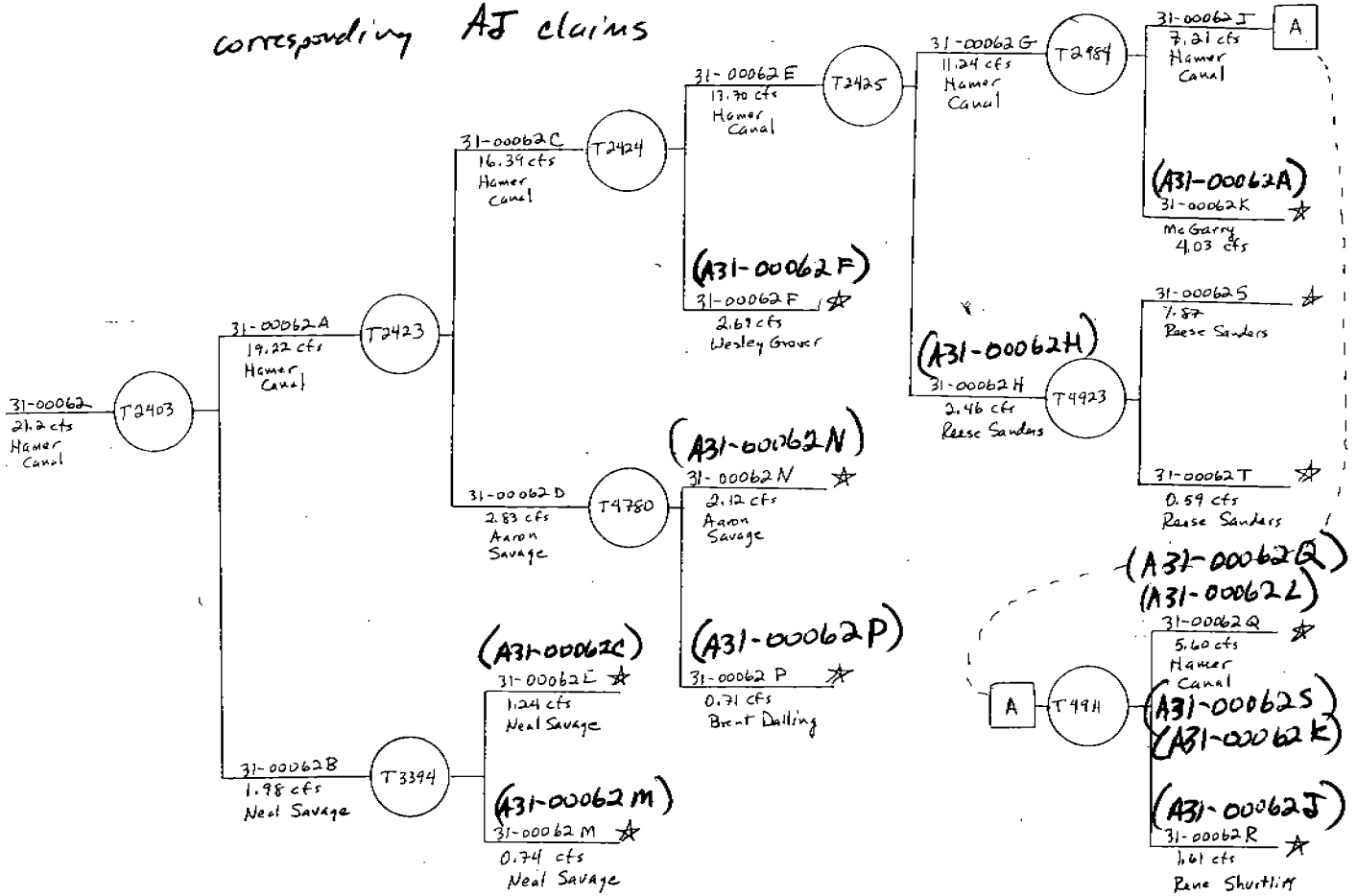
Split History of 31-00062
WR side



B. Coulton 2/15/2000

Rights active on WR database sum to 21.2 cfs.

Split History of 31-00062
WR side — with
corresponding AJ claims



B. Coulter 2/15/2000

Rights active on WR database sum to 21.2 cfs.

WR5747NP IDAHO DEPARTMENT OF WATER RESOURCE DATE: 05/22/97
WATER RIGHTS NUMBER INDEX PAGE: 1

WATER RIGHT NUMBER	NAME	CFS	
31-00062	SPLIT INTO 31-0062A & 31-0062B BY TRANS. 2403.		
31-00062A	SPLIT INTO 31-0062C & 31-0062D BY TRANS. 2423.		
31-00062B	Split into 31-00062L & M by Trans. 3394.		
31-00062C	SPLIT INTO 31-0062E & 31-0062F BY TRANS. 2424.		
31-00062D	THIS RIGHT SPLIT INTO PARTS N & P THRU APPROVED TRANSFER NO. 4780		
31-00062E	SPLIT INTO 31-0062G & 31-0062H BY TRANS. 2425.		
31-00062F	GROVER , WESLEY	2.69	WR Database 2.69
31-00062G	RIGHT SPLIT INTO 31-0062J & K.		
31-00062H	RIGHT SPLIT INTO PARTS S & T THRU APPROVED TRANSFER NO. 4932.		
31-00062J	RIGHT SPLIT INTO PARTS Q & R THRU APPROVED TRANSFER NO. 4911.		
31-00062K	LOREN MCGARRY RANCHES	4.03	4.03
31-00062L	SAVAGE , NEAL	1.24	1.24
31-00062M	SAVAGE , NEAL	0.74	0.74
31-00062N	SAVAGE , AARON	2.12	2.12
31-00062P	DALLING , BRENT	0.71	0.71
31-00062Q	HAMER CANAL CO	5.60	5.60
31-00062R	SHURTLIFF , LELLA SHURTLIFF , RENE	1.61	1.61
31-00062S	SANDERS , REESE	1.87	1.87
31-00062T	SANDERS , REESE	0.59	0.57
			Σ = 21.20

WR database agrees w/ this analysis 2/18/2000 BAC

****
Claim A37-00062/63 Splits
Doc Source Microfiche
37-00062 Sheet 6
Date 2/18/00 Sig. B. Contr

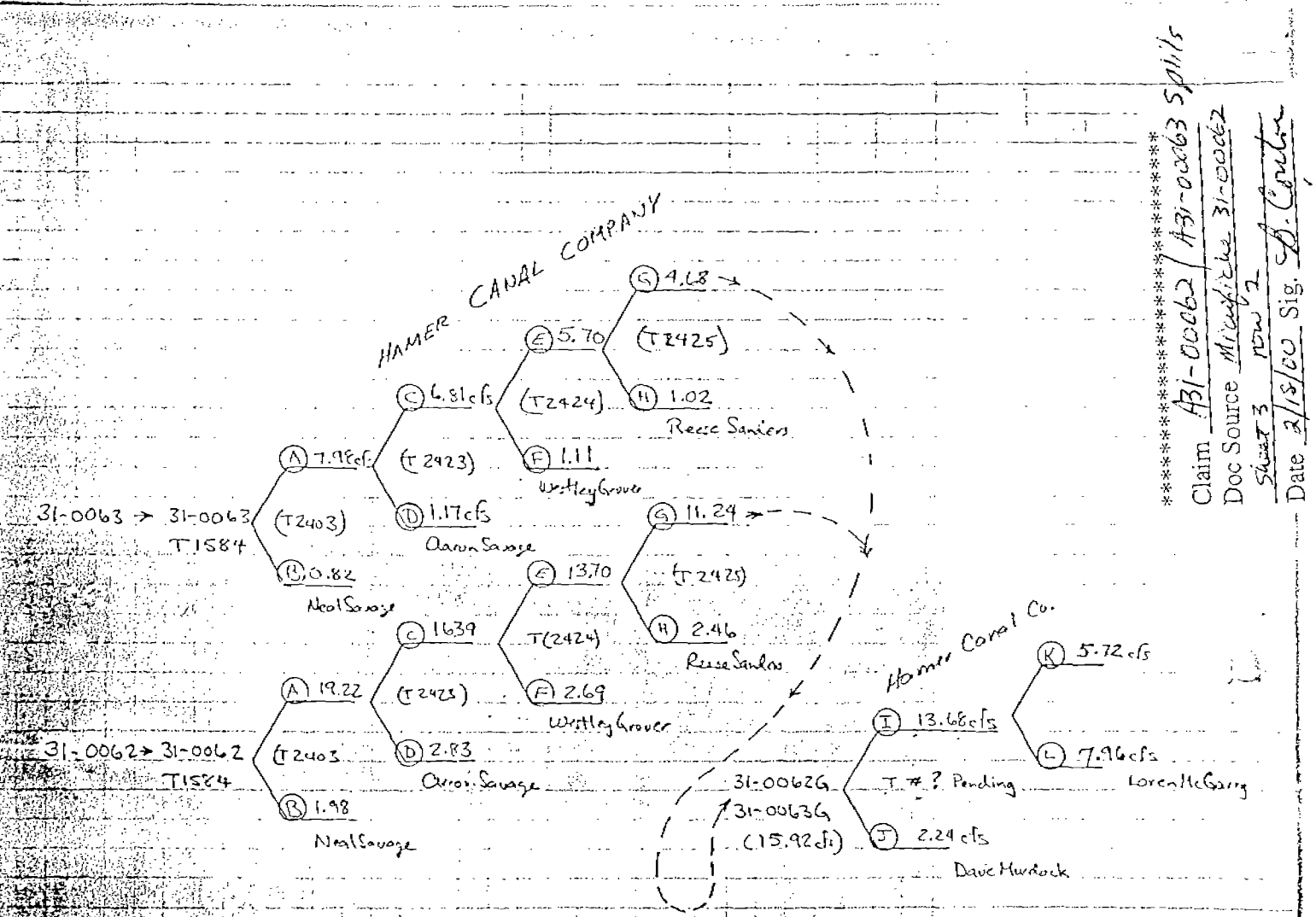
TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~Hamer Canal Co.~~	~~21.2~~		~~31-0062~~
~~1584~~	~~Hamer Canal Co.~~	~~21.2~~		~~31-0062~~
2403	Savage, Neal	1.98		31-0062 B
	~~Hamer Canal Co.~~	~~19.22~~		~~31-0062 A~~
~~2423~~	~~Savage, Aaron~~	~~2.83~~		~~31-0062 D~~
	~~Hamer Canal Co.~~	~~16.39~~		~~31-0062 C~~
2424	Grover, Wesley	2.69		31-0062 F
	~~Hamer Canal Co.~~	~~13.70~~		~~31-0062 E~~
2425	Sanders, Reese	2.46		31-0062H
	~~Hamer Canal Co.~~	~~11.24~~		~~31-0062G~~
3029	Savage, Aaron	2.83		31-0062D
2984	Loren McGarry Ranches	4.03		31-0062K
	Hamer Canal Co.	7.21		31-0062J

****

Claim A31-00062 / A31-00063 splits

Doc Source Microfiche 31-00062 Sheet 3 row 2

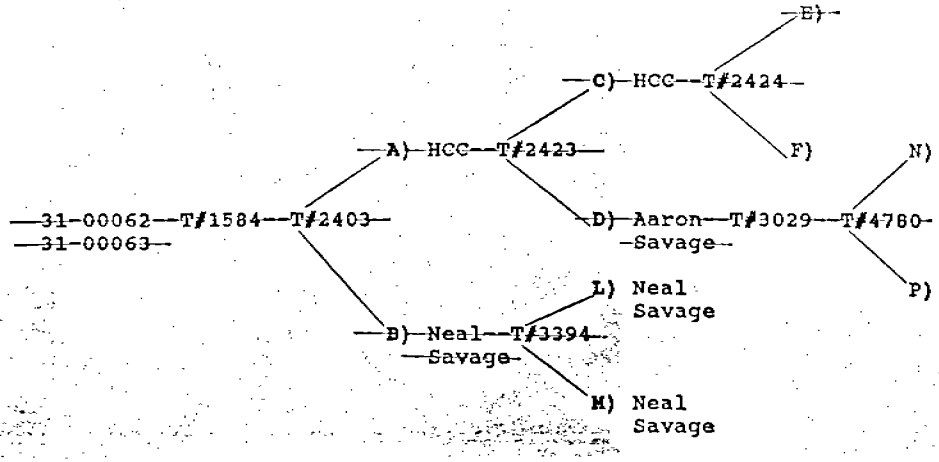
Date 2/18/00 Sig. B. Contra

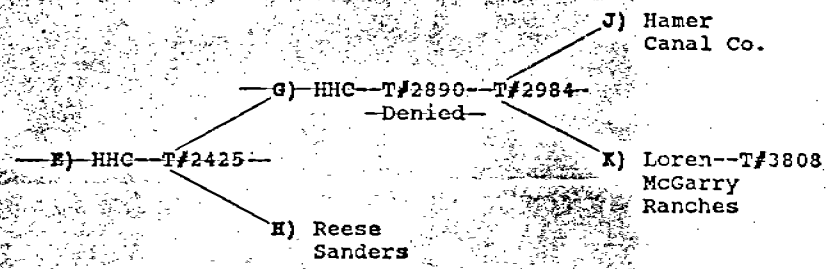


Claim 31-00662 / 31-00663 Splits
Doc Source Mitchell Lake 31-00662
Sheet 3 new 2
Date 2/18/20 Sig. M. Carter

Keep Maintain as part of application Record

SPLIT SUMMARY BY TRANSFERS
RIGHT NOS. 31-00062 & 31-00063
05-30-96
Pam Skaggs





F) Wesley
Grover

N) Aaron
Savage

P) Brent
Dalling

CLAIM NO(S). A31-00063 Splits
DATE: 2/18/2020
SOURCE OF DOCUMENT: Mining claim sheet
SIGNATURE: B. Coulter

A31-00062A 4.03 cfs
McGarry 285 acres

Note in file A31-[redacted]062G asserts A31-00062A is based on WR 31-00062G, but this does not appear to match.

~~A31-00062G~~

appears to be based upon 31-00062K
4.03 cfs 285
acres.

No apparent enlargement

A31-00062B
Renumbered to 31-00062M

A31-00062C 1.24 cfs
Neal Savage 68 acres

appears to be based upon
31-00062L, 1.24 cfs
100 acres
no apparent enlargement

A31-00062D
Split Right

split into claims N & P

A31-00062F 2.69 cfs
Cory Peterson 160 acres

appears to be based upon
31-00062F, 2.69 cfs
190 acres
no apparent enlargement

A31-00062G
McGarry

Deleted. note asserts this claim is represented by claim A, same claimant.

A31-00062H — 2.46 cfs, 155 acres
Reese Sanders

appears to correspond to 31-00062H, 2.46 cfs. WR splits sum to 145 acres, but pre-transfer WR printout in transfer app. was 155 acres. No apparent enlargement.

A31-00062J — 1.61 cfs, 129.2 acres
Rene Shortliff

appears to correspond to 31-00062R, 1.61 cfs, 129.2 acres
no apparent enlargement

A31-00062L — 1.58 cfs, 112.0 acres
Dan & Steve Murdock

appears to correspond to part of 31-00062Q per application for transfer in file. Q is for 5.60 cfs and 1390 acres, no apparent enlargement

A31-00062M — 0.74 cfs, 60 acres
Neal Savage

appears to correspond to 31-00062M, 0.74 cfs, 60 acres

A31-00062N — 2.12 cfs, 150 acres
Aaron Savage

corresponds to 31-00062N 2.12 cfs, 150 acres.
No apparent enlargement

A31-00062K — 3.16 cfs, 159 acres
Murdock

appears to be part of 31-00062Q

A31-00062P — 0.71 cfs — 50 acres
Brent Dalling

Corresponds to 31-00062P 0.71 cfs, 50 acres. no apparent enlargement

A31-00062Q — 0.55 cfs — 39 acres
Brent Dalling

appears to be a claim for part of WR 31-00062Q, 5.60 cfs, 1390 acres. no apparent enlargement

A31-000625 — 0.59 cfs — 407 acres
Boyd Ashcraft

appears to be a claim for part of 31-00062Q, 5.60 cfs, 1390 acres. Probably claimed on PPU basis; likely no enlargement

31-00062Q	5.60 cfs	1390 acres
A31-00062L	1.58 cfs	112 acres
A31-00062Q	0.55 cfs	39 acres
A31-00062S	0.59 cfs	407 acres (PPU?)
A31-00062K	3.16 cfs	159 acres
Total	5.88 cfs	717 acres

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	LOREN MCGARRY RANCHES 2393 E. 1900 N. HAMER ID 83425 (208) 662-5227	10/31/1917	IRRIGATION	05/01	09/01	4.030 CFS	
				TOTAL DIVERSION:		4.030 CFS	

Water Source: GROUNDWATER Tributary to: Stage: DECREED

Point(s) of Diversion: T07N R36E S27 SWSW JEFFERSON County
S33 NWSE JEFFERSON County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
06N	36E	4	03																3.0
07N	36E	27											35						35.0
07N	36E	28																15	15.0
07N	36E	33	31	16	18	40									38	18	15	40	216.0
07N	36E	34											16						16.0
																TOTAL ACRES			285.0

Pou County: JEFFERSON

Conditions of Approval:

T07 - The right holder shall accomplish the change authorized by this
- transfer within one (1) year of the date of this approval.

T08 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.

T09 - 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.

Remarks: GEN Transfer No. 2894 split 31-00062G into parts J & K and updated place of use/acreage irrigated by McGarry Ranches.
Transfer No. 3808 adds an additional point of diversion.

Dates: App. Received: Priority Date: 10/31/1917
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 31 Field Exam Fee:

Audit: 05/23/91 MILLER

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - A31-00062A Prefix Translation: ADJUDICATION CLAIM Old (D) Number -

*** C - CURRENT OWNER ***
LOREN MCGARRY RANCHES

1 - HC 69 1070
2 -
3 -
City- HAMER State- ID Zip- 83425
Phone - 208-662-5227

Priority Date: 10/31/1917
Region: ERROR IN REGION
Stage: J - BENEFICIAL USE
Status:

Source: GROUNDWATER
Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
07N	36E	27	SW SW		(51)	JEFFERSON
		33	NW SE		(51)	JEFFERSON

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	11/01	4.030	

Total Div. Rate: 4.030
Total Div. Volume:
Total Consumptive Use: 712.5
KW Usage:

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06N	36E	4	NE NE		3.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	27	SW SW		35.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	28	SE SE		15.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	NE NE		31.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	NW NE		16.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	SW NE		18.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	SE NE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	NE SE		38.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	NW SE		18.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	SW SE		15.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	33	SE SE		40.0	01	IRRIGATION	(51) JEFFERSON
07N	36E	34	SW SW		16.0	01	IRRIGATION	(51) JEFFERSON

Total Acres: 285.0

Diversion Means - TWO WELLS TO SPRINKLER LINES

Non-Irrigation Use - NONE

Other Rights for Same Use - A31-0063A AND A31-07270

Water right number - A31-00062A Prefix Translation: ADJUDICATION CLAIM

Remarks

GEN ****TRANSFER 3808 APPROVED A CHANGE IN THE POINT OF DIVERSION***

Old Water Right Numbers

No Old Water Right Numbers Found

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

No Comments Found

Audit Fields

10/28/98 ECARLSEN

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/08/1988	Last Amended Date	- 08/11/1997	Temporary Right	- P
		Receipt Number	- M000075	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

RECEIVED
AUG 20 1993
Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 31-00062K & 31-00063K

   Transfer No. 3808

2. Name of Water Right Holder(s): Loren McGarry Ranches

   Address: 2393 E. 1900 N., Hamer, Id 83425

3. Water right transfer authorized by Department is: (check appropriate space or provide description)

   Complete _____ Not Complete ___X___

   Partially complete (describe work completed): Applicants have plowed in the ditches and tried to run down a well driller and tried to complete the financial arrangements.

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: The financial arrangements involved a land swap and requires extra time dealing with other individuals. Also Loren McGarry the president of Loren McGarry Ranches died which caused the Ranch to go into Probate which took extra time. Also had problems with obtaining a well driller. Expected date of completion 1 July 1994.

5. I hereby assert that the responses provided above are true to the best of by knowledge. I understand that nay willful mis-representations may result in Department action rescinding the approved water right(s) transfer.

Peter McGarry Manager 8/20/93
Signature Date
(& title if on behalf of a company or organization)

RONALD D. CARLSON
HYDROGRAPHER

STATE OF IDAHO
NORTHERN WATER MEASUREMENT DISTRICT
900 N. SKYLINE DR., SUITE A
IDAHO FALLS, ID 83402
(208) 525-7171 FAX (208) 525-7177

IDWR DIRECTOR
KARL J. DREHER

TREASURER
DEL RAYBOULD

ADVISORY COMMITTEE

KIRK JACOBS
CHAIRMAN

DALE COPE
MONTEVIEW

DAREN BITTER
TERRETON

CARL BALL
HAMER

DON PARKER
REXBURG

FRANK SULLIVAN
DUBOIS

LYNN WOOD
MONTEVIEW

NICK HILLMAN
HAMER

JERRY PANCHERI
HOWE

AARON SAVAGE
HAMER

August 2, 1997

Loren McGarry Ranches
HC 69 Box 1070
Hamer, Idaho 83425

Re: A31-00062A
A31-00063A

Dear Mr. McGarry:

Last week Mr. Brent Dalling helped me measure the irrigation wells he leases from you. I appreciate his courteous help.

For some reason the location of one of the wells on the adjudication claims is different from what I found in the field.

Claims A31-00062A and A31-00063A show two wells, one in section 22 and one in section 33 of township seven north, range 36 east. Copies of "proof . reports" of your water rights are enclosed. I've also enclosed a copy of a summary I sent to Brent on the measurements we did.

I measured a well in section 33, and also one in section 27 (not 22). Perhaps it is a typographical error, or perhaps at some time the location of the well was changed and the claims fail to show that. Please contact Idaho Department of Water Resources at 525-7171 to get these records corrected.

The IDWR officer who helps you can find my measurement report and the aerial photos you sent in the North Water Measurement District files under "McGarry, Loren Ranches, Site Tag A0001898."

Please call me at 663-4854 or 528-2628 if you have questions. I will be on vacation from August 8 through August 18.

Sincerely,

BAC

Bryce A. Contor
Assistant Hydrographer

enclosures

cc: Ernie Carlsen
IDWR, Adjudication

Form 222
-87

Page 1 of 5

RECEIVED
JUN 5 1991
Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3808

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Loren Mc Garry Ranches Phone 662-5227

Post Office address 2393 E. 1900 N, Hamer, Id. 83425

A. PURPOSE OF TRANSFER

1. ☑ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
   ☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Reduce water loss in ditch from well within SESE Sec 28, T7N, R36E. Also easier to irrigate under system

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
31-00062K	31 Oct 1917	4.03	Irrigation	5/1 to 9/1
31-00063K	1 May 1928	1.67	Irrigation	5/1 to 9/1
				to
				to

2. Total amount of water being transferred 5.70 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	27	7N	36E	Jefferson	NEW WELL (NORTH)
		NW	SE	33	7N	36E	Jefferson	South Well

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7N	36E	27											35						35
		28																15	15
		33	31	16	18	40									38	18	15	40	216
		34											16						16
6N	36E	4	3																3

PART 1

6. General Information:

a. Description of diversion system Two wells with mainline to laterals with sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes ____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE Place of Use remains the same

d. Remarks:

Applicant plans to abandon his use (shares) in well in SE¼E Sec28, T7N, R36E and abandon ditch to reduce loss of water.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-00062K & 31-00063K

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

2. 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.

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Adjudication.

Witness my hand this 23rd day of May, 19 91.

R. Glen Saxton

Chief, Water Allocation Bureau

 Transfer No. 3808

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: ~~* changed 5 of 7 to 6, data base does not include portion of right upstream~~ Ext 5

   a. Decree No. 31-00062K. Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. 2984 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 31 Oct 1917

5. Water is used for the following purpose:

   amount 4.03 cfs (cfs/ac-ft) for Irrigation purposes from 5/1 to 9/1

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 4.03 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	28	7N	36E	Jefferson	
		SE	SE	22	7N	36E	"	
		NW	SE	33	7N	36E	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	36E	4	3																3
7N	36E	27											35						35
		28																15	15
		33	31	16	18	40									38	18	15	40	216
		34											16						16

Total acres 285

9. Describe any other water rights used for the same purpose as described above 31-7270, 31-00063K6

PART 2

Transfer No. 3808

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by: ~~Recorded right is 31-00063G, there is no partial/K Sorry in Dist~~ Tr 2984

   a. Decree No. 31-00063K Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. _____ issued by the Idaho Department of Water Resources.

   c. Claim No. _____ on file with the Idaho Department of Water Resources.

   d. Transfer No. 2984 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

   ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 1 May 1928

5. Water is used for the following purpose:

   amount 1.67 cfs (cfs/ac-ft) for Irrigation purposes from 5/1 to 9/1

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 1.67 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	28	7N	36E	Jefferson	
		SE	SE	22	7N	36E	"	
		NW	SE	33	7N	36E	"	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	36E	4	3																3
7N	36E	27											35						35
		28																15	15
		33	31	16	18	40									38	18	15	40	216
		34											16						16

Total acres 285

9. Describe any other water rights used for the same purpose as described above 31-7270, 31-00062K

PART 2

Transfer No. 3808

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

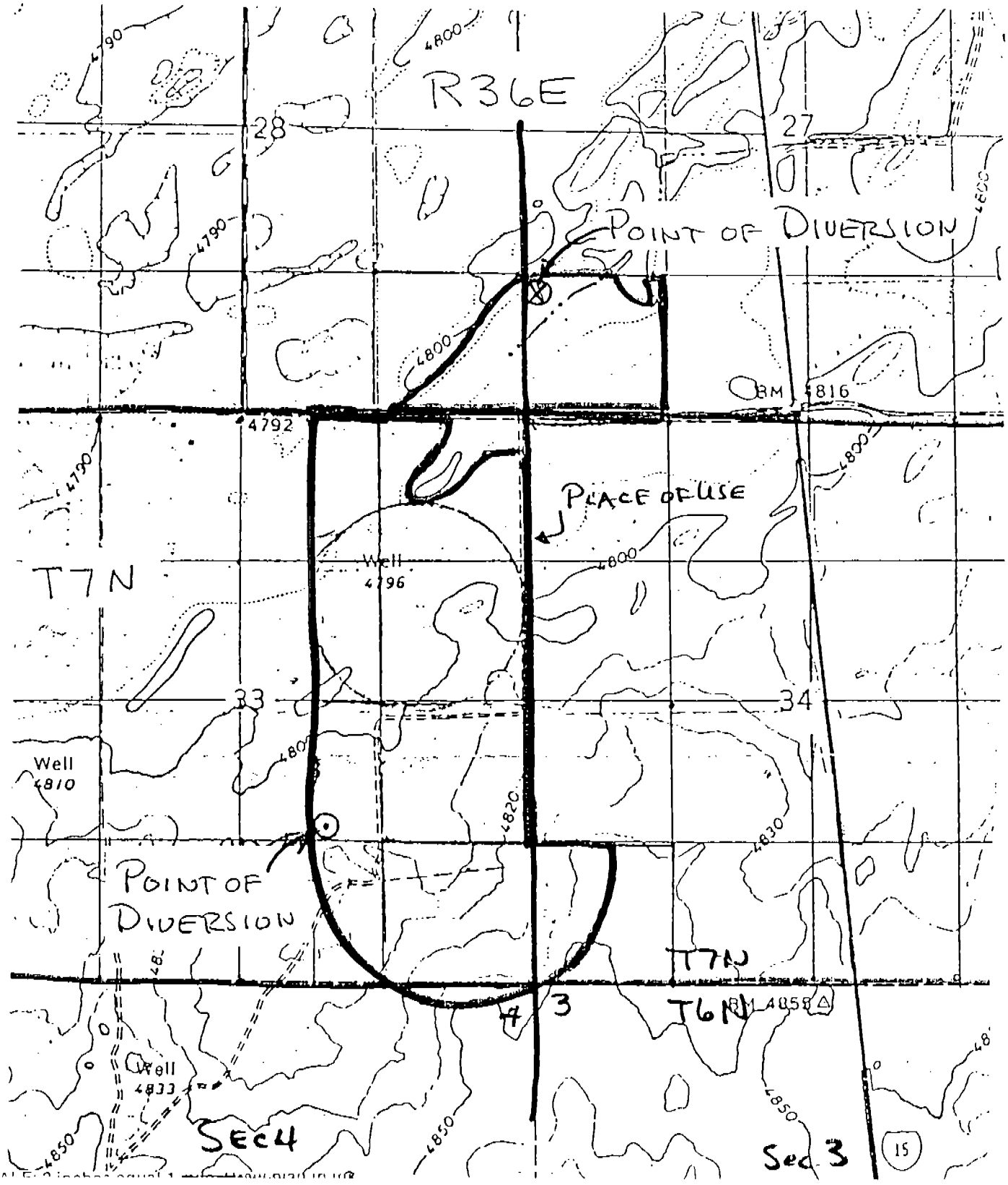
Transfer No. 3407

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



Transfer No. 3808

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Karen McGarry Pitts
(Signature of Applicant)

Subscribed and sworn to before me this 18th day of January, 19 91.

Dallen Wray
(Notary Public)

My commission expires 5/29/1991

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

ASSISTED BY
Received by KCW Date 18 Jan 1991 Protest filed by _____

Prelim. check by _____ Fee 50.00 #E015609 _____

Receipted by KCW Date 18 Jan 1991 _____

Published in Jefferson Star Copies of protest forwarded by _____

Pub. dates 2-21 & 28-91 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by RDC

Copy of transfer sent to lien holder _____ TJH 5-17-91

United States Department of Agriculture

Farmers Home Administration

1120 Lincoln Road
P.O. Box 1783
Idaho Falls, Idaho 8340

RECEIVED
JAN 24 1991
Department of Water Resources
Eastern District Office

TO WHOM IT MAY CONCERN:

January 22, 1991

Farmers Home Administration agees to the proposed changes as described in the "APPLICATION FOR TRANSFER OF WATER RIGHT" per part B-6-b

Signed: C. Boyd Wiese
County Supervisor

STATE OF IDAHO

County of Bonneville

On this 22nd day of January 1991, before me, the subscriber, a Notary Public, in and for the above county and State, appeared

C. Boyd Wiese, known to me tobe County Supervisor, Farmers Home Administration United States Department of Agriculutre, and the person who executed the foregoing instrument, and he acknowledged to me that he executed the same as the free act and deed of the United States of America, for the uses and purposes mentioned in it.

My commission expires on 10-13-93

Aneita J. Weeks
Aneita J. Weeks, Notary Public

FmHA Farmers Home Administration is an Equal Opportunity Lender. Complaints of discrimination should be sent to: Secretary of Agriculture, Washington, D C 20250