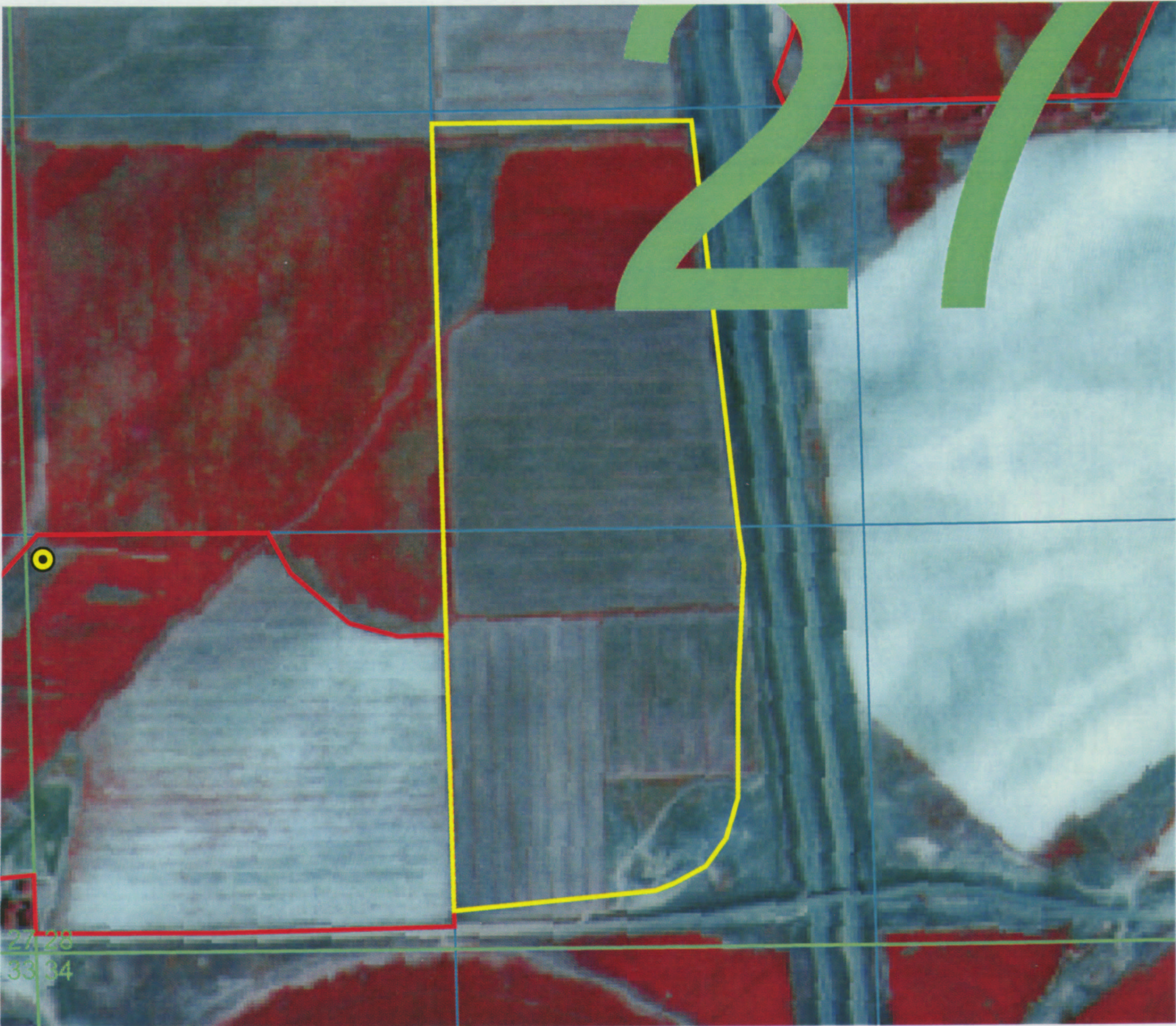


IDAHO DEPARTMENT OF WATER RESOURCES

Water Right 31-00062P, 31-00063P

Township 7N Range 35E Section 27



- 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



AJ0749NP
No. R31-00063P

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/19/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRENT DALLING	05/01/1928	IRRIGATION	04-15 10-15	0.290 CFS	70.70 AFA
C	LAUREL DALLING 1916 N 2350 E HAMER ID 83425 (208) 662-5454					
TOTAL DIVERSION:					0.290 CFS	70.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R36E S27

NWSWSW

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
07N	36E	27	:											26		24			50.0	
TOTAL ACRES																			50.0	

POU County: JEFFERSON

Other Rights: A31-00062P

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 THIS RIGHT WITH RIGHT NO. 31-00063P IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 175 AF.

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 APRIL 15 AND AFTER OCTOBER 15 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.

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 50 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 31-00062P, 31-00063P.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 14 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH POINT OF DIVERSION

AJ0749NP
No. R31-00063P

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/19/00
PAGE: 2

=====

Remarks: 'NORTH WELL' DIVERSION DESCRIBED ABOVE IN SECTION 27:
31-00062A, 31-00063A, 31-00062P, 31-00063P.

Dates: Exam Made Date: Verified Date: 06/19/2000 Objection Filed Date:

Misc: Water District Number: 31 Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/19/2000 User-ID: BCONTOR Subject: COPIED FROM REMARKS
TRANS. 1584 & 2423, 3029.
PAID ON RECEIPT E003532

Date: 06/19/2000 User-ID: BCONTOR Subject: RECOMMENATION
SEE CVR AND FILE FOR 31-00062P

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: **A31-00063P**
Date Received: 10/26/1988
Receipt No: X777777
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: BRENT DALLING 208-662-5454
Address: 1916 N 2350 E
HAMER ID 83425

AND/OR

Name: LAUREL DALLING 208-662-5454
Address: 1916 N 2350 E
HAMER ID 83425

2. Date of Priority: MAY 1, 1928

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	36E	27	SE	NE			JEFFERSON

5. Description of diverting works:
WELL & PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.290		

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

8. Total consumptive use is 500.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	27	NE	SW		IRR	

MICROFILMED
NOV 26 40 1996

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	27	SE	SW		IRR	24.0
Section Acres							50.0
Total Acres							50.0

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:
A31-00062P

14. Remarks:
TRANS. 1584 & 2423, 3029.
PAID ON RECEIPT E003532

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ERNEST SAUVE

Decree Plaintiff

W. H. ABBOTT.

vs Decree Defendant

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 _____ 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.

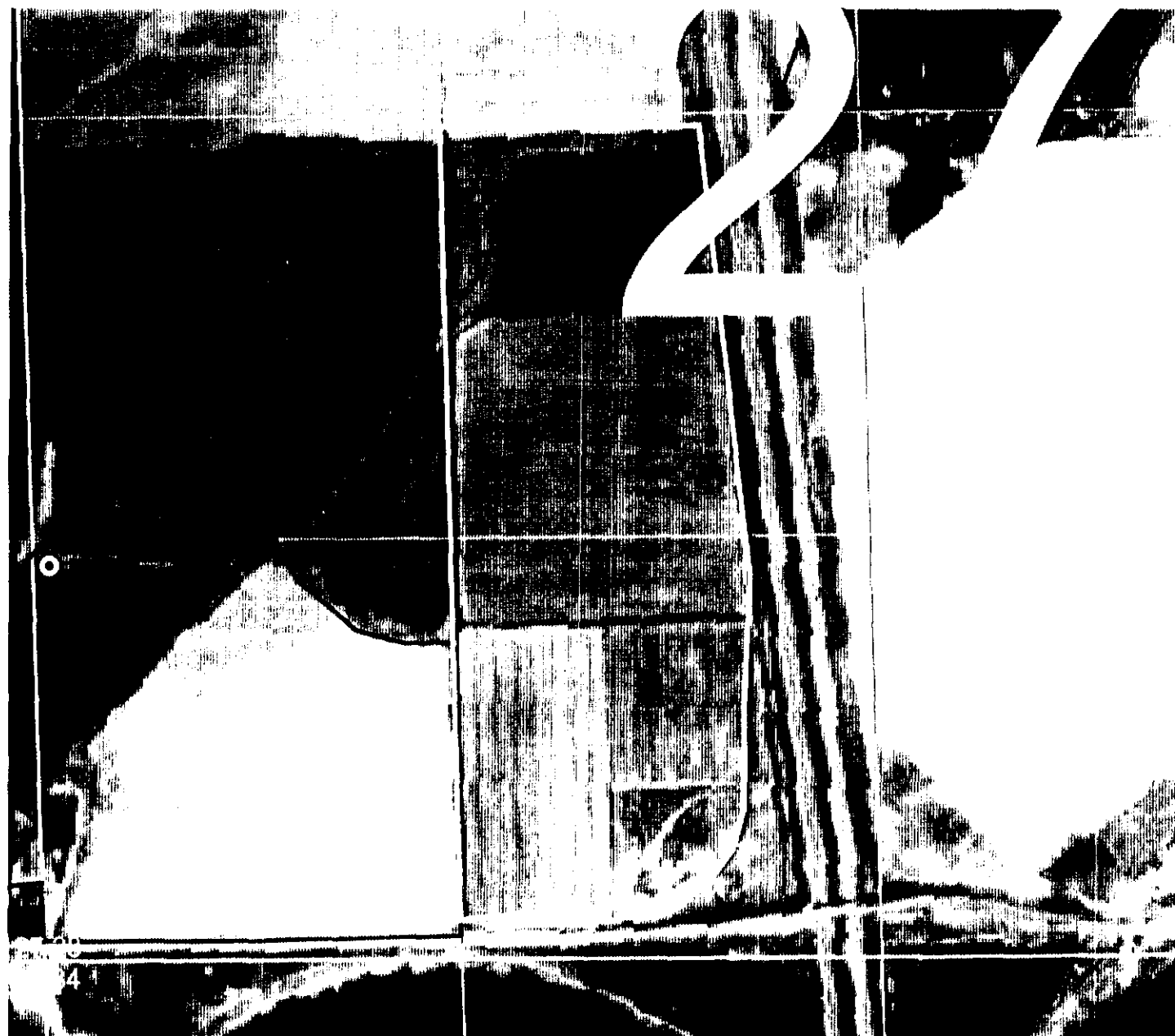
Signature of Claimant(s): _____ Date: _____

_____ Date: _____

IDAHO DEPARTMENT OF WATER RESOURCES

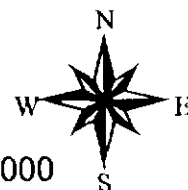
Water Right 31-00062P, 31-00063P

Township 7N Range 35E Section 27



- 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



01/24/2001

**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: March 9, 2001

Water right number: 31-63P

LAUREL DALLING

1916 N 2350 E

HAMER ID 83425

Telephone Number: (208)662-5454

BRENT DALLING

1916 N 2350 E

HAMER ID 83425

Telephone Number: (208)662-5454

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

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: _____ SIGNATURE: BD

Please print your name: _____

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

E-ADJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4780
WATER RIGHT NO(S). 31-00062P/31-00063P

This is to certify that: **BRENT DALLING**
1916 N 2350 E
HAMER ID 83425

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 31-00062P :			
IRRIGATION	04/15 to 10/15	0.71 CFS	175.0 AF
Priority: 10/31/1917			
Right No. 31-00063P :			
IRRIGATION	04/15 to 10/15	0.29 CFS	70.7 AF
Priority: 05/01/1928			
	TOTAL:	1.00 CFS	* 175.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 27, Township 07N, Range 36E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	36E	27	NESW 26	SESW 24		50
Total number of acres irrigated:						50

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

RECEIVED

JUN 13 1996

Department of Water Resources
Eastern Region

TRANSFER NO. 4780
WATER RIGHT NO(S). 31-00062P/31-00063P

CONDITIONS OF APPROVAL AND REMARKS

3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 7. Right Nos. 31-00062P and 31-00063P when combined shall not exceed a total combined annual diversion volume of 175.0 af, nor the total combined irrigation of 50.0 acres in a single season.

Dated this 6th day of June, 1996.


Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:57:31
01/22/96
18

PAGE: 18
PROFILE REPORT

CLAIM NUMBER: A31-00062P

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRENT DALLING	05/01/1928	IRRIGATION	04-01-11-01	0.29 CFS	70.7
C	LAUREL DALLING			4/15-10/15	0.29 CFS	
TOTAL DIVERSION:						
CONSUMPTIVE USE:						500.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R36E S27

SENE

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	NE NE	NE NE	SW NE	SE NE	:	NE NW	NE NW	SW NW	SE NW	:	NE SE	NE SE	SW SE	SE SE	:	SUM	
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac
07N	36E	27	:					:					:					:		
			:					:					:					:	50.0	
			:					:					:					:	50.0	
																			TOTAL ACRES	

POU County: JEFFERSON

Other Rights: A31-00062P

Remarks: TRANS. 1584 & 2423, 3029.
PAID ON RECEIPT 8003532

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number: 31

Field Inspection Flag:
Presumption Flag:

See CVR 31-00062P -
This WR is parallel on APN
per Transfer.

POD ID _____
POU ID _____

See file 31-00062A, 62P

To: Competing Splits of A31-00062Q and A31-00063Q
Fr: Bryce Contor
Date: 5/2/00

Re: B31 Action Meeting.

Today we discussed this situation w/ the Boise legal team, Dave Tuthill, and Carter Fritschle. I presented the following:

1. Ashcraft, Dalling, and Murdock's northern claim all appear to be parts of original POU of Hamer Canal.
2. Apparent chain of title (documentation not yet provided) points back to one of the shareholders who signed the agreement circa 1982, found in the files, for these three claims. Ashcraft and Dalling plan to provide written documentation.
3. Murdock may or may not be able to produce stock certificates. Murdock also has affidavit on file circa 1982 that he purchased all the remaining Hamer Canal rights. This is weakened by:
 - Affidavit does not identify or quantify what was conveyed.
 - Rene Shurtliff formal transfer post-dates affidavit.
 - Brent Dalling asserts (and plans to provide documentation) that water users perceived their stock certificates indicated ownership of physical assets (canal, pumps, equipment) and not water rights; that when individual users transferred water rights to private wells, they conveyed their stock to others. Dalling asserts that the last transfer, Rene Shurtliff, involved Murdock paying Shurtliff \$5,000 for Shurtliff's share in the well, pump, and motor that remained on Murdock's land.
4. Murdock's fourth claim relies on an accomplished transfer that parallels a transfer denied by IDWR on the grounds that no original Hamer Canal POU would be dried up. Memo in file indicates Murdock acknowledged this in a conversation.

Guidance I received:

1. Continue w/ review of three claims I consider legitimate and recommend as appropriate.
2. Invite Murdock to file enlargement claim and moratorium exemption permit application for additional acres and Q for south POU.

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 Carlsen 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. $30 \text{ CFS} \times 50 \text{ inches/cfs} \times 1 \text{ share/5 inches}$ 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.

To: Splits of A31-00063
Fr: Bryce A. Contor
Date: 2/17/2000

Bryce

Re: Split History

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

Note that transfer 4932 declared 0.09 cfs of original right 31-00063 to be abandoned. Memo in file A31-00063A.

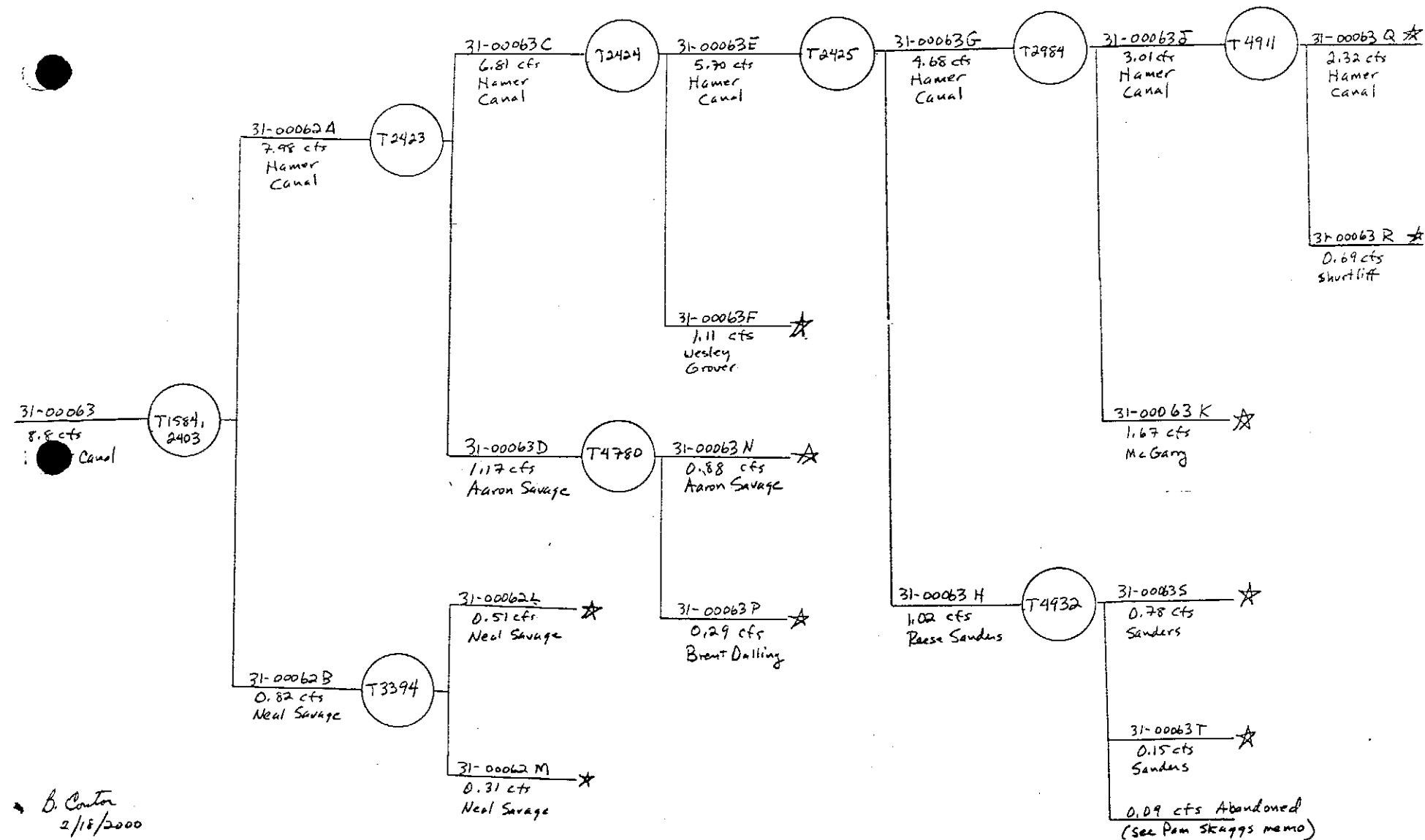
Claim A31-00063H, corresponding to WR 31-00063H, needs to be split per T4923. Transfer split WR into portions "S" and "T," but claim "S" has already been used to represent a part of original WR 31-00063Q.

Four claims -- A31-00063K, A31-00063L, A31-00063Q, and A31-00063S -- appear to have their basis in WR 31-00063Q. These will need careful research of ownership history, original POU, and accomplished transfer. While original right 31-00063Q is overclaimed, 31-00062Q is underclaimed. It may be that all these are legitimate claims, but the diversion rates have been reversed between corresponding splits of '62 and '63.

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.

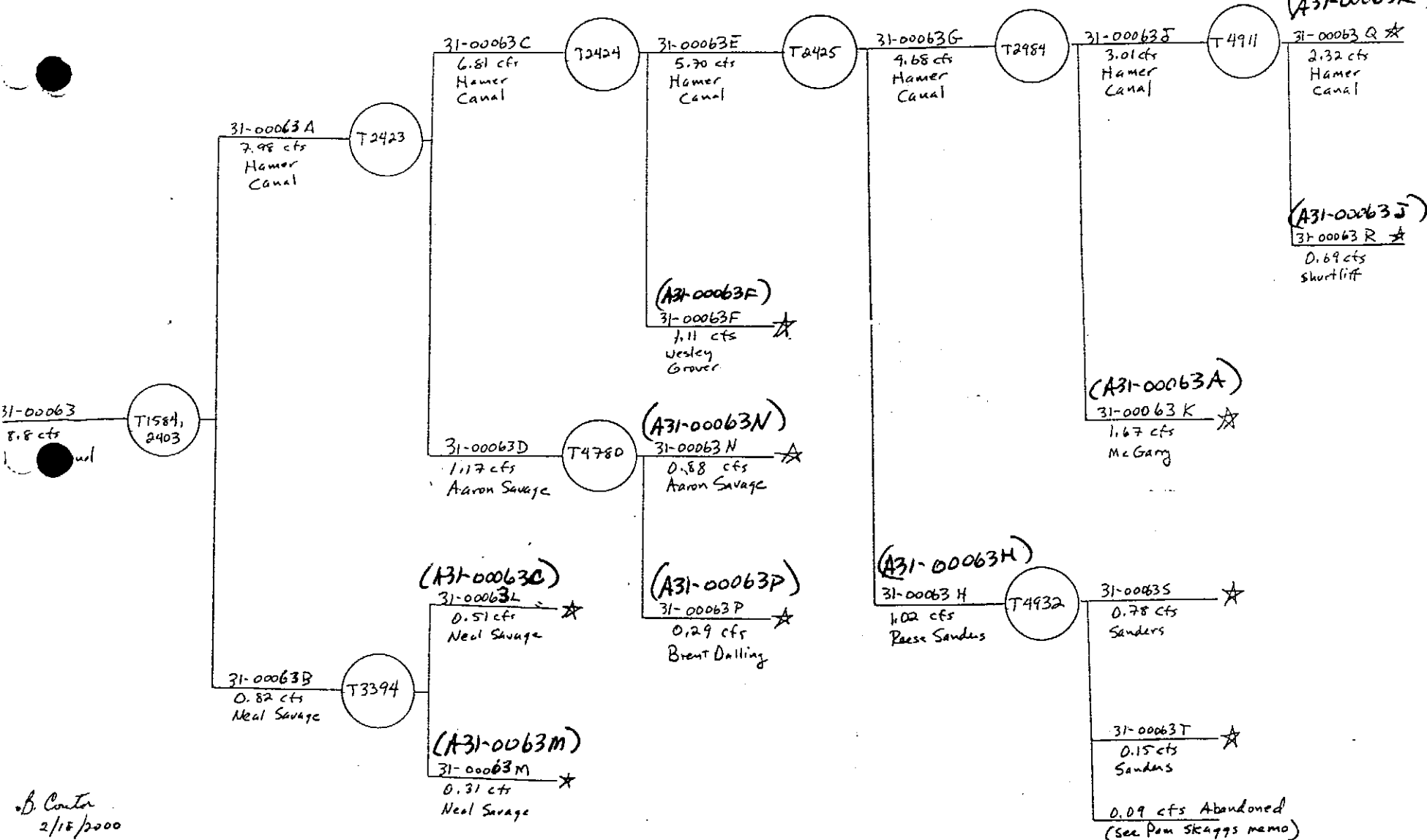
MS
BAC 6/19/00

Split History of 31-00063 - WR Side



B. Cantor
2/18/2000

(A31-00063S)
(A31-00063Q)
(A31-00063L)
(A31-00063K)



*B. Conter
2/18/2000

WR5809NP
No. 31-00063P

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/18/00
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BRENT DALLING 1916 N 2350 E HAMER ID 83425 (208) 662-5454	05/01/1928	IRRIGATION	04/15 10/15	0.290 CFS	70.70 AFA
TOTAL DIVERSION:					0.290 CFS	70.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R36E S27

SWSW

JEFFERSON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
																				:	
																				:	
07N 36E 27 :																				:	50.0
																			TOTAL ACRES	50.0	

Pou County: JEFFERSON

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 31.
- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
- T04 - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- 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 Right Nos. 31-00062P and 31-00063P when combined shall not exceed a total combined annual diversion volume of 175.0 af, nor the total combined irrigation of 50.0 acres in a single season.

Dates:	App. Received:	Priority Date:	05/01/1928
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 31 Field Exam Fee:

WR5809NP
No. 31-00063P

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/18/00
PAGE: 7

=====
Comments: Date: 05/29/1996 User-ID: PSKAGGS Subject: TRANSFER NO. 4780
Transfer No. 4780 was filed to change the point of diversion
under a portion of Right Nos. 31-00062D & 31-00063D, splitting
these rights into parts N & P.

Audit: 02/23/96 RBODELL 05/29/96 PSKAGGS 05/30/96 PSKAGGS 02/06/98 CLEARFLD



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

JANUARY 16, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BRENT DALLING
1916 N 2350 E
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-00062 (D) AND A31-00063 (D)

Dear Mr. Dalling:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A31-00062P, BRENT DALLING, 0.71CFS; 50 ACRES
A31-00062N, AARON SAVAGE, 2.12CFS; 150 ACRES

A31-00063P, BRENT DALLING, 0.29CFS; 50 ACRES
A31-00063N, AARON SAVAGE, 0.88CFS; 150 ACRES

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: AARON SAVAGE/copy claim/letter

MICROFILMED

NOV 14 1996

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JAN 08 1996

DATE OF CLOSING: 1-5-96

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 7 North Range 36 East

Section E1/2 SW 1/4 of 1/4 of 1/4 Govt. Lot B1

Lot Block Subdivision/Townsite Section 27

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) JAN 11 1996

- [X] Water Right Number(s) 31/0062/0063 D
Assigned by IDWR:

Department of Water Resources
Eastern District Office

- [X] Name and Address of Former Owner/Claimant(s)(Seller): Aaron Savage
PO Box 1110

- [X] New Owner/Claimant (Purchaser): Hamer, ID 83425
Brent and Laurel Dalling

- [X] New Mailing Address: 1916 N. 2350 E.
Hamer, ID 83425

- [X] New Telephone Number: (208) 662-5454

- [X] Does the change in ownership result in a splitting of the water right owned/claimed? X yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

Now owned: 4 cubic feet per second

Claimed by new owner: 1 cubic feet per second

(3 cubic feet per second to be retained by current owner)

- [] Attach proof of ownership, describe proof attached:

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

- [] Signature of New Owner/Claimant(s) Brent Dalling Date 1-5-96
Laurel Dalling Date 1-5-96
[] Signature of Former Owner/Claimant(s) Aaron Savage Date 1-5-96
Wm Savage Date 1-5-96

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-16-96 By: Danc

Further Action Needed:

Send ltr + claims

Further Action Taken

Date: 1-17-96 By: JD

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Split

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