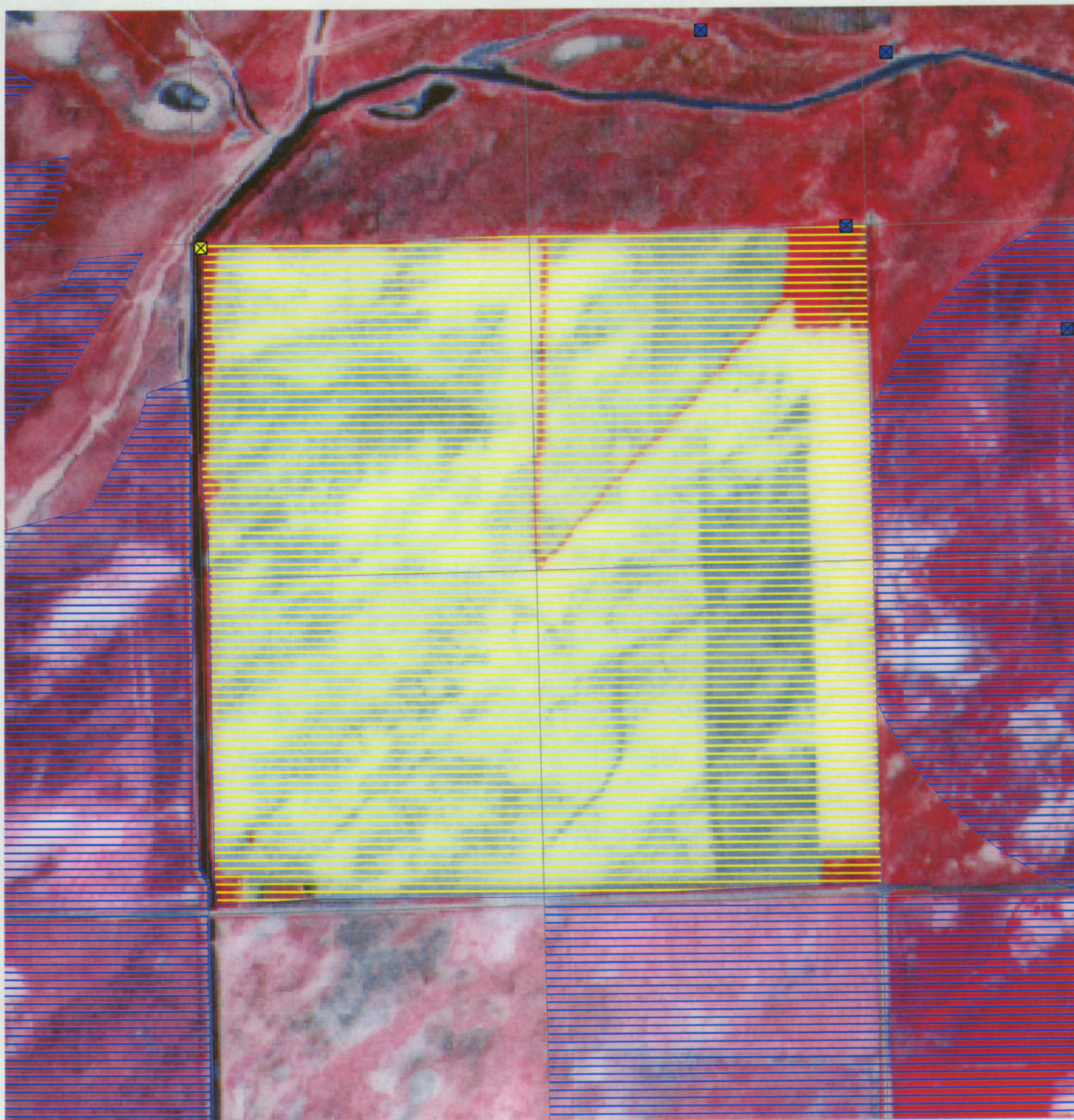


Recommendation 31-95A

7N 35E 27, SE quarter



04/25/2001

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

RIGHT NUMBER: 31-95A

NAME AND ADDRESS: PAUL GUNDERSON
1555 E 1500 N
HAMER, ID 83425

SOURCE: DEAD LINE LAKE TRIBUTARY: MUD LAKE

QUANTITY: 4.99 CFS

USE OF THIS RIGHT WITH RIGHT NO. 31-7008 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.99 CFS.

PRIORITY DATE: 02/06/1918

POINT OF DIVERSION:	T07N R35E S26	SWNW	Within JEFFERSON County
	T07N R35E S27	NWNW	Within JEFFERSON County
	T07N R35E S27	SESW	Within JEFFERSON County

THE POINT OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED
FACILITY DUE TO INFREQUENT AVAILABILITY OF WATER. BEFORE THIS
RIGHT MAY BE DIVERTED THE WATERUSER MUST FILE A TRANSFER TO
ESTABLISH AN ACTIVE POINT OF DIVERSION, OR SHOW THAT AN
EASMENT AND MEANS TO CONVEY WATER FROM THE DIVERSION TO THE
PLACE OF USE EXISTS.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	4.99 CFS

PLACE OF USE:

<u>IRRIGATION Within JEFFERSON</u>					
<u>County</u>					
T07N R35E S27	NESE	40	T07N R35E S27	NWSE	39
T07N R35E S27	SWSE	38	T07N R35E S27	SESE	39

156 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 31-7008 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 156 ACRES 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 INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-95A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	PAUL GUNDERSON 1555 E 1500 N HAMER, ID 83425 (208)663-4412

Priority Date: 02/06/1918
Basis: Decreed
Status: Active

<u>Source</u>	<u>Tributary to</u>
DEAD LINE LAKE	MUD LAKE

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	4.99 CFS		
Total Diversion			4.99 CFS		

Location of Point(s) of Diversion:

DEAD LINE LAKE	SWNW	Sec. 26	Township 07N	Range 35E	JEFFERSON County
DEAD LINE LAKE	NWNW	Sec. 27	Township 07N	Range 35E	JEFFERSON County
DEAD LINE LAKE	SESW	Sec. 27	Township 07N	Range 35E	JEFFERSON County

IRRIGATION Use:
Acre Limit: 156

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	35E	27		NESE	40		NWSE	39		SWSE	38		SESE	39

Total Acres: 156

Conditions of Approval:

1. 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.
2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 31-7008 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 156 ACRES IN A SINGLE IRRIGATION SEASON.
2. Quantity USE OF THIS RIGHT WITH RIGHT NO. 31-7008 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.99 CFS.
3. Point of Diversion THE POINT OF DIVERSION DESCRIBED ABOVE REPRESENTS AN UNUSED FACILITY DUE TO INFREQUENT AVAILABILITY OF WATER. BEFORE THIS RIGHT MAY BE DIVERTED THE WATERUSER

MUST FILE A TRANSFER TO ESTABLISH AN ACTIVE POINT OF DIVERSION, OR SHOW THAT AN EASMENT AND MEANS TO CONVEY WATER FROM THE DIVERSION TO THE PLACE OF USE EXISTS.

Comments:

Author	Date	Subject	Comment
bcontor	3/21/01	Recommendation	Recommended as a portion of decreed right. Claimant showed me a copy of a probate decree which decrees to claimants predecessor the permit number that evolved into decreed right 31-95 along with 160 acres of POU.
bcontor	3/21/01	Documentation	On the date of claims review I did not have the document in hand but I had examined it carefully earlier. I believe I mailed it back to claimant with unsigned copy of claim, but claimant came into office to sign, where I generated a new copy for signature.
bcontor	3/21/01	Source	Bauerly Decree (1940) documents that source Deadline Lake had dried up, but claim is recommended as lack of water is a defense against forfeiture.
bcontor	3/21/01	Numbering	Claim numbered 31-95A because an inactive claim on the database bears number 31-95. However the documentatoin for that claim indicates that the water right actually claimed is decreed right 31-96.
bcontor	3/21/01	Diversion Rate	Original Decree allocates 25.2 cfs to 1340 acres (0.019 cfs/acre) but it is not clear that all 1340 acres were originally irrigated. Scott King analysis on adjoining property points to 0.032 cfs/acre requirement. This value is used for recommendation
bcontor	3/21/01	Diversion rate 2	because no competing claims exist and probate appears to confirm ownership of entire right. Full 10 cfs of original right is not recommended as claimant does not own entire original POU.
bcontor	3/21/01	POD	Recommended location is assumed; as source has been long dried up it is hard to know what was PD used. POU is accomplished transfer from decree and it is assumed POD also would have involved accomplished transfer.

Dates:

Licensed Date:
 Claim Received Date: 03/08/2001
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
POD	3/22/01 11:00:15 AM	bcontor			In Process
	3/21/01 4:10:33 PM	bcontor			In Process
POU	3/22/01 11:00:17 AM	bcontor			In Process
	3/21/01 4:15:59 PM	bcontor			In Process
Priority Date	3/21/01 4:09:39 PM	bcontor			In Process
Quantity	3/21/01 4:23:37 PM	bcontor			In Process
Season	3/21/01 4:18:29 PM	bcontor			In Process
Source	3/21/01 4:11:04 PM	bcontor			In Process
Summary	3/21/01 4:27:09 PM		3/21/01 4:27:09 PM	bcontor	Complete
Use	3/21/01 4:17:12 PM	bcontor			In Process

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:C
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:

Cary Act Number:
Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	4/12/01 7:32:24 PM	bcontor	Edited point location
POD	4/12/01 7:32:05 PM	bcontor	Edited point location
POD	4/12/01 7:31:44 PM	bcontor	Edited point location
POD	3/22/01 11:00:13 AM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (NO) The claimed Point of Diversion can not be verified using the water right file. 4. (YES) There is evidence that there has been a change in the Point of Diversion. 5. (YES) The change can be verified as an accomplished transfer.
POD	3/21/01 4:10:29 PM	bcontor	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (NO) The claimed Point of Diversion can not be verified using the water right file. 4. (YES) There is evidence that there has been a change in the Point of Diversion. 5. (YES) The change can be verified as an accomplished transfer. Comment for 5: Assumed; see comments to eCVR.
POD	3/21/01 4:07:30 PM	bcontor	6. (YES) The file contains all the necessary information to verify the POD. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POD	3/21/01 4:06:54 PM	bcontor	Edited PLS
POU	3/22/01 11:00:15 AM	bcontor	Edited point location 1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (NO) The claimed POU can not be verified using the water right file. 5. (YES) There is evidence that there has been a change in the POU. 6. (YES) The change can be verified as an accomplished transfer.
POU	3/21/01 4:15:56 PM	bcontor	1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (NO) The claimed POU can not be verified using the water right file. 5. (YES) There is evidence that there has been a change in the POU. 6. (YES) The change can be verified as an accomplished transfer. Comment for 6: Probate decree from 1950s; GIS
POU	3/21/01 4:13:02 PM	bcontor	9. (YES) The file contains all the necessary information to verify the POU. 12. (YES) POU remark was required. 13. (NO) POU condition was not required.
POU	3/21/01 4:11:54 PM	bcontor	Edited PLS
Priority Date	3/21/01 4:09:36 PM	bcontor	Edited shape boundary 1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	3/21/01 4:23:25 PM	bcontor	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (NO) The claimed diversion rate and/or volume can not be verified using the water right file. 5. (NO) A flow measurement was not required. Comment for 5: See eCVR comments and notes in paper file.
Season	3/21/01 4:18:26 PM	bcontor	6. (NO) The source is not ground water and the purpose of use does not require a diversion volume limit. 7. (NO) The parent right does not have an annual diversion volume limit. 9. (YES) Quantity remark was required. 10. (NO) Quantity condition was not required. 1. (NO) The basis of claim is not beneficial use.

Source	3/21/01 4:11:01 PM	bcontor
Summary	3/21/01 4:27:05 PM	bcontor
Use	3/21/01 4:17:08 PM	bcontor

2. (NO) The parent right does not have a period of use.
4. (NO) There is not evidence that there has been a change to the period of use.
9. (YES) The file contains all the necessary information to verify the period of use.
11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined.
13. (YES) Irrigation is the purposed use.
15. (NO) Period of Use remark was not required.
16. (NO) Period of Use condition was not required.
1. (NO) The basis is not beneficial use.
2. (YES) Parent right has a source.
3. (YES) The claimed source can be verified using the water right file.
- Comment for 7: Decree
8. (YES) The source is surface water.
10. (NO) Source remark was not required.
11. (NO) Source condition was not required.
1. (NO) The basis of the claim is not beneficial use.
3. (YES) There is indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.
4. (YES) A portion of the claim is being recommended.
5. (NO) General remark was not required.
6. (NO) Explanatory remark was not required.
7. (YES) Additional condition was required.
8. (YES) Wanted to view the recommended right.
9. (NO) This is not a split right.
10. (NO) This is not a combined right.
11. (NO) Documents were not linked or attached to this file.
12. (YES) Set the verification date.
1. (NO) The basis of claim is not beneficial use.
2. (YES) The parent right has a purpose of use.
3. (YES) The claimed purpose of Use can be verified using the water right file.
11. (NO) Purpose of Use remark was not required.
12. (NO) Purpose of Use condition was not required.

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 31-95A
Date Received: 3/8/01
Receipt No: E026562
Received By: *Buc*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PAUL GUNDERSON Phone: (208)663-4412

1555 E 1500 N
HAMER ID USA 83425

2. Date of Priority: 02/06/1918

3. Source: DEAD LINE LAKE Trib. to: MUD LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	35E	27	SE NW	JEFFERSON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	10	

7. Total Quantity Appropriated is:
10 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	35E	27	NE NW	IRRIGATION	40
			SW NW	IRRIGATION	40
			NW NW	IRRIGATION	40
			SE NW	IRRIGATION	40

Section Acres	160
Total Acres	160

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:

14. Remarks:

THIS IS CLAIM IS FOR THE ENTIRE WATER RIGHT REPRESENTED BY LICENSE 13458 AS REFERENCED IN ATTACHED PROBATE DECREE. PROBATE CLEARLY CONVEYS THIS WATER RIGHT ALONG WITH THE LAND REPRESENTED BY THE CLAIMED PLACE OF USE.

ACCORDING TO IDWR RECORDS LICENSE 13458 WAS RENUMBERED 31-2207, THEN SUPERCEDED BY WATER RIGHT 31-95 DECREED IN SUAVE V ABBOT, 1930. DECREE ALSO REFERENCES CLAIMED PLACE OF USE FOR THIS RIGHT.

THIS CLAIM IS NUMBERED 31-95A DUE TO EXISTENCE OF INACTIVE CLAIM 31-95 ON IDWR DATABASE.

15. Basis of Claim: Decreed

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):

Paul Lundgren

Date:

3/21/01

Date: _____

State of Idaho

County of

Bonner

} SS.

Subscribed and sworn (or affirmed) before me this 21st day

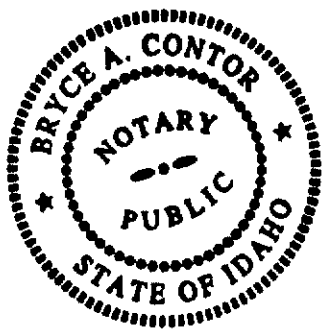
of March, 2001

Bryce A. Contor

Notary Public

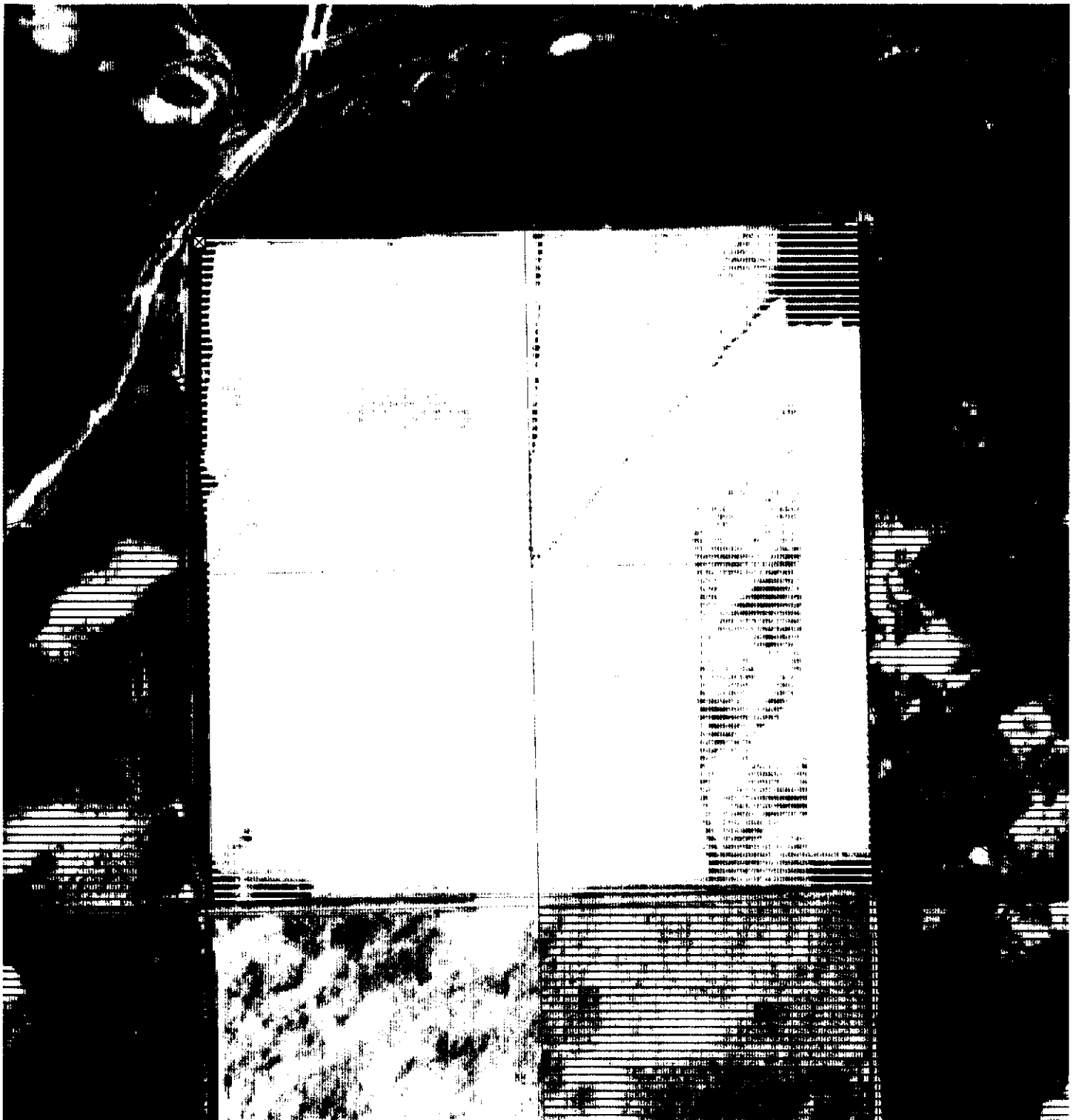
Residing at Mud Lake, Idaho

My commission Expires 10/14/2005



Recommendation 31-95A

7N 35E 27, SE quarter





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

April 25, 2001

Paul Gunderson
1555 E 1500 N
Hamer, Idaho

Re: Adjudication Recommendation 31-95A

Dear Mr. Gunderson:

Enclosed is a copy of a revised Preliminary Recommendation showing the remark we discussed in the hardware store the other day, identifying this right as a right that has had intermittent use due to non-availability of water. Along with the remark, I have changed the recommended points of diversion back to the original decreed points, per Department policy.

Please review this recommendation and call me if you have questions.

Sincerely,

Bryce A. Contor
Senior Water Resource Agent

enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 22, 2001

Paul Gunderson
1555 E 1500 N
Hamer, ID 83425

Re: Notice of Error, Water Rights 31-95A, 31-7008, 31-11603, 31-11604, 31-11688, 31-11689.

Dear Mr. Gunderson:

Enclosed are revised recommendations for several of your water rights, based upon additional information you have provided as part of the Notice of Error process.

Right 31-95A is recommended with the original source and priority date, with an accomplished change of point of diversion and place of use. These changes are representative of your claim and the probate document. While the original right was for 10 cfs, it was for more lands than currently irrigated. I have based the diversion rate on the rate of 0.032 cfs/acre (about 1 1/2 times the standard rate) calculated by a department engineer for the adjoining Marty lands. This comes to 4.99 cfs.

Recommendation 31-7008 is adjusted to include stockwater. I was unable to adjust diversion rate or volume, as these came from a formal license. As we have discussed, only the Allocations Bureau of IDWR can adjust rate or volume of a license. The burden of proof is very high; to have a license amended, you must prove that the original licensing examination was obviously in error, and document the concurrent existence of the capacity you propose instead. At a minimum, this requires a written report from a Professional Engineer and solid documentation (receipts, design specifications, and/or concurrent measurements) of original capacity. Another option is to apply for a new permit for the additional rate, based on pre-moratorium development of capacity. This requires solid documentation that the claimed capacity was in place and used prior to November, 1987. I am not encouraging you to pursue either of these options, but simply outlining what the options are.

Recommendation 31-11603 has been split into recommendation 31-11688 and 31-11689, to allow recommendation of both the early priority date documented by the Bessie Hutchinson permit and the higher diversion rate documented by the Marcus Barnes affidavit.

Recommendation 31-11688 is for the 2.09 cfs measured by watermaster Henninger in 1940, as documented in the Lyndon Laird "Proof of Beneficial Use" for Laird's portion of permit 16969. While the permit was for priority date 1928, that permit was not for the point of diversion Laird actually developed. Through approximately five years of correspondence with Mr. Laird, the department consistently held that the permit could not be amended to allow the earlier priority date with the later point of diversion. Consequently, the priority date I have recommended is based upon the earliest documented beneficial use, which occurred in 1939. I have attached your amended, increased stockwater use, to this earlier recommendation.

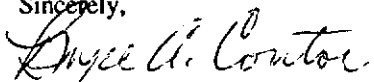
Recommendation 31-11689 is for the original 2.31 cfs I recommended for 31-11603. This is based upon the Marcus Barnes affidavit, 0.03 cfs/acre on the lands Barnes affirms were irrigated, and current capacity of the diversion works.

Combined use limitations limit the total irrigation under 31-11688 and 31-11689 to 2.31 cfs of irrigation on 100 acres. This limitation allows me to recommend both rights for their full amount, which protects you in case one or the other should run aground of an objection. The other alternative would be to recommend as much as possible to the earlier right, and only the additional capacity to the later right.

Enlargement recommendation 31-11604 is modified to reflect the fact that more acres are recommended under 31-11688 than were recommended under 31-11603. Effectively, this takes acres away from the 1976 enlargement and adds them to the 1939 beneficial use right. The combined use limitations are also modified to reflect the split of 31-11603.

I have enclosed copies of the preliminary recommendations on these rights (except 31-11603, which is superceded). Please review these carefully and contact me if you have questions.

Sincerely,



Bryce A. Contor
Senior Water Resource Agent

enclosures

H. R. Jackett and
Frank S. Jackett

31 0095 ✓
1918 - February 6

31 0096 ✓
1906 - March 3

10.0 c.f.s.

15.2 c.f.s.

Source: Dead L.
tary of Mud Lake

Source: An unnam
tary to Mud Lake.

Points of Diversic 90 in the
Southeast Quarter of the Northwest
Quarter of Section 27; (2) In the
Northwest Quarter of the Northwest
Quarter of Section 27; (3) In the
Southwest Quarter of the Northwest
Quarter of Section 26; all in Town-
ship 7 North, Range 35 East, B. N.

For use on the following described
land, to-wit: All of Section 33;
the West Half of the West Half of
Section 34; the Southeast Quarter
of Section 28; the Southwest Quar-
ter, and the South Half of the
North Half of Section 27, -- all
in Township 7 North, Range 35
East, B. N.

$$\frac{25.2}{1340 \text{ ams}} = 0.019 \text{ cfs/acre}$$

Scott King Hubble Analysis
on adjoining Mandy lands
= 0.032 cfs/acre

$$156 \times 0.032$$

$$= 4.99$$

640
320
160
160
160
1340

Probate of
Mrs Kucher.
Kucher.
1950s - Jeff
Lester

If Mr. Gunderson
doesn't provide
copy, I'll
read, I'll
be concerned.

Claim 31-95A

Doc Source Steve & Abbot deano

Date 3/21/01 Sig. SAC

H. R. Jackett and
Frank S. Jackett

31 0095 ✓
1918 - February 6

10.0 c.f.s.

Source: Dead Line Lake, a tributary of Mud Lake.

31 0096 ✓
1906 - March 3

15.2 c.f.s.

Source: An unnamed stream, tributary to Mud Lake.

$$\frac{25.2}{1340 \text{ ac}} = 0.019 \text{ cfs/acre}$$

Scott King Hubble Analysis
on adjoining Mandy lands
= 0.032 cfs/acre

$$156 \times 0.032$$

$$= 4.99$$

$$\begin{array}{r} 640 \\ 320 \\ 160 \\ 160 \\ 160 \\ \hline 1340 \end{array}$$

Points of Diversion: (1) In the Southeast Quarter of the Northwest Quarter of Section 27; (2) In the Northwest Quarter of the Northwest Quarter of Section 27; (3) In the Southwest Quarter of the Northwest Quarter of Section 26; all in Township 7 North, Range 35 East, B. N.

For use on the following described land, to-wit: All of Section 33; the West Half of the West Half of Section 34; the Southeast Quarter of Section 28; the Southwest Quarter, and the South Half of the North Half of Section 27, -- all in Township 7 North, Range 35 East, B. N.

Claim 31-95A

Doc Source Sioux v Abbot Decree

Date 3/24/01 Sig. Bac