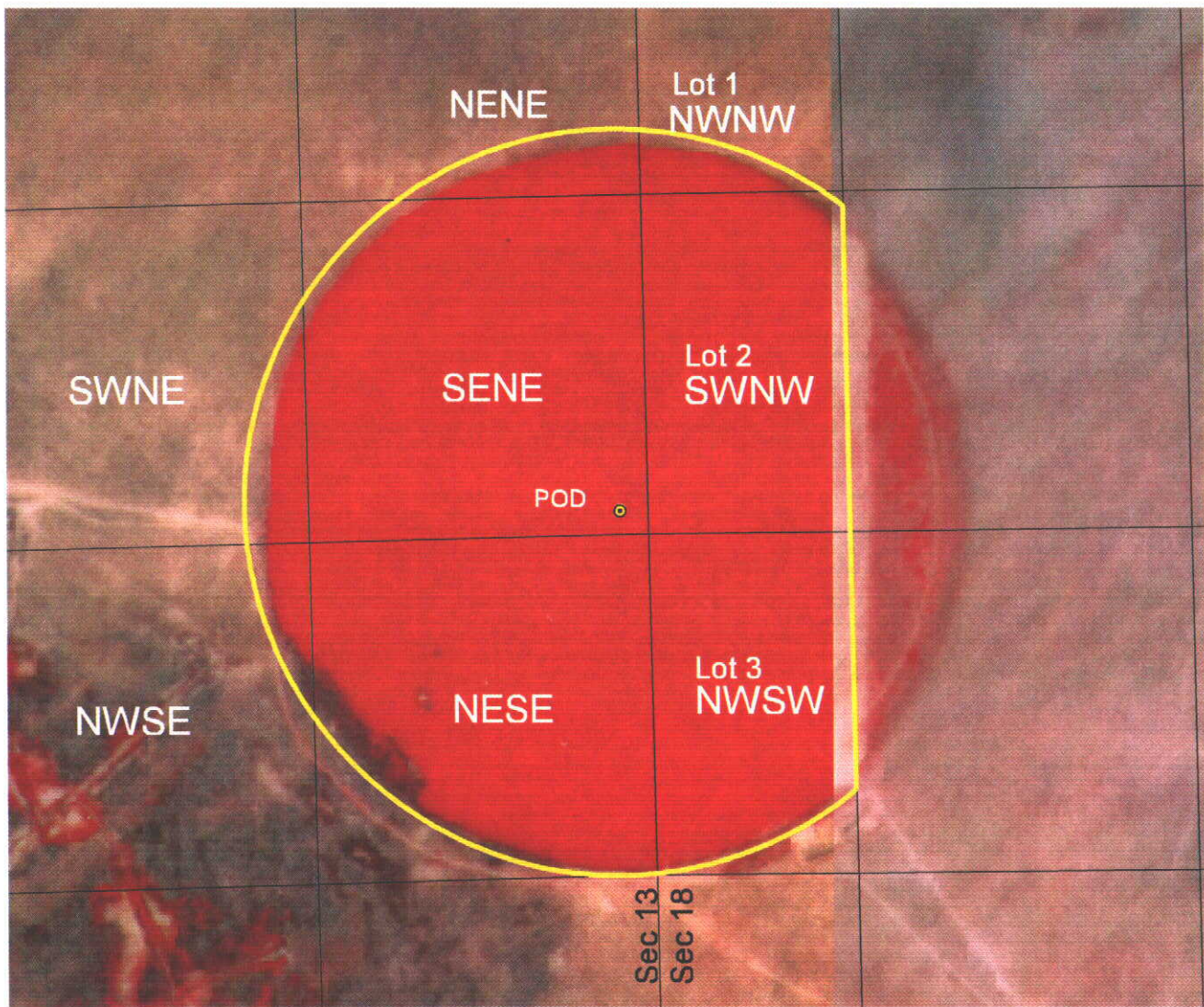


31-07360



T07N
T07N

W

700 0 700 1400 2100 Feet

Map prepared
Date prepared
1987-1988 N

07N34E

07N35E

13

NWSE
3.0

SENE
38.0

SWNW
23.0

18

NESE
35.0

NWSW
21.0

SESE

11.0

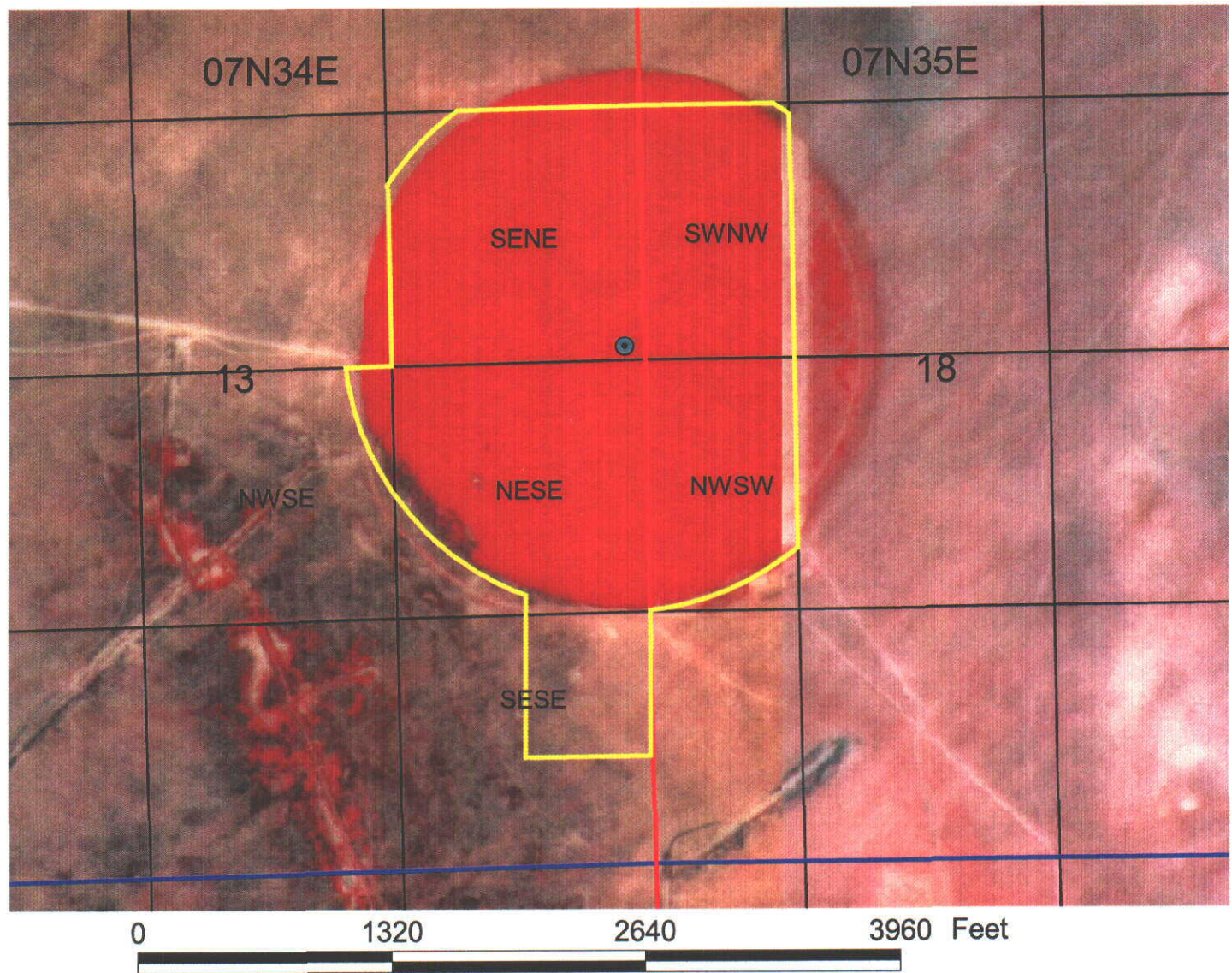
31-7360

Version 2.



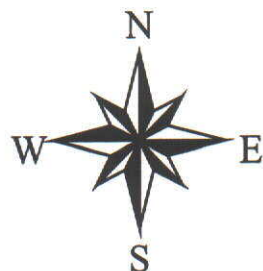
Department of Water Resources

Claim No.: 31-7360 *Version 2*



-  31-7360.shp
-  Pod.shp
-  Townships
-  Sections
-  QQ

Irrigated Acres = 131

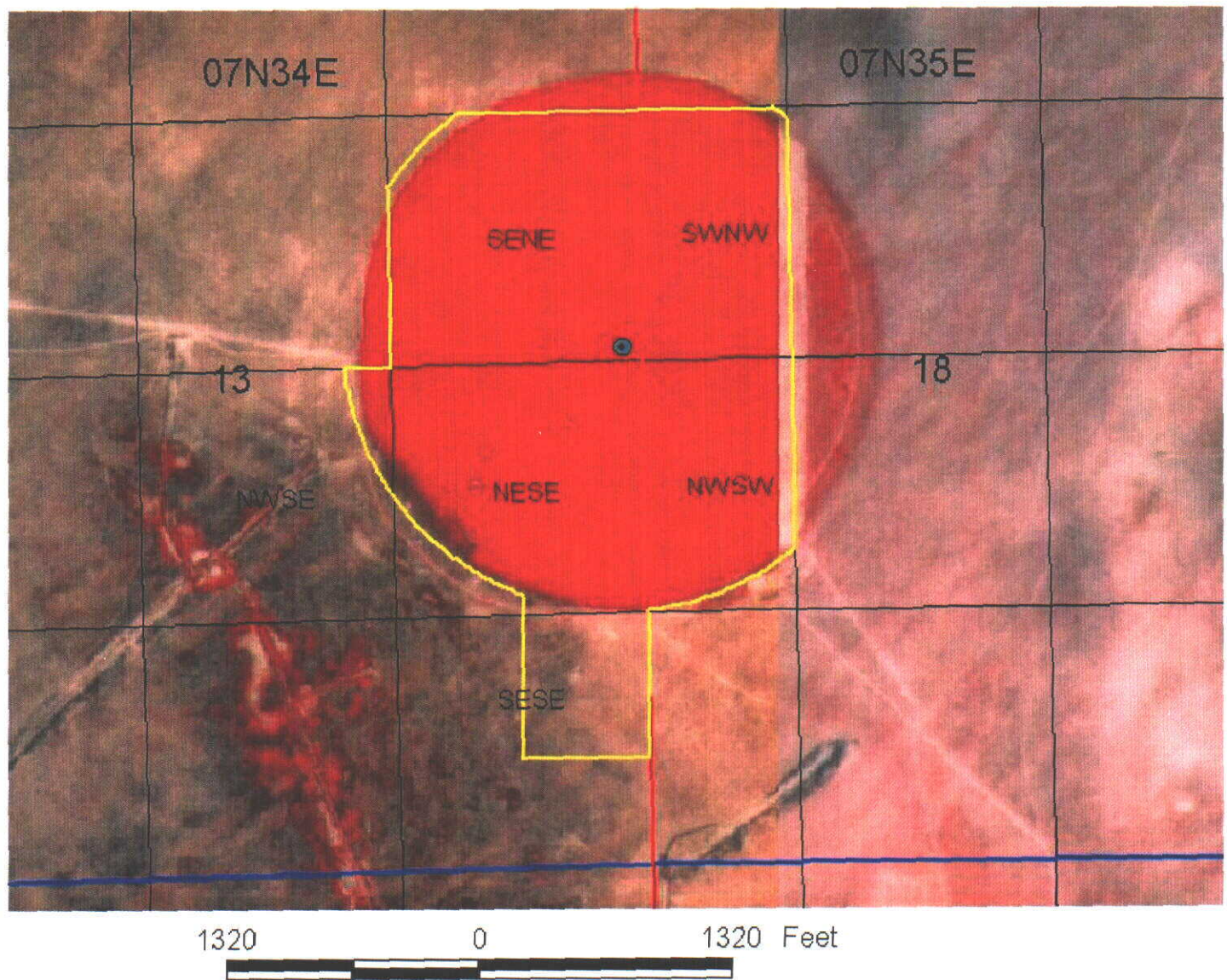


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: December 2001



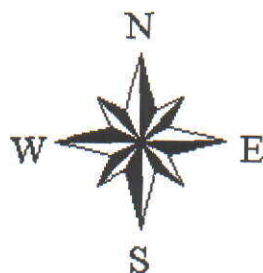
Department of Water Resources

Claim No.: 31-7360



-  31-7360.shp
-  Pod.shp
-  Townships
-  Sections
-  QQ

Irrigated Acres = 131



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: December 2001

12/07/2000

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

RIGHT NUMBER: 31-7360

NAME AND ADDRESS: L & M CATTLE COMPANY INC
440 N 4300 E
RIGBY, ID 83442

SOURCE: GROUND WATER

QUANTITY: 2.22 CFS
458.5 AFY

PRIORITY DATE: 03/12/1981

POINT OF DIVERSION: T07N R34E S13 SESENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	2.22 CFS 458.50 AFY

PLACE OF USE:

<u>IRRIGATION Within JEFFERSON County</u>							
T07N R34E S13		NENE	4	T07N R34E S13		SWNE	4
T07N R34E S13		SENE	38	T07N R34E S13		NESE	35
T07N R34E S13		NWSE	3	T07N R35E S18	LOT 1	NWNW	3
T07N R35E S18	LOT 2	SWNW	23	T07N R35E S18	LOT 3	NWSW	21

131 ACRES TOTAL

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 - License

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

07N34E

07N35E

SENE
38.0

SWNW
23.0

13

NWSE
3.0

18

NESE
35.0

NWSW
21.0

SESE
11.0

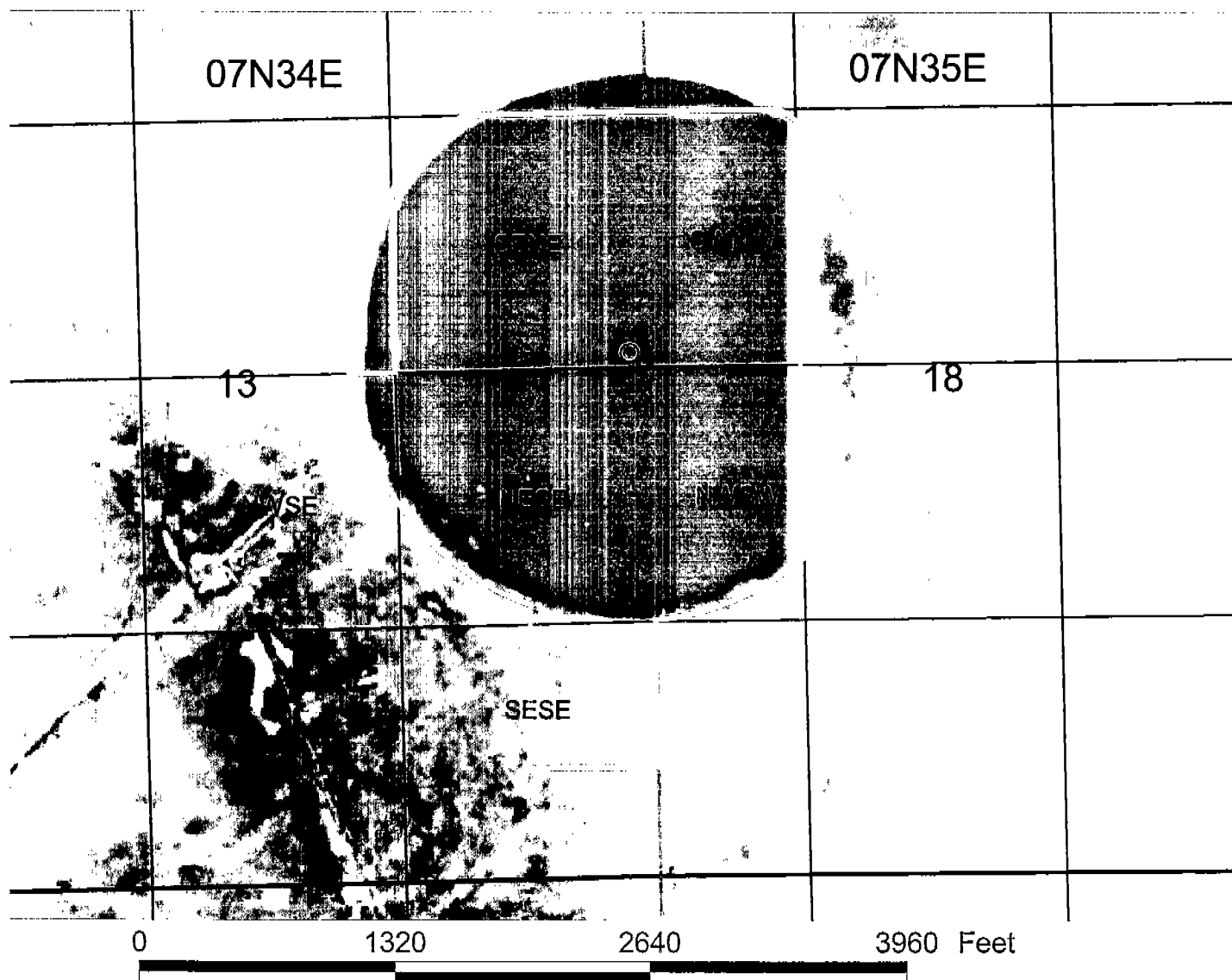
31-7360

Version 2.



Department of Water Resources

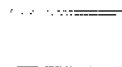
Claim No.: 31-7360 *Version 2*



31-7360.shp



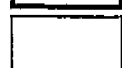
Pod.shp



Townships

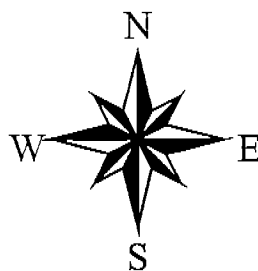


Sections



QQ

Irrigated Acres = 131



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: December 2001

x

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: A31-07360
Date Received: 11/29/1988
Receipt No. E004620
Received: DM

NOTICE OF CLAIM TO
ACQUIRED UNDER

*Original claim
sent to court.
9-18-01*

1. Name: L & M CATTLE COMPANY, INC.
Address: 440 NORTH 4300 EAST
RIGBY, ID

-745-7506

2. Date of Priority: MAR 12, 1981

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	34E	13	SE	SE	NE		JEFFERSON

5. Description of diverting works:
PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.220		

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

8. Total consumptive use is 393.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	34E	13	NE	NE		IRR	6.0
			SW	NE		IRR	3.0
			SE	NE		IRR	36.0

A31-07360 Page 1 Date: 02/15/89

MICROFILMED
NOV 17 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	34E	13	NE	SE		IRR	27.0
			NW	SE		IRR	1.0
						Section Acres	73.0
	35E	18	NW	NW		IRR	2.0
			SW	NW	2	IRR	31.0
			NE	SW		IRR	25.0
						Section Acres	58.0
						Total Acres	131.0

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:
NONE

14. Remarks:

*

* MEMO TO THE FILE: 02/15/89 PRM.

*

* POU HAS BEEN MOVED WITH ADJUDICATION CLAIM.

* CORRECT CONSUMPTIVE USE SHOULD BE 327.5 A.F.A.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, 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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356

Ident. Number

131-7360

Date Received

11/29/88

Receipt Number

E004620

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

A3107360



Please type or print clearly

1. Name of Claimant (s) L & M Cattle Company, Inc Phone (208) 745-7506
Mailing Address 440 North 4300 East Rigby Zip 83442

2. Date of Priority (Only one (1) per claim) 3-12-1981

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7N Range 34E Section 13,
SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Jefferson

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. _____

MICROFILMED

NOV 17 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount 2.22 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.22 (cfs) and/or (b) 393 (acre feet)

8. Total consumptive use claimed is 393 327.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	34E	13	B		3	36													45
7N	34E	13													27	1			28
7N	35E	18									25								25
7N	35E	18						2	31										33

Total number of acres irrigated 131

11. In which county (ies) are lands listed above as place of use located? Jefferson

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

MICROFILMED

NOV 17 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

45. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 31-7360
Court _____ Case Number _____ Decree Date 3-12-1981
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am V-president
Title

of L-M Cattle Co Inc , that I have signed the foregoing
Organization
document in the space below as V-president of L-M Cattle Co Inc
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Louise Merrill

Title and Organization V-pres Date Nov 23-88

State of Idaho/or _____)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this Nov 23 day of November 19 88

SEAL

Notary Public J. Morgan Lake Jr

Residing at Riches Del

My Commission Expires 03/31/1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

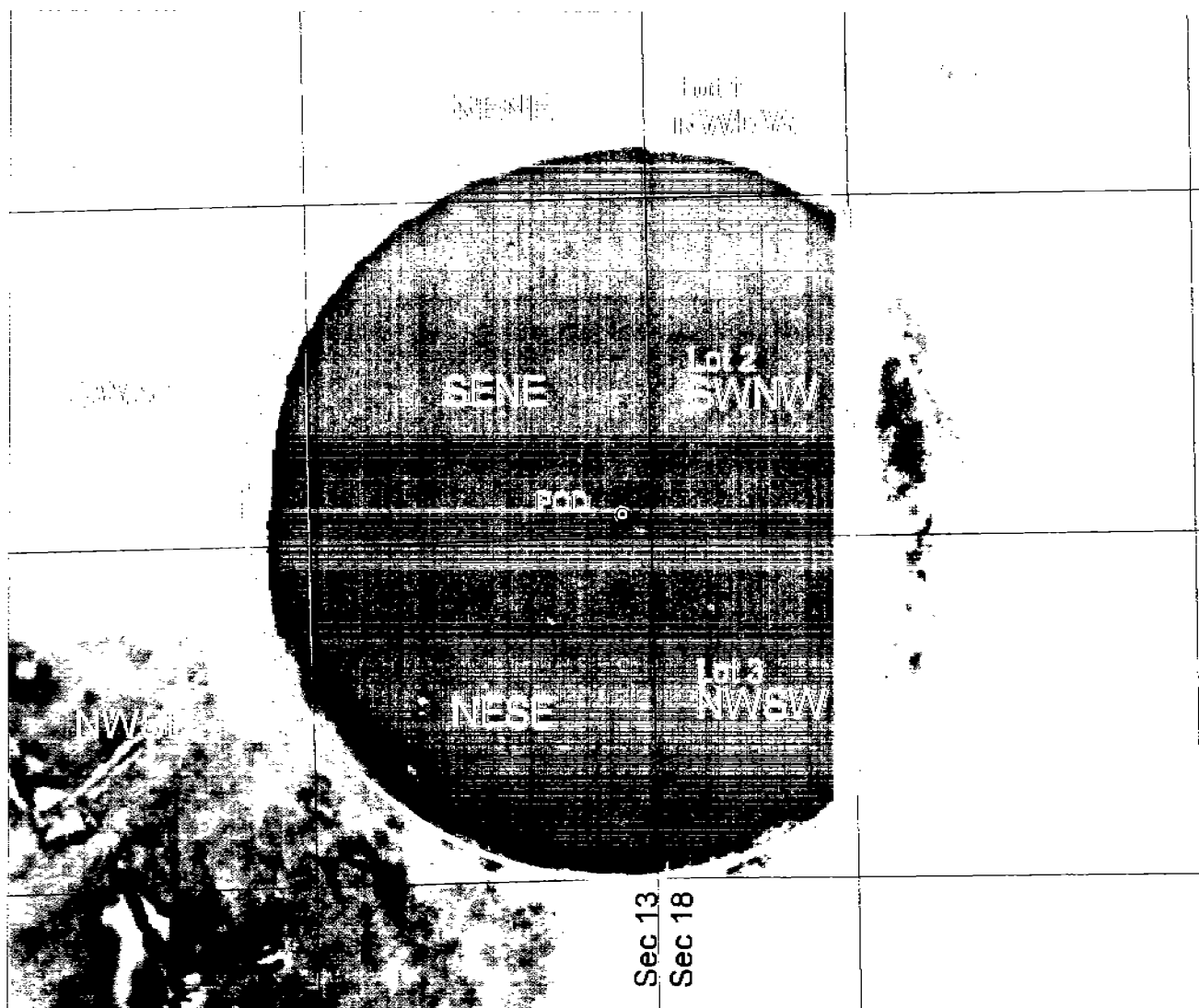
Date _____

MICROFILMED
NOV 17 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

31-07360



T07N
T07N

W

Map prepared
Date prepared
1987-1988 NA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:24
03/29/93

PAGE: 1
GENERAL INFORMATION

2173
CLAIM NUMBER: A31-07350

LAST: ZWEIFEL
ADDRESS: HC 63 BOX 2285
CITY: MONTVIEW
PHONE NUMBER: 208-000-0000

FIRST: GLENN FX
STATE: ID ZIP: 83435

OWNER CODE: 0

LAST: L & M CATTLE COMPANY, INC.
ADDRESS: 440 NORTH 4300 EAST
CITY: RIGBY
PHONE NUMBER: 208-745-7506

FIRST:
STATE: ID ZIP: 83442

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS:

- * MEMO TO THE FILE: 02/15/83 PRM.
- * POU HAS BEEN MOVED WITH ADJUDICATION CLAIM.
- * CORRECT CONSUMPTIVE USE SHOULD BE 327.5 A.F.A.

Copy to Comments

PAGE: 2
FIELD EXAMINATION INFORMATION

2179
CLAIM NUMBER: A31-07360

CONTACT PERSON: In Office 4-25-94

PHONE NUMBER: () -

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

PAGE: 5
PRIORITY DATE REVIEW PAGE

2180
CLAIM NUMBER: A31-07360

A. AJ CLAIM: # A31-07360 PRIORITY DATE: 03-12-1981 ✓ STAGE: L ✓
B. WR RECORD: # 31-07360 PRIORITY DATE: 03-12-1981 ✓ STAGE: L ✓

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD
EXAMINER

2

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

NOTES:

Claimed as licensed.

RECOMMENDED PRIORITY DATE:
03-12-1981

REVIEWED BY

4-25-94

DATE

4-25-94

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-07360	07N	34E	13	SE	SE	NE		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX NONE
R PREFIX NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-07360	07N	34E	13		SE	NE		JEFFERSON

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX NONE
R PREFIX NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE

FIELD EXAMINER

Y
N
NAPP

EA

NOTES:

10 Acre Tract shown on ASCS Photo AND on Liconix
Field Report.

Pod & POD should be confirmed on NAPP Photos,
Confirmed P.O.U. irrigated by NAPP W39 SE CA 5-3-94

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
2N	34E	13	SE	SE	NE	---	Jefferson	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

EN

DATE:

4-25-94

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A31-07360

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.
07N	34E	13	NE	NE		L & H CATTLE COMPANY, INC.	A31-07360 / 6.0	-	/	
07N	34E	13	SW	NE		L & H CATTLE COMPANY, INC.	A31-07360 / 3.0	31-07360 / 3.0		
07N	34E	13	SE	NE		L & H CATTLE COMPANY, INC.	A31-07360 / 36.0	31-07360 / 38.0		
07N	34E	13	NE	SE		L & H CATTLE COMPANY, INC.	A31-07360 / 27.0	31-07360 / 32.0		
07N	34E	13	NW	SE		L & H CATTLE COMPANY, INC.	A31-07360 / 1.0	31-07360 / 2.0		
07N	35E	18	NW	NW	1	L & H CATTLE COMPANY, INC.	A31-07360 / 2.0	-	/	
07N	35E	18	SW	NW	2	L & H CATTLE COMPANY, INC.	A31-07360 / 31.0	31-07360 / 22.0		
07N	35E	18	NE	SW		L & H CATTLE COMPANY, INC.	A31-07360 / 25.0	31-07360 / 6.0		
TOTAL ACRES							A31-07360	131.00	103.00	

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE

YN

FIELD
EXAMINER

EN

POU COUNTY: JEFFERSON

PRESUMPTION FLAG: C

NOTES:

GIS indicates approximately 141 irrigated acres. This is 10 acres than licensed and claimed. Additional land is located in NENE of Sec. 13 and NWNW (Lot 1) of Sec. 18. Did not claim SENE, therefore this 10 acres will not be represented of.

RECOMMENDATIONS:

TOTAL ACRES: 131

REVIEWED BY: EN

DATE: 4-25-94

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-07360 IRRIGATION	FROM 04-31 TO 11-01	2.220 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.220 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-07360 IRRIGATION	FROM 04-31 TO 11-01	2.220 CFS 393.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.220 CFS 393.00 AF/A

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

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

DATABASE	FIELD EXAMINER
N	SA
N	SA
N	SA

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(✓)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N() EXPLAIN IN NOTES, BELOW.

NOTES:

4/15-10/15

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(✓) N()

AJ TOTAL CLAIMED DIVERSION RATE: 2.220 / CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.220 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?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

X/N

B. FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIMS: NONE

NO CLAIMS FOUND WITH SAME PDU AND IRRIGATION USAGE

NO RIGHTS WITH SAME PDU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES 131 X 0.02 CFS/ACRE = 2.62 CFS
(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() ***

1B. CALCULATIONS

$$2.62 > 2.22 = 117 \text{ CFS/Acre}$$

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 323.0 AF/A

ACRES 131 X CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 327.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 131 X DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 458.5 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 2.220 <u>2.22</u>	DATABASE EXAMINER <u>458.5</u>	DATABASE EXAMINER <u>327.5</u>
TOTAL FOR THIS RIGHT		2.220 <u>2.22</u>	<u>458.5</u>	<u>327.5</u>

REVIEWED BY: EN

DATE: 4-25-94

No Conditions
No Remarks
No P Flags

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-07360

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.220

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-07360	2.220	-		31-07360	2.220
TOTAL CFS		2.220				2.220

DIVERSION RATE REVIEW

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

DATABASE
Y

FIELD
EXAMINER

NOTES:

No Splits

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:03:24
03/23/93

PAGE: 12
QUICKLOOK INFORMATION

2189
CLAIM NUMBER: A31-07360

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 BY WHOM/DATE
PRIORITY DATE			<i>Lu of 6/6/92 E. Wright 4-25-94</i>	<i>N</i>	<i>Licence</i>	<i>EN 4-25-94</i>	<i>EN 4-28-94</i>	
POINT OF DIV	<i>Y</i>		<i> </i>	<i>N</i>	<i>1, 2, 5</i>	<i> </i>	<i> </i>	
SOURCE			<i> </i>	<i>N</i>	<i>1, 2, 5</i>	<i> </i>	<i> </i>	
PLACE OF USE	<i>Y</i>		<i> </i>	<i>N</i>	<i>5</i>	<i> </i>	<i> </i>	
DIV. AMOUNT CFS/VOLUME			<i> </i>	<i>Y</i>	<i>5</i>	<i> </i>	<i> </i>	
CONSUMPTIVE USE	<i>-</i>		<i> </i>	<i>Y</i>	<i>Review</i>	<i> </i>	<i> </i>	
PURPOSES			<i> </i>	<i>N</i>	<i>5</i>	<i> </i>	<i> </i>	
PERIOD OF USE			<i> </i>	<i>Y</i>	<i>Review</i>	<i> </i>	<i> </i>	
BASIS OF CLAIM			<i> </i>	<i>N</i>	<i> </i>	<i> </i>	<i> </i>	
REMARKS	<i>Y</i>		<i> </i>	<i>N</i>	<i> </i>	<i> </i>	<i> </i>	

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 MASTER RECORDS = 3
 MAP 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.

BC 44
CA



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 24, 2002

L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442

RE: Transfer #69866 for water right(s) 31-7360 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Merrill:

On October 4, 2002, the Idaho Department of Water Resources (IDWR) approved Transfer #69866, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

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

Water Rights: 31-7360

Case No. 39576

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

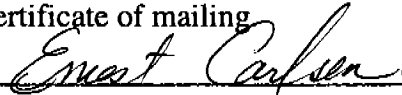
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer 69866
 - ☐ point of diversion ☒ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing

DATED: Oct 23, 2002



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10-25-02, 2002, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

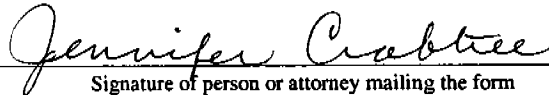
Each party in the subcase, or attorney of record
RAY RIGBY
PO BOX 250
REXBURG ID 83440

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

needs NCAP

*RECEIVED
CULC 8-2002
DEPT. OF WATER RESOURCES*

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69866**

This is to certify that: L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442
(208)745-7506

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
31-7360	AJC/License	03/12/1981	2.22 cfs	458.5 af		131.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
31-7360	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
31-7360	31-7360	2.22 cfs	393 af	N/A	131.0		N/A	N/A	N/A	N/A
TOTALS		2.22 cfs	393 af		131		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of October, 2002

[Signature]
Chief, Water Allocation Bureau

WATER RIGHT NO. 31-7360
As Modified by Transfer No. 69866

In accordance with the approval of Transfer No. 69866, Water Right No. 31-7360 is now described as follows.

Right Holder: L & M CATTLE CO INC
 C/O LEWIS MERRILL
 440 N 4300 E
 RIGBY ID 83442

Priority Date: March 12, 1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	2.22 CFS	393.0 AF
		2.22 CFS	393.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESENE Sec. 13 Twp 07N Rge 34E JEFFERSON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 34E 13				38.0									35.0	3.0		11.0	87.0
07N 35E 18							23.0				21.0						44.0
							L2				L3						

Total Acres: 131

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

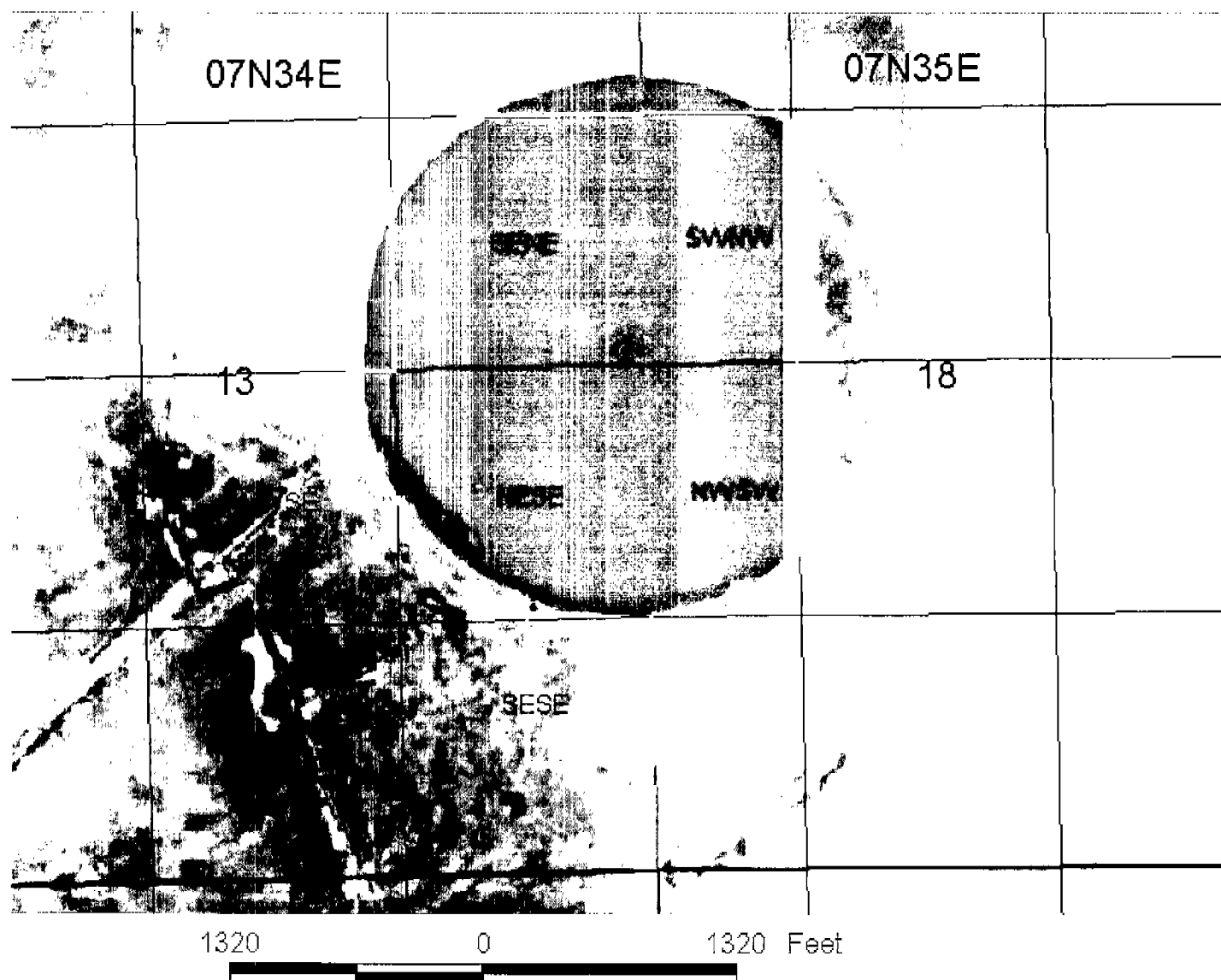
Dated this 4th day of October, 2002

A. Glen Saylor
 Chief, Water Allocation Bureau



Department of Water Resources

Claim No.: 31-7360



31-7360.shp

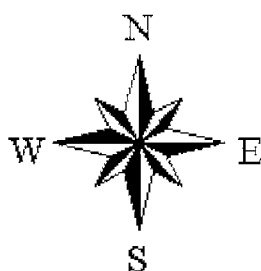
Irrigated Acres = 181

● Pod.shp

□ Townships

□ Sections

□ QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: December 2001

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

RIGHT NUMBER: 31-7360

MODIFIED PER TRANSFER 69866

NAME AND ADDRESS:

L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442

SOURCE: GROUND WATER

Tributary:

QUANTITY: 2.220 CFS
458.500 AFY

PRIORITY DATE: 03/12/1981

POINT OF DIVERSION:

PURPOSE AND PERIOD OF USE: T07N R34E S13 SESENE Within JEFFERSON County
Purpose of use Period of use:

Quantity:

Purpose of use	Period of use	Quantity
IRRIGATION	4/01 11/01	2.220 CFS 458.50 AFY

PLACE OF USE: IRRIGATION within JEFFERSON County

~~T07N R34E S13 NENE 4.0~~
~~T07N R34E S13 SWNE 4.0~~

T07N R34E S13 SENE 38.0
T07N R34E S13 NESE 35.0
T07N R34E S13 NWSE 3.0
T07N R34E S13 SESE 11.0

~~T07N R35E S18 NWNW Lot 1 3.0~~

T07N R35E S18 SWNW Lot 2 23.0
T07N R35E S18 NWSW Lot 3 21.0

131 ACRES TOTAL

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 - License

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
This right when combined with all other rights shall provide no more than 0.02 cfs per nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
The right holder shall accomplish the change authorized by transfer 69866 by October 4, 2003.
Failure of the right holder to comply with the conditions transfer 69866 is cause for t Director to rescind approval of the transfer.
~~RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.~~



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 17, 2002

L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442

RE: Application for Transfer #69866 (31-7360) and Notice of
Administrative Proceeding (NAP)

Dear Mr. Merrill:

The Idaho Department of Water Resources (IDWR) received an
Application for Transfer for the above referenced water right(s).

In response to the Application, this office is sending the enclosed NAP
to the SRBA Court and other parties listed on page 2 of the form. The
intent of this mailing is to notify those parties of the requested change.

Please feel free to contact me if you have any questions concerning this
matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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)

Water Rights: 31-7360

Case No. 39576)

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water
right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated
below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer **69866**

☐ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:

DATED: May 13, 2002

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 17, 2002, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A

4. One copy to:

Each party in the subcase, or attorney of record
RAY RIGBY
PO BOX 250
REXBURG ID 83440

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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: 39356

Ident. Number 121-7360

Date Received 11/29/18

Receipt Number 2004/6211

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Lynn L. Little Company, Inc. Phone (208) 748 7566

Mailing Address 440 North 4300 East • Rigby Zip 83442

2. Date of Priority (Only one (1) per claim) 3-12-1981

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 7N Range 34E Section 13
SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Tetrahedron

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Copies: White-State, Yellow-Claimant

25x11

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/1 to 11/1 amount 3,200 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3,200 (b) 373 (acre feet)

8. Total consumptive use claimed is 373 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7N	34E	13	B		3	36													45
7N	34E	12													27	1			28
7N	35E	18									25								25
7N	35E	18						2	31										33

Total number of acres irrigated 131

11. In which county (ies) are lands listed above as place of use located? Jefferson

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

Last Name _____ Ident No. _____

Copies: White - State, Yellow - Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 31-1360
Court _____ Case Number _____ Decree Date 2-11-1981
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am V. president

of L.M. CATTLE CO. INC. that I have signed the foregoing
Organization

document in the space below as V. president of L.M. CATTLE CO. INC.
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Louise Marshall

Title and Organization V. pres Date Nov 23-88

State of Idaho/or _____)

County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this Nov 23 day of November 19 88

SEAL

Notary Public Walter J. Smith

Residing at 1111 N. 1st St.

My Commission Expires 03/31/1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the Director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

Copies: White-Stat; Yellow-Claimant

				Lotnum	
07N	34E	13	NENE	0	2.2
07N	34E	13	SWNE	0	2.4
07N	34E	13	SENE	0	37.0
07N	34E	13	NESE	0	34.0
07N	34E	13	NWSE	0	1.6
07N	35E	18	NWNW	1	1.4
07N	35E	18	SWNW	2	23.0
07N	35E	18	SENW	0	10.0
07N	35E	18	NESW	0	7.8
07N	35E	18	NWSW	3	21.0

3.0

— BLM

— BLM

140.4

11

ton Lake

12

7

8

A31-07360

W39

1980

CF

5-3-94

T7N
R34E

T7N
R35E

14

BM X 4804

15

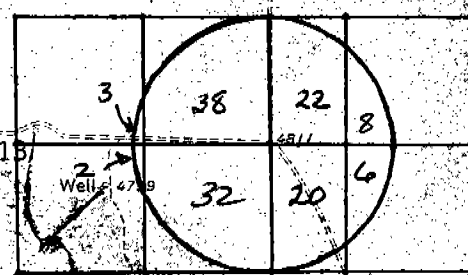
4860

4811

18

The Breaks

17



4798

4798

4828

4838

BM 4808

23

24

19

20

North Lake

4790

4788

26

4826

BM 4810

4829

30

29

ORTH LAKE

MC

31

MC

32

12 7
13 18

R34E R35E

Red 5
Lake

R14
R209

(38)

POINT OF DIVERSION

(22)

(8)

BLM

PLACE

A128

R208

(2)

(32)

(20)

(6)
8.4

A
122.4

145

12 7
13 18

R34E R35E

Line 5
Water

R14
R209

(38)

POINT OF DIVERSION

(22)

PLACE

(8)

BLM

(32)

A
122.4

(20)

(6)

8.4

R23
R208

H5

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31-7360 Priority March 12, 1981 Amount 2.22 cfs

THIS IS TO CERTIFY, that Glenn F. Zweifel
of Montevue, Idaho, has complied with the terms and conditions of Permit
No. 31-7360 issued pursuant to Application for Permit dated March 12, 1981,
and has submitted proof to the Department of Water Resources on October 28, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.22 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>2.22</u> cfs and	<u>393.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.22 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
393.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13,
Twp 7N, Rge 34E in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7N	34E	13			3	38									32	2			75
7N	35E	18							GL 2 22	8	6	GL 3 20							56

Total number of acres irrigated 131

CONDITIONS OF APPROVAL

- a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.
- b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.
- c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18th day of September, 19 86.

Betty D. Fleener
Acting for the Director

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant GLENN F. ZWEIFEL Phone 657-2243

Post office address MONTEVIEW, IDAHO

2. Source of water supply GROUNDWATER which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13 Township 7N

Range 34E B.M. JEFFERSON County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.2 cfs for Irrigation purposes from 4/1/ to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.2 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Center pivot

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.

c. Proposed well diameter is 14 inches; proposed depth of well is 100 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year -- maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____

Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

RECORDED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	34E	13				40									40				80
7N	35E	18						40				40							80

Total number of acres to be irrigated 160

c. Describe any other water rights used for the same purposes as described above. _____

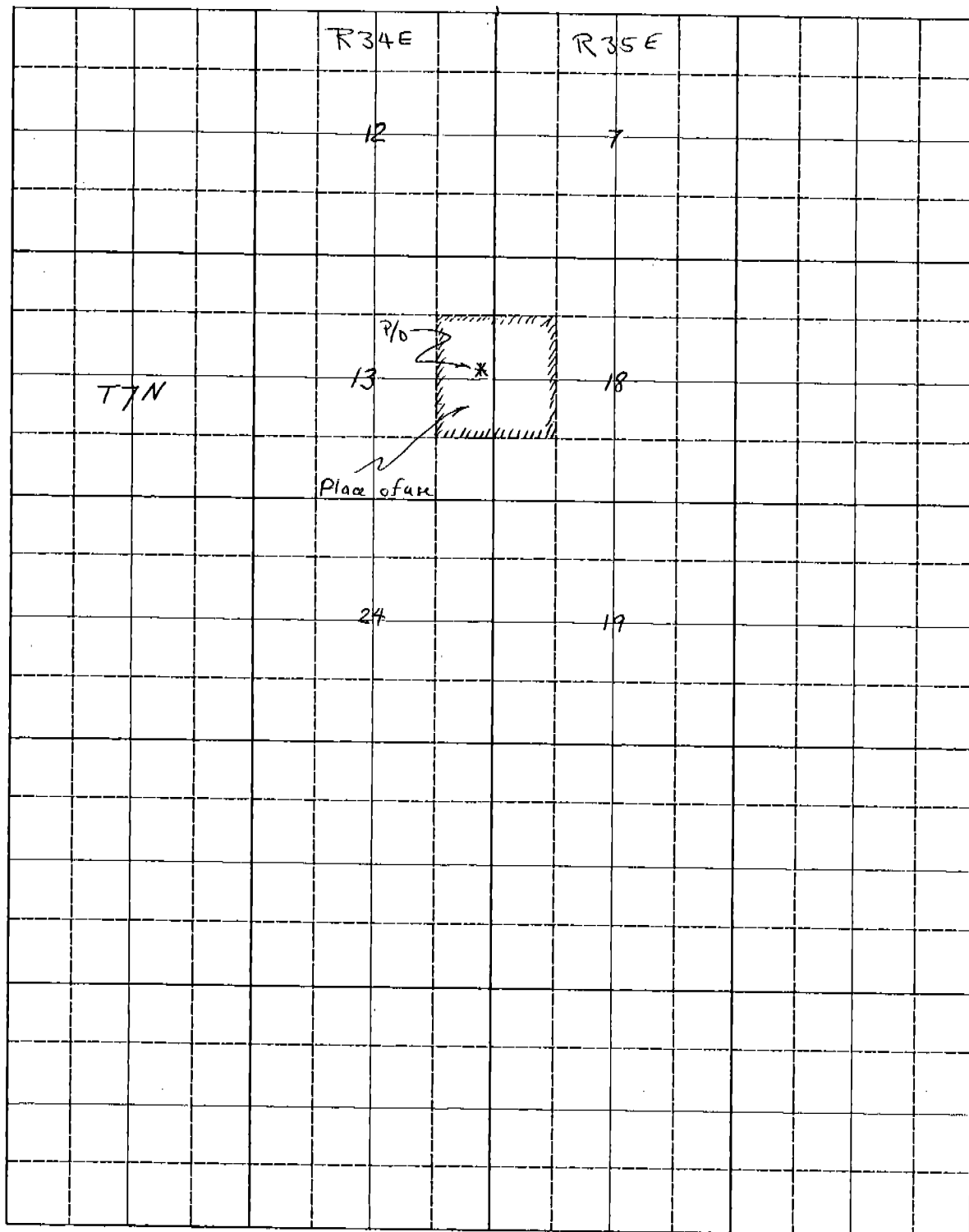
9. a. Who owns the property at the point of diversion APPLICANT

b. Who owns the land to be irrigated or place of use APPLICANT [see remarks]

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Annual agreement with BLM

10. Remarks Applicant will have an annual agreement with BLM for center pivot to periodically traverse BLM lands located in the E½ of NWSW & SWNW OF Sec. 18, T. 7N, R. 35E

11. Map of proposed project. show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

RECEIVED

Glenn F. Zweifel
(Applicant)

Received by KW Date 3-12-81 Time 10:15
Preliminary check by BW Fee \$ 105.00
Received by SLS Date 3-12-81 # 17094
Publication prepared by KW Date 3/19/81
Published in Rigby Star
Publication dates 3/20/81 & 4/02/81
Publication approved KW Date 4/13/81
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by MLC RH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7360, and said application is hereby approved.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 86.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 23rd day of April, 1981.

A. Glen Saxton
Chief, Operations Bureau

RECEIVED
APR 23 1981

STATE OF IDAHO
APPLICATION FOR AMENDMENT
(For Licensing Purposes)

Ident. No. _____
RECEIVED
AUG 25 1986
APPROVED
Department of Water Resources
Phone _____

Comes now Glenn F. Zweifel
of (address) Montevue, ID 83435, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the
State of Idaho No. 31-7360, and requests that the permit be changed as follows:

1a. Point of diversion: SE 1/4 NE 1/4, Section 13, Township 7N, Range 34E,
B.M., County of Jefferson. Other points of diversion: _____

1b. Source: groundwater tributary to -----

2a. Period and nature of use:

Amount 2.22 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

2b. The maximum quantity diverted shall not exceed 2.22 cfs or 393.0 acre feet
per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	34E	13			3	38									32	2			75
7N	35E	18							GL 2 22	8	6	GL 3 20							56

Total number of acres to be irrigated = 131

4. Date of priority: March 12, 1981

5. Conditions (if any):

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Montrose, Idaho this 20 day of August, 1986.
Glenn F. Zweifel
(Signature)

FOR DEPARTMENT USE ONLY

#38948

Preliminary check by kw Fee = \$20.00 ☒ Received by sf Date 8-25-86

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources
hereby Approve the above Application for Amendment for Permit No. 31-7360.

Witness my hand this 18th day of September, 1986.

Billy D. Hemen
Acting for the Director

RECEIVED

R34E R35E

POINT OF DIVERSION

The Breaks

Place of Use

North Lake

BM 4804

Well 4792

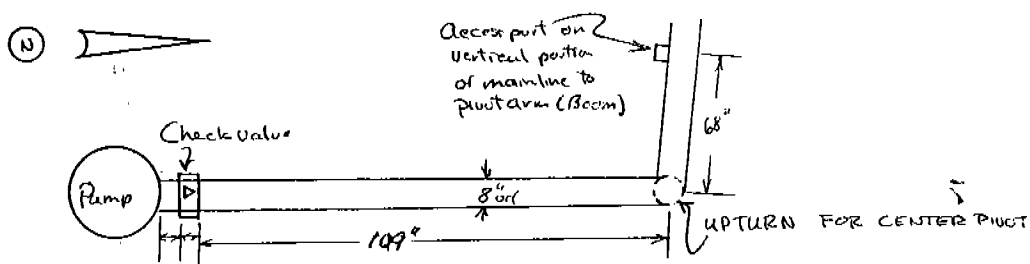
Wells

BM 4808

IRAYS LAKE) 3571 IV NE

77N

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: SE 1/4 NE 1/4 Sec 13, T7N, R34E

Place(s) of Use

underlined tracts were not shown on permit

[illegible]

Total = 131

☐ Other

Date _____

8 Mar 84

14-84

131/96

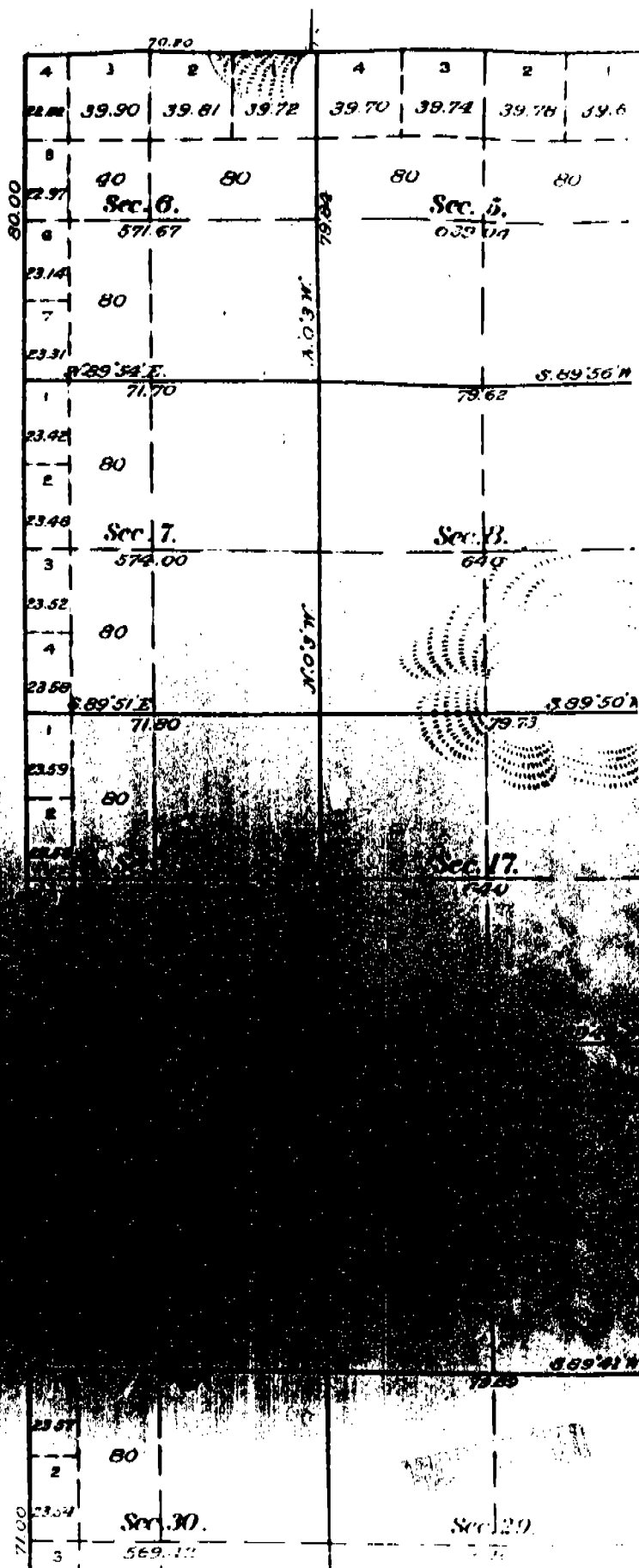
7N-35E

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State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 20, 2001

L & M CATTLE CO INC
C/O LEWIS MERRILL
440 N 4300 E
RIGBY ID 83442

RE: TRANSFER OF WATER FOR WATER RIGHT 31-7360

Dear Gentlemen:

I am sending the above-mentioned Transfer for the following:

1. List the officers of the corporation on Item 6d.
2. Sign and notarize the last page.
3. Filing fee of \$330.
4. Proof of ownership documentation for the place of use.

Please complete the form and enclose proof of ownership documentation and a check in the amount of \$330 made payable to IDWR and mail to:

ID. DEPT OF WATER RESOURCES
ATTN HAROLD JONES
900 N SKYLINE DR STE A
IDAHO FALLS, ID 83401

If you have any questions regarding this matter please feel free to contact Ernie Carlson or Harold Jones at 208-525-7161.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

RECEIVED

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

Case No. 39576

A. Subcase 31-07360

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

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

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: L & M Cattle Co., Inc.

Address: 440 N. 4300 E.; Rigby, Idaho 83442

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

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

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

P.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

Fredric W. Price
(Signature of person filing objection)

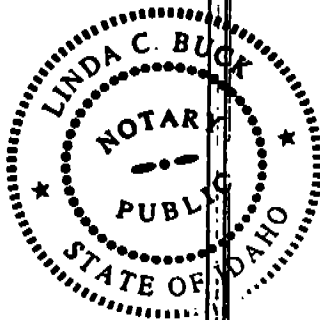
Sam C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

September 7, 2001

Linda C. Buck
Linda C. Buck

Notary Public for State of Idaho
Residing at: Mountain Home, ID.
My Commission Expires: 12-21-2005



F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

Fredric W. Price
(Signature of person filing objection)

Linda C. Buck
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

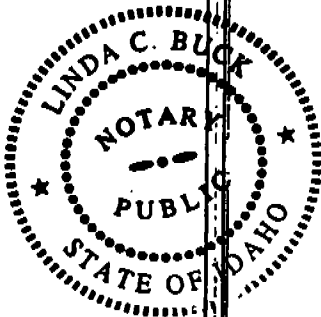
September 7, 2001

Linda C. Buck

Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2005



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on September 7, 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
P.O. Box 2707
Twin Falls, ID 83303-2707

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

Name: L & M Cattle Co., Inc.
Address: 440 N. 4300 E.; Rigby, Idaho 83442

Name:
Address: ;

Name:
Address: ;

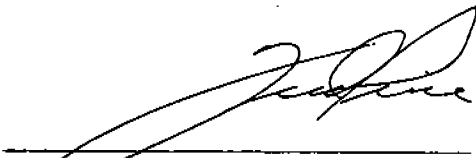
Name:
Address: ;

3. Copies to:

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

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

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



Signature of Objector or attorney mailing on Objector's behalf

05 04/2001

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

RIGHT NUMBER: 31-7360
NAME AND ADDRESS: L & M CATTLE CO INC
440 N 4300 E
RIGBY ID 83442

UNAUTHORIZED USE
-POU
-FARMING OF PUBLIC LAND
IS NOT AUTHORIZED.

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.220 CFS
458.50 AFY

PRIORITY DATE: 03/12/1981

POINT OF
DIVERSION:

T07N R34E S13 SESENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 11/01

QUANTITY
2.220 CFS
458.50 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T07N R34E S13 NENE 4.0
T07N R34E S13 SENE 38.0
T07N R34E S13 NWSE 3.0
T07N R35E S18 Lot 2 SWNW 23.0

T07N R34E S13 SWNE 4.0
T07N R34E S13 NESE 35.0
T07N R35E S18 Lot 1 NWNW 3.0
T07N R35E S18 Lot 3 NWSW 21.0

131 ACRES TOTAL

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 - License

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

Issue:

Circled places of use are on public land

Basin 31 - Private Irrigation Claims Filed in the SRBA With PODs/POUs on Public Land

L&M Cattle Co. (Claimant) 31-07360

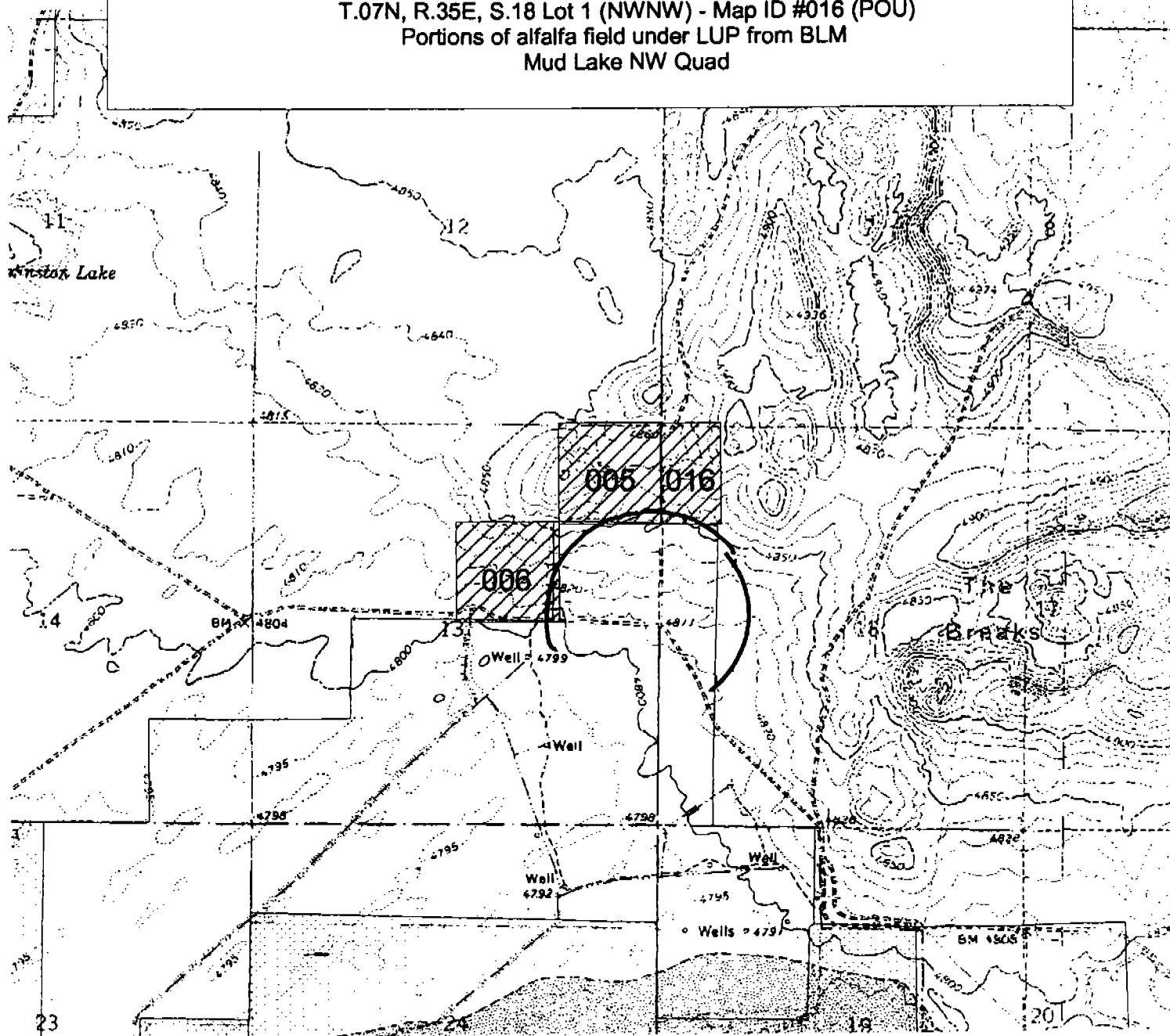
T.07N, R.34E, S.13 NENE - Map ID #005 (POU)

T.07N, R.34E, S.13 SWNE - Map ID #006 (POU)

T.07N, R.35E, S.18 Lot 1 (NWNW) - Map ID #016 (POU)

Portions of alfalfa field under LUP from BLM

Mud Lake NW Quad



0.5 0 0.5 Miles

1:24,000 Scale

- L&m_gpsdata05_06_16.shp
- L&mcattle_mapids2.shp
- lfo_pfo_own_mtpupdate.shp
- B.L.M.
- Bureau of Indian Affairs
- Department of Energy
- Forest Service
- Military Reservations
- National Parks & Monuments
- Open water
- Private
- State of Idaho
- U.S. Fish & Wildlife Service

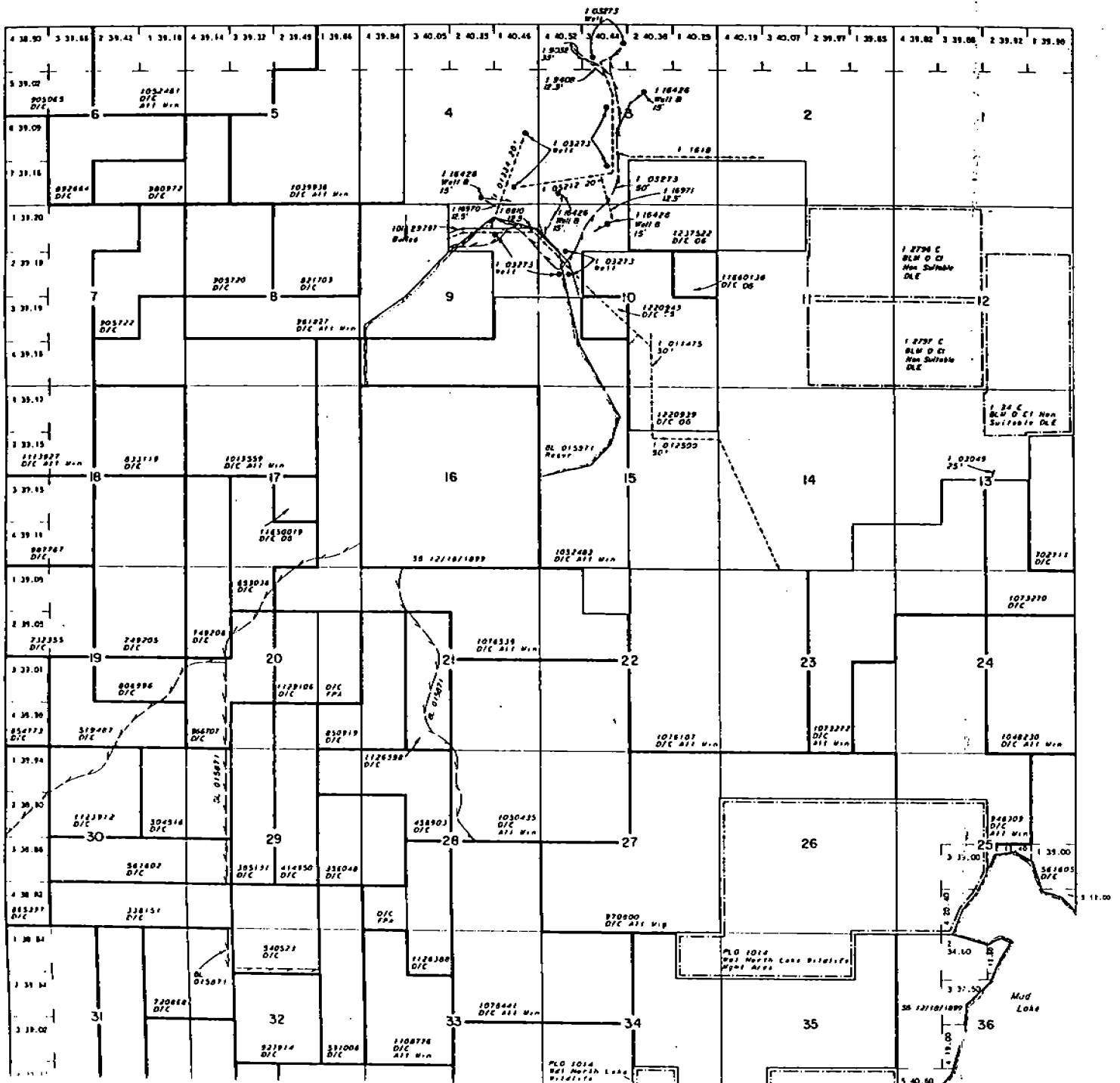


DRAFT: PRODUCED BY THE BLM, IDAHO FALLS FIELD OFFICE.
 Projection Universal Transverse Mercator
 Zone 12, 1927 North American Datum
 No warranty is made by the Bureau of Land Management
 as to the accuracy, reliability, or completeness of
 this data for individual or aggregate use with other data.
 Prepared by Deena Teel on 7/18/2001 from digitized data and
 GPS data collected on 7/17/2001.

TOWNSHIP 7 NORTH RANGE 34 EAST OF THE BOISE MERIDIAN, IDAHO

JEFFERSON COUNTY 051

IDAHO FALLS DISTRICT SEC 3



1 2797 C
BLM O CI
Non Suitable
DLE

1 34 C
BLM O CI Non
Suitable DLE

T07N
R34E
S13

1 03049
25'

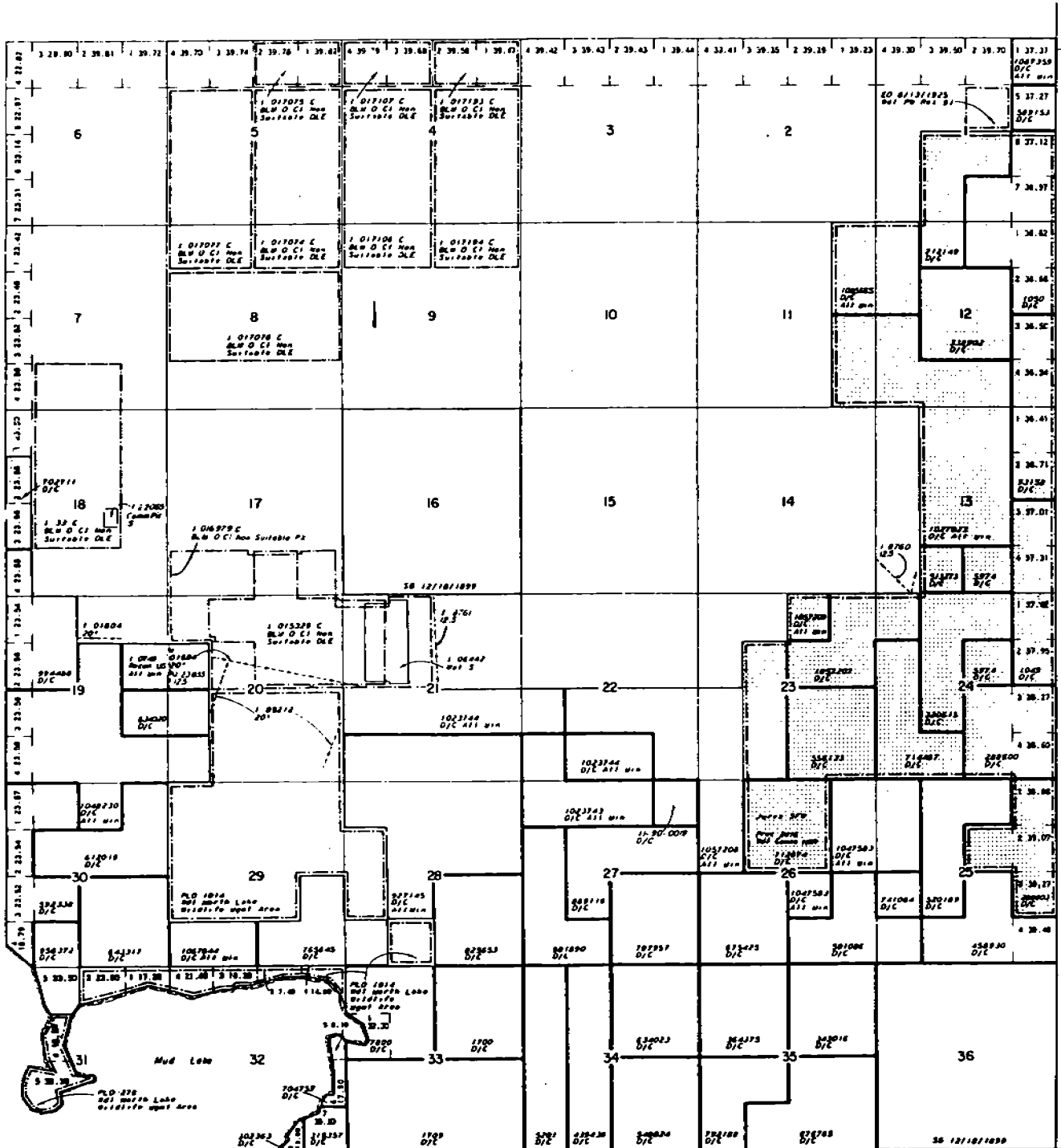
13'

702711
D/C

1073270
D/C

24

JEFFERSON COUNTY
DAND FALLS DISTRICT SEC 3



SCALE in Chains
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1" = 40'

S. N. 35 E

S. N. 35 E

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RESERV
TRACT

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