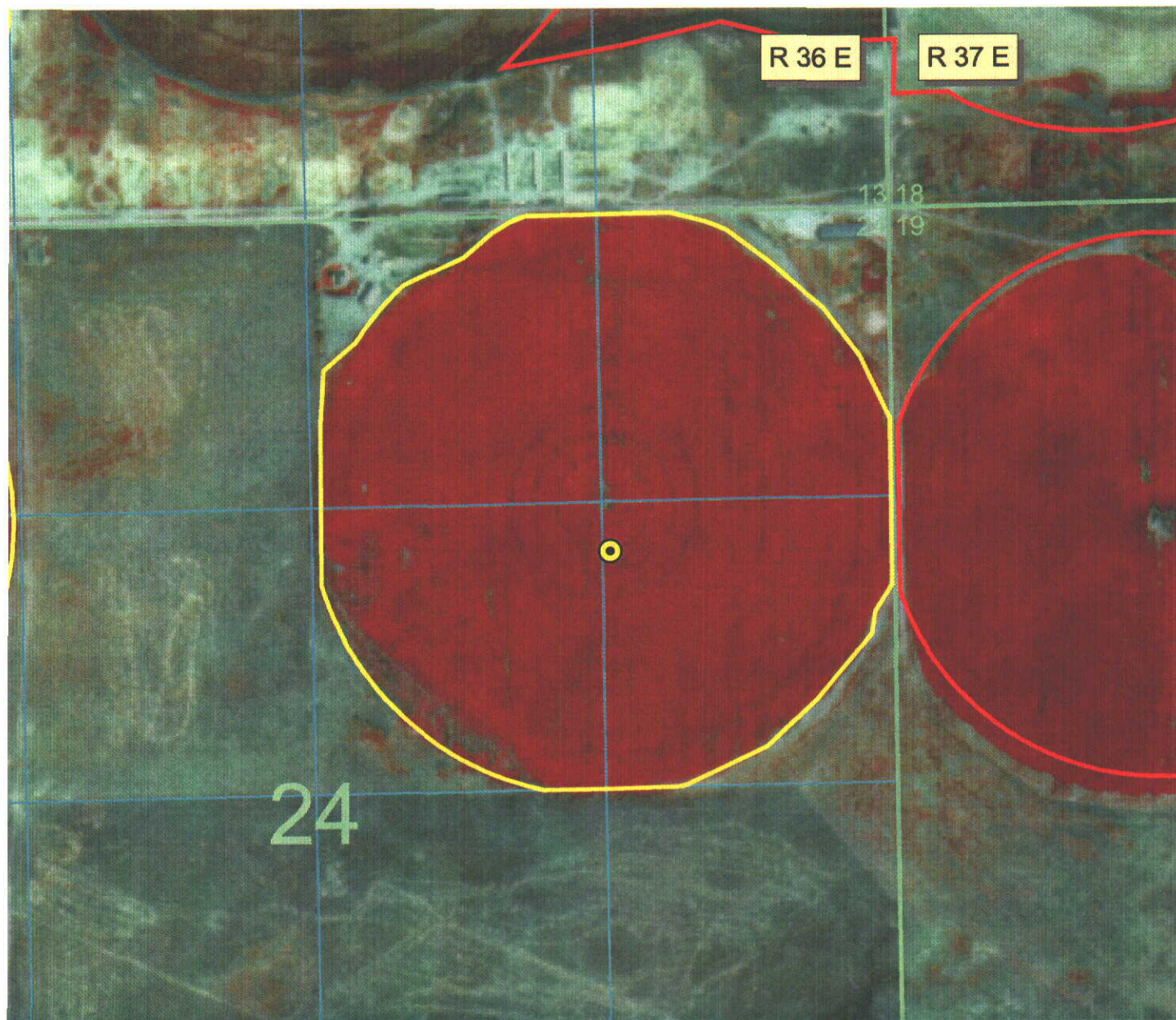


IDAHO DEPARTMENT OF WATER RESOURCES

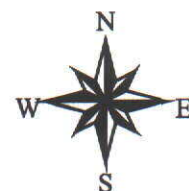
Water Right 31-07168, 31-11371

Township 7 North Range 36 East Section 24



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

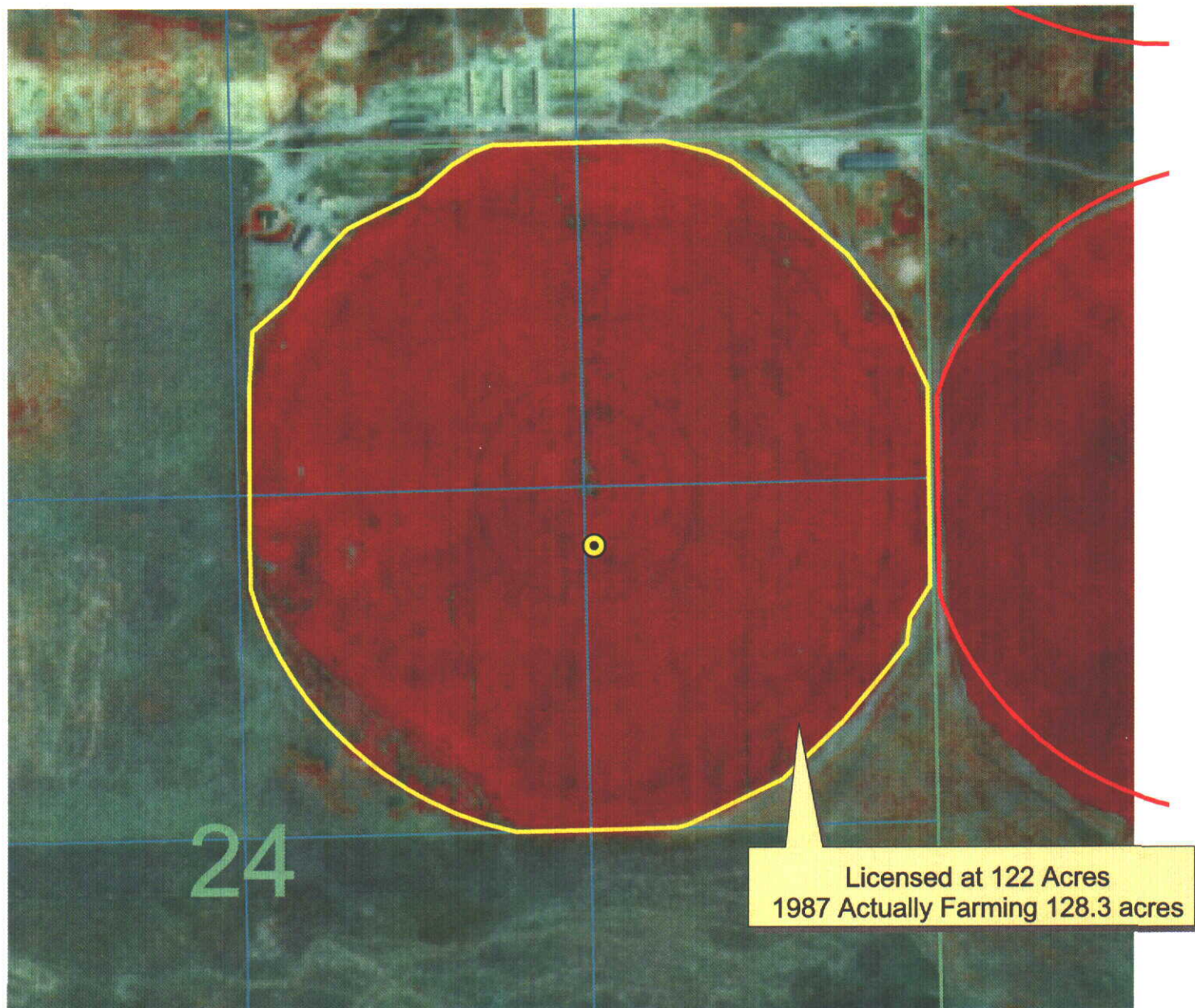
0 1320 Feet



IDAHO DEPARTMENT OF WATER RESOURCES

Claim A31-07168 as Enlarged

Township 7 North Range 36 East Section 24



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

0 1320 Feet



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-11371

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBARA NEVILLE
Current Owner	STAN D NEVILLE
	2658 E 2100 N
	HAMER, ID 83425
	(208)662-5450

Priority Date: 08/13/1981
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<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	0.12 CFS	22.1 AFA	
Total Diversion	0.12 CFS				

Location of Point(s) of Diversion:

GROUND WATER	NWSENE	Sec. 24	Township 07N	Range 36e	JEFFERSON County
--------------	--------	---------	--------------	-----------	------------------

IRRIGATION Use:
Acre Limit: 128.3

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	36E	24		SWNE	31.3		SENE	33		NENE	32		NWNE	32

Total Acres: 128.3

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. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
3. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 31-07168 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 128.3 ACRES IN A SINGLE IRRIGATION SEASON.
2. Explanatory RIGHT NO. 31-07168 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-07168 PURSUANT TO SECTION 42-

Water Right 31-11371

4. Quantity 1426, IDAHO CODE.
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.44 CFS
AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 388.1 AF. COMBINED RIGHT NOS.: 31-
07168, 31-11371.
5. Explanatory THIS RIGHT IS FOR AN ENLARGEMENT OF 6.3 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS
RIGHT.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
csaxton	3/16/01	Notice of Error	Requested Notice of Error changes made per instruction from Bryce Contor.

Dates:

Licensed Date:
Claim Received Date: 08/11/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Other Information:

Receipt Number(s):
State or Federal:
Owner Name Connector: OR
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:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-11371

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STAN NEVILLE
Current Owner	BARBARA NEVILLE
	2658 E 2100 N
	HAMER, ID 83425
	(208)662-5450

Priority Date: 08/13/1981
Basis: Beneficial Use
Status: Valid

Source: GROUND WATER

<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	0.12 CFS	22.1 AFA	

Total Diversion 0.12 CFS

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07N	36e	24	NW SW NE		JEFFERSON

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	36E	24		SWNE	31.3		NENE	32		NWNE	32		SENE	33

Total Acres: 128.3

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.
- C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

Remarks:

- Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.44 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 388.1 AF. COMBINED RIGHT NOS.: 31-07168, 31-11371.
- Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 31-07168 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 128.3 ACRES IN A SINGLE IRRIGATION SEASON.
- Explanatory RIGHT NO. 31-07168 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
- Explanatory THIS RIGHT IS FOR AN ENLARGEMENT OF 6.3 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

5. General

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-07168 PURSUANT TO SECTION 42-1426, IDAHO CODE.

Dates:

Licensed Date:
 Claim Received Date: 08/11/2000
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 Response Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
POD	8/28/00 11:45:45 AM	bcontor			In Process
POU	8/28/00 12:50:19 PM	bcontor			In Process
	8/28/00 12:47:15 PM	bcontor			In Process
	8/28/00 11:59:27 AM	bcontor			In Process
Priority Date	8/28/00 11:41:57 AM	bcontor			In Process
Quantity	8/28/00 12:52:14 PM	bcontor			In Process
	8/28/00 12:09:05 PM	bcontor			In Process
Season	8/28/00 12:50:43 PM	bcontor			In Process
	8/28/00 12:09:03 PM	bcontor			In Process
Source	8/28/00 11:47:12 AM	bcontor			In Process
Summary	8/28/00 12:53:38 PM		8/28/00 12:53:38 PM	bcontor	Complete
Use	8/28/00 12:46:33 PM	bcontor			In Process
	8/28/00 12:05:44 PM	bcontor			In Process

Other Information:

Receipt Number(s):
 State or Federal:
 Water District:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

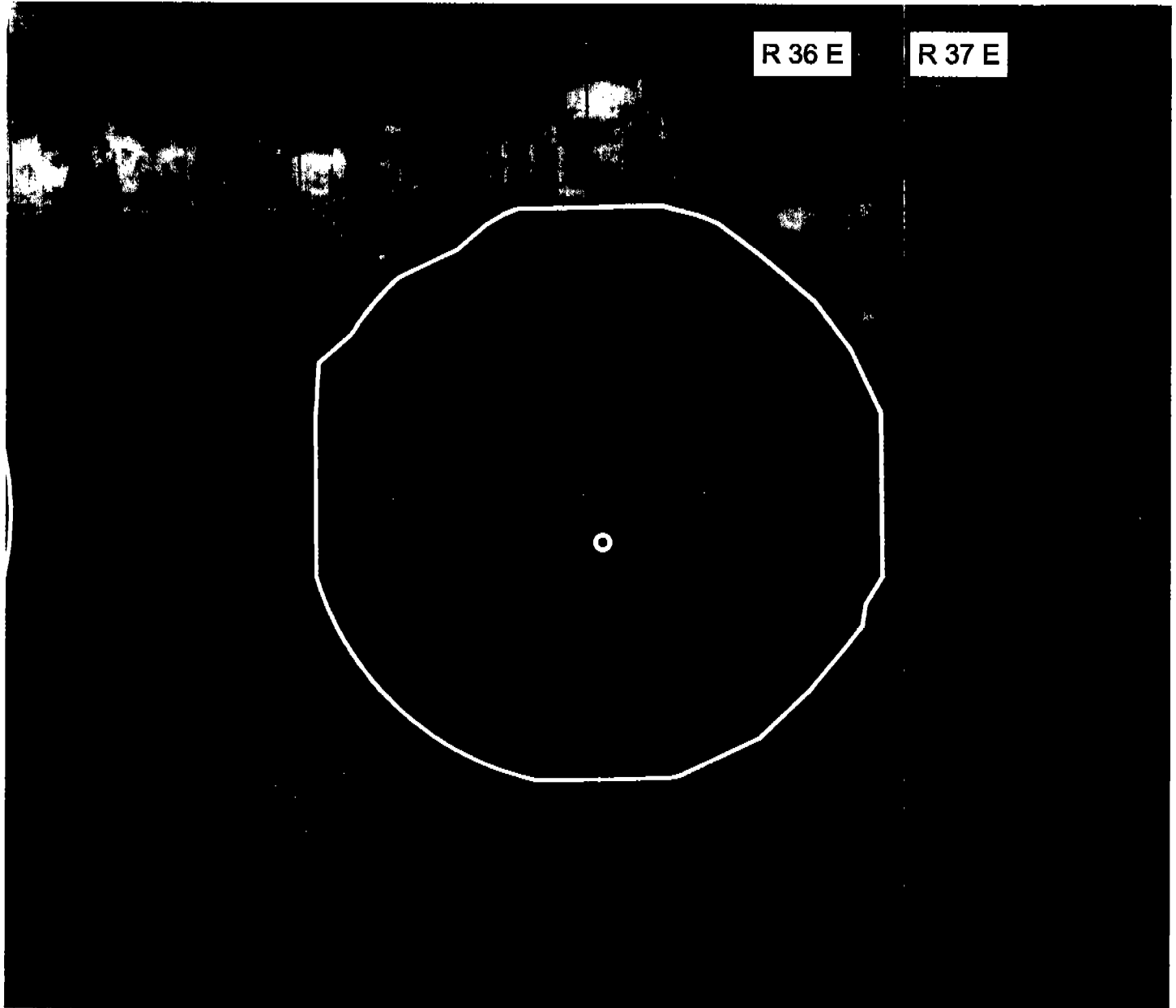
Element	Date Time Stamp	Reviewer	Log Text
POD	8/28/00 11:52:08 AM	bcontor	Edited point location
POD	8/28/00 11:45:44 AM	bcontor	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Point of Diversion. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: NWMD GPS, License exam for underlying WR. 8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required.
POU	8/28/00 12:50:16 PM	bcontor	1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: GIS 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
POU	8/28/00 12:47:13 PM	bcontor	1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU.

POU	8/28/00 11:59:25 AM	bcontor	12. (NO) POU remark was not required. 13. (NO) POU condition was not required. 1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: GIS 12. (YES) POU remark was required. 13. (YES) POU condition was required.
Priority Date	8/28/00 11:41:55 AM	bcontor	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (YES) The priority date was claimed after the date a permit was required for the source and water use. 9. (YES) The claim was for an expansion or enlargement under 42-1416B or 42-1426. 10. (YES) The claim file contains sufficient evidence of priority date. 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	8/28/00 12:52:12 PM	bcontor	1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: Proportionate share of licensed right over acres as enlarged, QNT remark limiting combined total to licensed Q. 6. (YES) The source is ground water and the purpose of use requires a diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Quantity Season	8/28/00 12:09:03 PM 8/28/00 12:50:41 PM	bcontor bcontor	1. (YES) The basis of claim is beneficial use. 1. (YES) The basis of claim is beneficial 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.
Season Source	8/28/00 12:05:45 PM 8/28/00 11:47:11 AM	bcontor bcontor	1. (YES) The basis of claim is beneficial use. 1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: NWMD exam, license exam for underlying license. 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	8/28/00 12:53:36 PM	bcontor	1. (YES) The basis of the claim is beneficial use. 2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (NO) Additional condition was not 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.
Use	8/28/00 12:46:32 PM	bcontor	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.
Use	8/28/00 12:05:41 PM	bcontor	1. (YES) The basis of claim is beneficial use.

IDAHO DEPARTMENT OF WATER RESOURCES

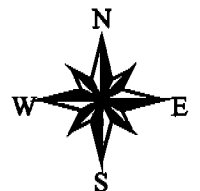
Water Right 31-07168, 31-11371

Township 7 North Range 36 East Section 24



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

0 1320 Feet



RECEIVED

AUG 21 2000

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

Department of Water Resources
Eastern Region

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 31-11371
Date Received: 8/11/00
Receipt No: *E026094*
Received By: *BAC*

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

1. Name of Claimant(s)

Name: STAN NEVILLE Phone: (208)662-5450

Address: 2658 E 2100 N
HAMER ID USA 83425

Name: BARBARA NEVILLE Phone: (208)662-5450

Address: 2658 E 2100 N
HAMER ID USA 83425

2. Date of Priority: 08/13/1981

3. Source: Unknown

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County

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	0.12	

7. Total Quantity Appropriated is:
0.12 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	36E	24	NE	NE	IRRIGATION	32
			NW	NE	IRRIGATION	32

A311371



SW	NE	IRRIGATION	31.3
SE	NE	IRRIGATION	33
		Section Acres	128.3
		Total Acres	128.3

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 AN ENLARGEMENT OF 6.3 ACRES TO RIGHT 31-07168. THIS RIGHT AND 31-07168 IN COMBINATION ARE CLAIMED FOR 128.3 ACRES AND 2.44 CFS.

THE ENLARGEMENT IS BASED ON 1987 AERIAL PHOTOGRAPHY, WHICH IS MORE ACCURATE THAN THE METHODS AVAILABLE TO THE LICENSING EXAMINER. THE SYSTEM HAS NOT BEEN CHANGED SINCE THE LICENSING EXAM. THE DATE OF PRIORITY CLAIMED IS THE DATE OF THE LICENSING EXAM.

This claim given status of "see remarks" pending return of signed copy and receipt of fees. Note that two versions were mailed out w/ different land lists; when signed claim is returned be sure to double check POU on database. Remove this remark after fixing claim.

15. Basis of Claim: Beneficial Use

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: 1 (aerial photo)

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): Stan Neville Date: 8/21/00
Barbara Neville Date: 8/21/00

State of Idaho)
County of Jefferson) SS.

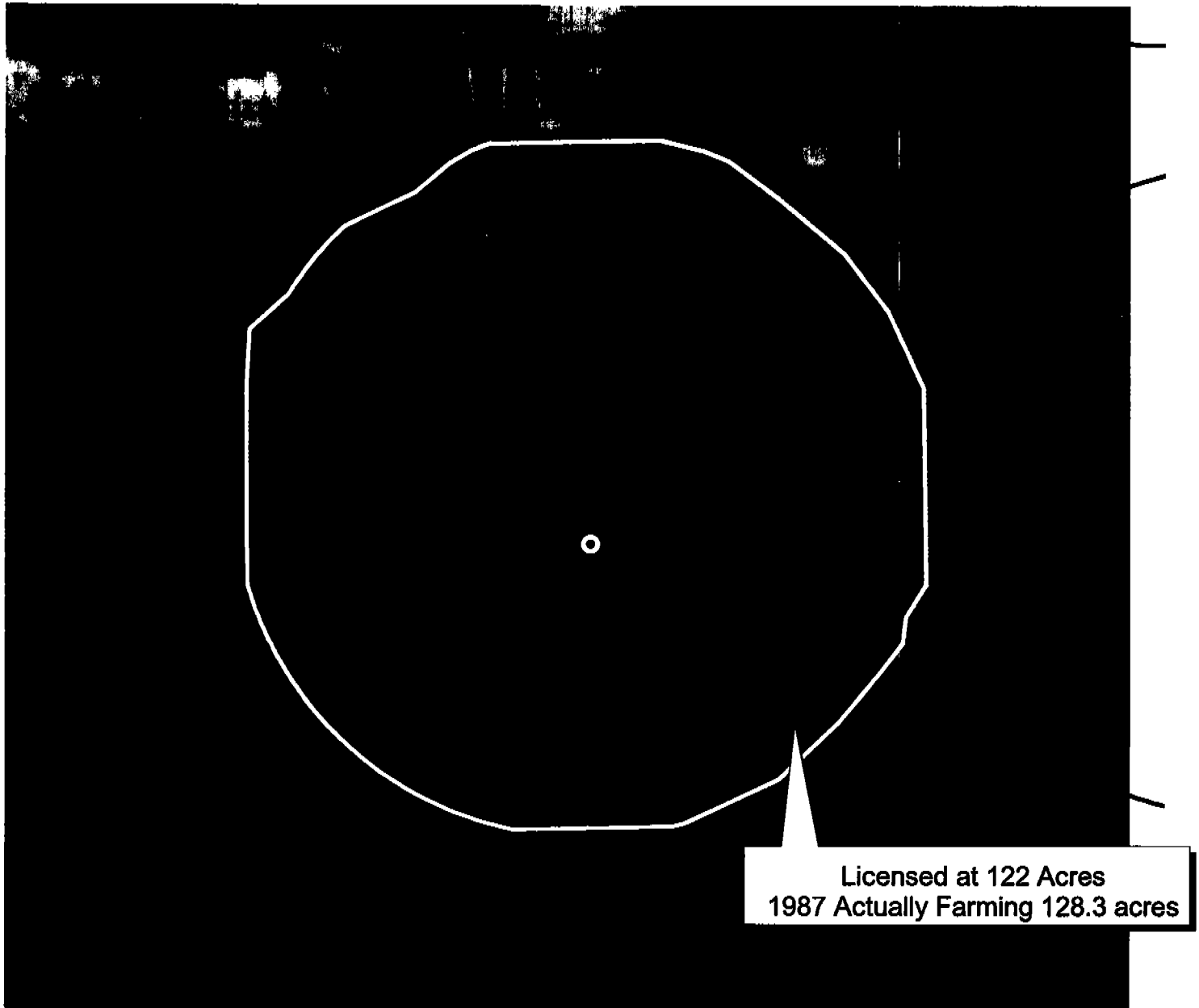
Subscribed and sworn (or affirmed) before me this 21
of aug 2000 Karn McLaugh
Notary Public

Residing at Loma
My commission Expires 10-30-2003

IDAHO DEPARTMENT OF WATER RESOURCES

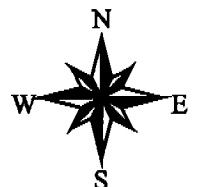
Claim A31-07168 as Enlarged

Township 7 North Range 36 East Section 24



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

0 1320 Feet



Dave C.

N#1

01/25/2001

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: 31-11371
BARBARA NEVILLE
2658 E 2100 N
HAMER ID 83425
Telephone Number: (208)662-5450

STAN D NEVILLE
2658 E 2100 N
HAMER ID 83425

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

POD

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

- correct description is T 7N R36E S24NW SE NE

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

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

DATE: 2/12/01 SIGNATURE: Stan D. Neville

Please print your name: _____

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

Response:

See 31-7168



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

August 11, 2000

Stan and Barbara Neville
2658 E 2100 N
Hamer, ID 83425

Re: Adjudication enlargement claim A31-11371,
Amendment to claim A31-07168

Dear Mr. and Mrs. Neville:

Enclosed are two versions of an enlargement claim and an amended claim for licensed right 31-07168, which is located in the NE quarter of Section 24, Township 7 North, Range 36 East. These are based upon the fact that the 1987 aerial photography appears to show more acres of irrigation than were originally licensed. The effect of the enlargement claim and amended claim together is that you will be authorized to irrigate more acres than originally licensed, but at the same diversion rate (2.44 cfs, or about 1095 gallons per minute).

The claims assert that the original licensing exam did not fully recognize all the acres farmed, due to the technology used. Attached for your files is a copy of the map the original examiner used.

The first set of claims, labeled "# 1," assumes that the different-colored area on the southwest of the circle is irrigated cropland or utilized as irrigated pasture. This set of claims is for an enlargement of 6.3 acres, for a total acreage of 128.3 acres. The fee for this set would be \$ 56.30.

The second set, labeled "#2," assumes that the different-colored area is lava rocks that happen to receive water but are not "beneficial use." It is for an enlargement of three acres, for a total of 125. The fee would be \$53.00.

Please review these claims and return the set that you feel most accurately reflects the actual beneficial use under this water right in 1987. These are your claims, even though I typed them up. Please feel free to change or edit anything you wish; just initial the changes you have made. The claims need to be returned with notarized signatures, and the appropriate fee. Make checks to "IDWR" or "Idaho Dept. of Water Resources." Either of you may sign, or both of you.

Please call me at 525-7161 or 663-4853 if you have questions.

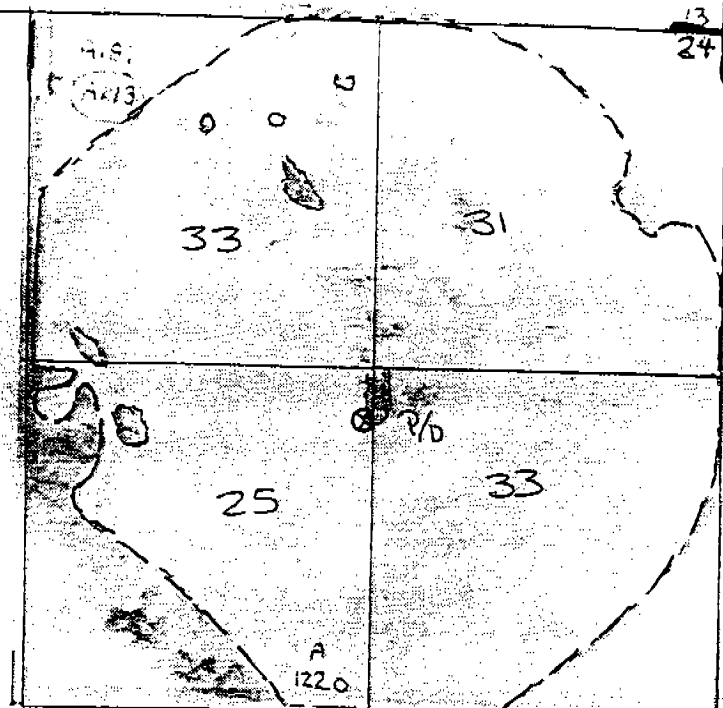
Sincerely,

Bryce A. Contor
Senior Water Resource Agent

593

R 36 E

T
7
N



Place of use →

ORIGINAL FILED

Claim A31-07168

Doc Source Licensing exam

Microfilm, exam done
Date 8/10/200 Sig. BAC

9/13/1981

N-5

R 36 E

NOT TO SCALE