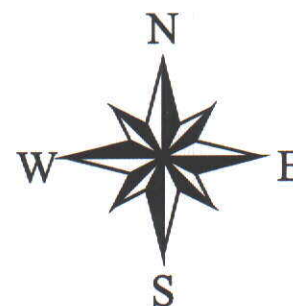


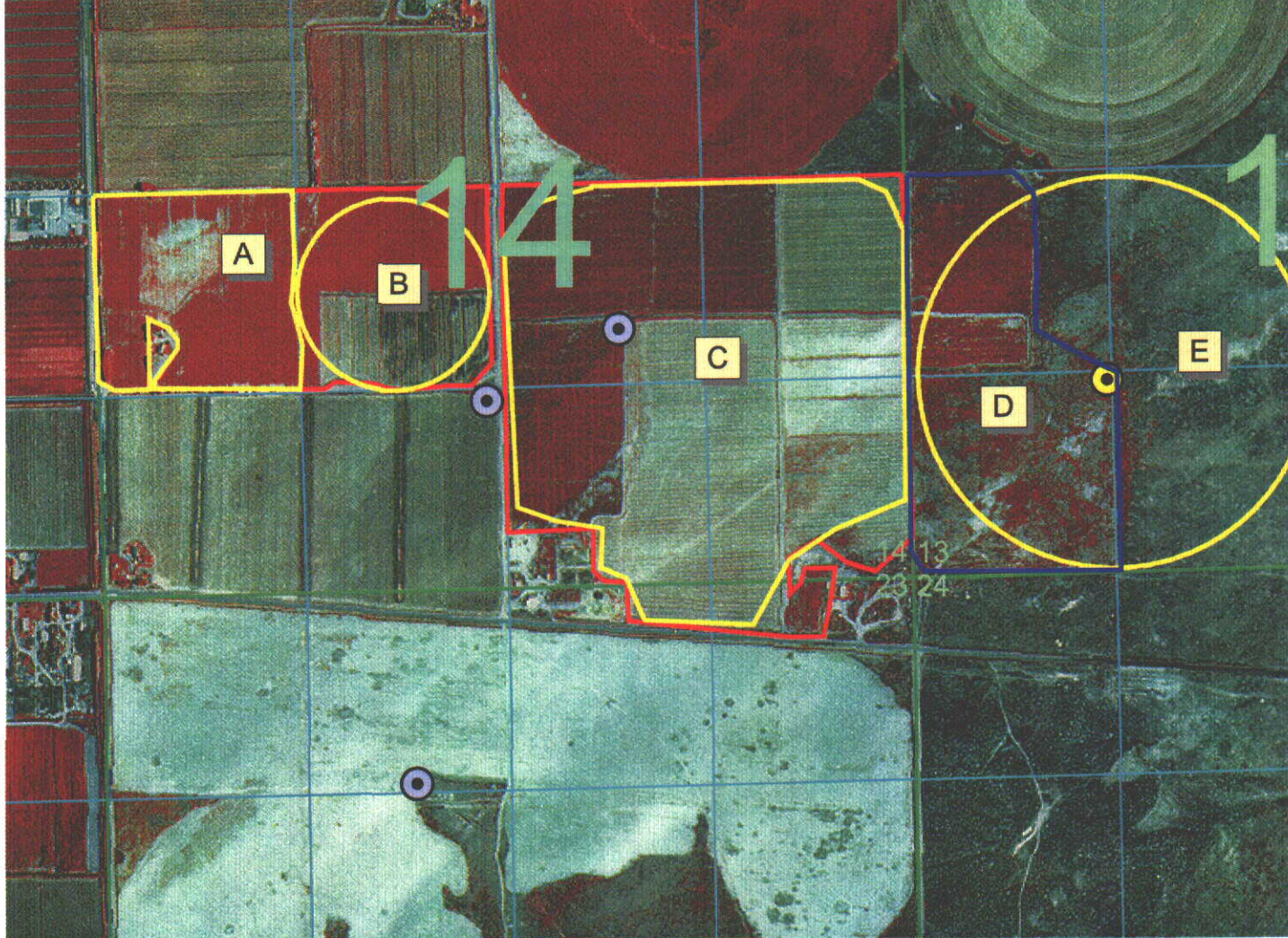


0 1320 Feet

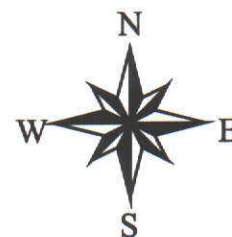
-  Point of Diversion
-  Point of Diversion - Other Rights
-  Place of Use
-  Place of Use - Other Rights
-  Quarter-quarter Sections
-  Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 11/2000

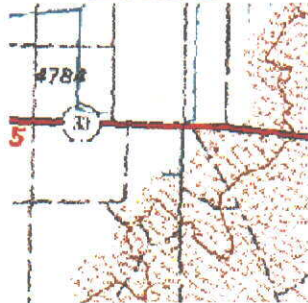


- Approximate Current Place of Use
- Peterson Enlargement
- Approximate Recommended POU, 31-02398, Lee Peterson
- Section Lines
- Quarter-quarter Sections



Prepared 8/2000 by B. Contor

Locator

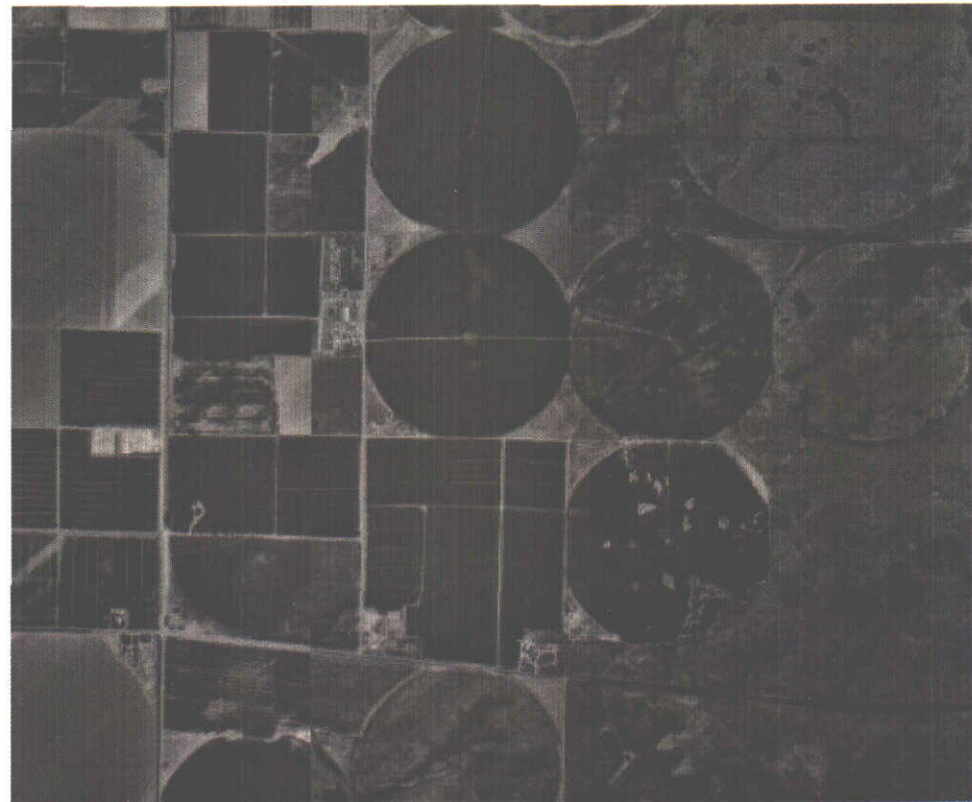


Other Imagery:

USGS Topo Map
01 Jul 1977

12 km SW of Hamer, Idaho, United States 26 Jul 1992

Zoom 8m



0 1Km

0 .5Mi

Image courtesy of the US Geological Survey.

OrigMetaTag = '4311214NE' Center Lon,Lat= -112.29375,43.84256 Running Time 23 ms Time 8,
8/14/2000 2:36:54 PM

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My Computer Ask Jeeves Dial-Up Networking

Network Neighborhood

Pathfinder Office 2.51

Shortcut to Greenbri...

Recycle Bin

Acrobat Reader 4.0

home.asp

home.asp (2)

My Briefcase

NetMeeting

Join Intel WebOutfit...

Microsoft NetPoint

Shortcut to Pccommon

Vt320

Microsoft Outlook

grumpy

Microsoft Excel

Shortcut to vehicle log

ArcView

Microsoft Word

Microsoft Access

Microsoft Photo Editor

Shortcut to Map97 (2)

Shortcut to proj1

Shortcut to mar 31 time

Internet Explorer

Exploring - Training

File Edit View Tools Help

All Folders

Contents of 'Training'

Desktop

My Computer

3 1/2 Floppy

Micron

Micron

Arco

arco

Avh

b22

b29

B31

B32

B33

B34

b35

Date

Driv

Hub

1000

1100

NW

Pcc

Prof

Program Files

salmon

AE02Common on 'Ae02' (N:)

PowerConsump on 'A006' (P:)

(R:)

Users on 'Ae02' (U:)

1 object(s) selected 43.7KB

D:\Hubble\Training\BORDER.EXE

Job name: B31-02398

By: BCONTOR

Location: TERRETON

Date: Aug 15, 2000

Border width: (W)= 100 ft

Roughness coefficient (n)=0.100

Intake family curve number (If)=3.00

Design application depth (Pn)= 4.08 inches

Design efficiency (E)= 40.0 percent

Gross application (Pg)=10.20 inches

Border Length <ft>	Border Flow <cfs>	Unit Flow <cfs/ft>	Inflow Time	Travel Time To End	Deep Percolation <in>	Flow Depth <in>
300	1.5	0.015	4 hr, 37 min	4 hr, 49 min	6.12	2.71
400	2.1	0.021	4 hr, 29 min	4 hr, 49 min	6.12	3.24
500	2.7	0.027	4 hr, 19 min	4 hr, 49 min	6.12	3.75
600	3.4	0.034	4 hr, 9 min	4 hr, 49 min	6.12	4.25
700	4.1	0.041	4 hr, 3 min	4 hr, 49 min	6.12	4.70
800	4.8	0.048	3 hr, 56 min	4 hr, 49 min	6.12	5.16
900	5.6	0.056	3 hr, 49 min	4 hr, 49 min	6.12	5.59
1000	6.3	0.063	3 hr, 44 min	4 hr, 49 min	6.12	6.02
1100	7.2	0.072	3 hr, 38 min	4 hr, 49 min	6.12	6.45
1200	8.0	0.080	3 hr, 33 min	4 hr, 49 min	6.12	6.86
1300	8.9	0.089	3 hr, 28 min	4 hr, 49 min	6.12	7.27

**** Return to menu: <RET> ****

Start

Inbox - Microsoft Outlook

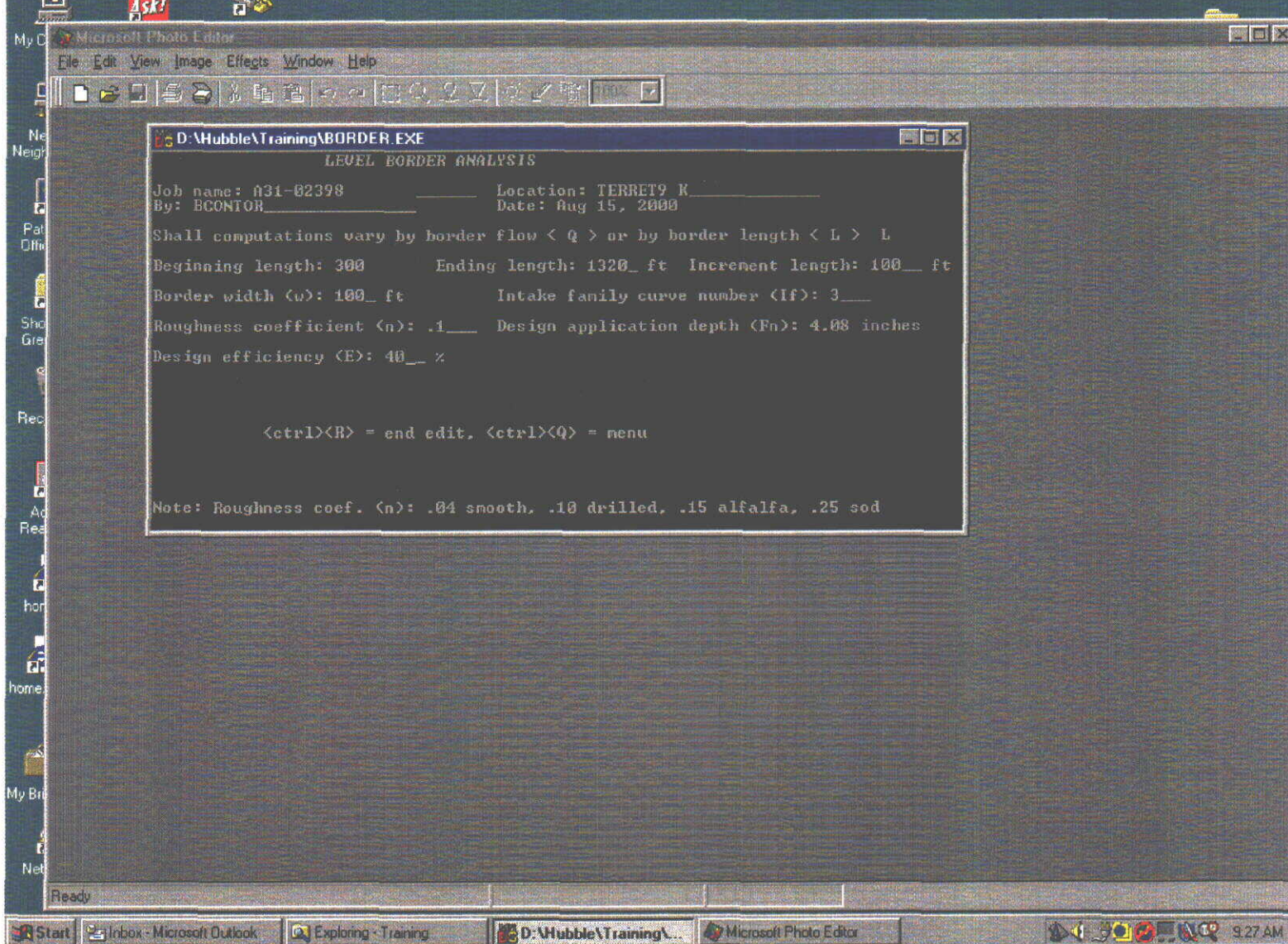
Exploring - Training

Microsoft Excel - FIR.vwk3

D:\Hubble\Training\...

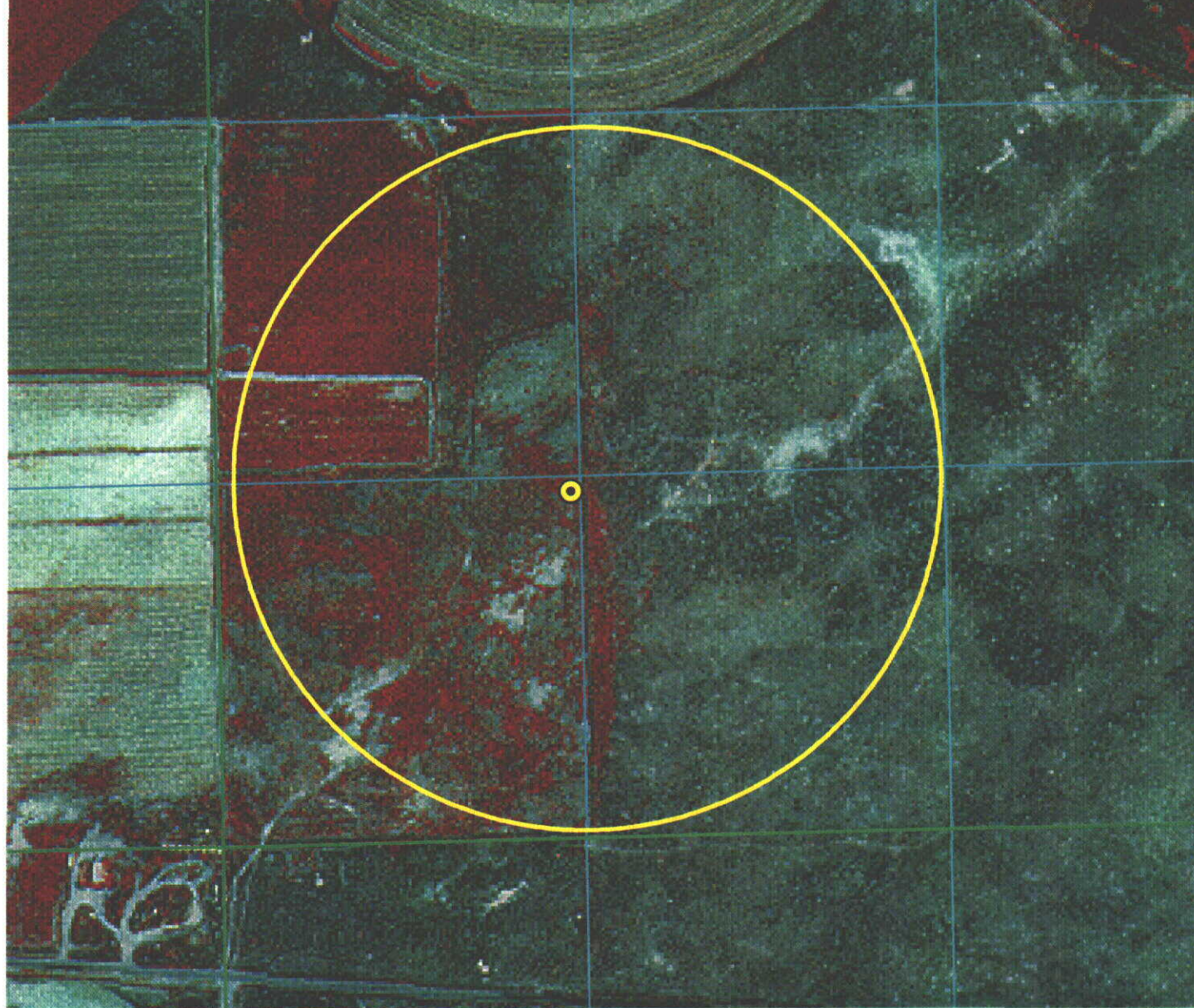
9:39 AM

Rough Hubble 8/15/00



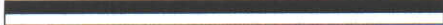
Rough Hubble 8/15/00





-  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




GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 8/2000



-  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




GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 8/2000

TERRETON, ID 83450
(208)663-4558

Current Owner JEWEL BARZEE
1571 N 1950 E
TERRETON, ID 83450

Priority Date: 04/02/1962
Basis: License
Status: Valid

Source Tributary to
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	0.28 CFS	118.9 AFA	
Total Diversion			0.28 CFS	118.9 AFA	

Point(s) of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
06N 35E 13 NE SW SW JEFFERSON

IRRIGATION Use:
Acre Limit: 44

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>
06N	35E	13		NWSW	26		SWSW	29						

Total Acres: 55

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Explanatory RIGHT NO. 31-11404 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 31-11398 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 44 ACRES IN A SINGLE IRRIGATION SEASON.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
bcontor	11/6/00	partial forfeiture	1987 photos do not show all acres documented to have been irrigated, but NWMD field inspection shows irrigation has been resumed. If partial forfeiture is an issue for these three rights, objectors have the opportunity to raise that issue.
bcontor	11/6/00	documentation	see 31-11398 electronic comments and 31-11406 paper file.

Dates:

Licensed Date:
 Claim Received Date: 08/22/2000
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
POD	11/6/00 2:17:16 PM	bcontor			In Process
POU	11/6/00 2:24:10 PM	bcontor			In Process
Priority Date	11/6/00 2:13:46 PM	bcontor			In Process
Quantity	11/6/00 2:28:03 PM	bcontor			In Process
Season	11/6/00 2:25:42 PM	bcontor			In Process
Source	11/6/00 2:17:43 PM	bcontor			In Process
Summary	11/6/00 2:28:48 PM		11/6/00 2:28:48 PM	bcontor	Complete
Use	11/6/00 2:24:32 PM	bcontor			In Process

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector: OR
 Overall Max Diversion Rate: 0.28
 Overall Max Diversion Volume: 118.9
 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
 Parent Right: 31-11378 WRADJUDICATIONCLAIM

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	11/6/00 2:17:14 PM	bcontor	1. (YES) The basis is beneficial use. 4. (YES) There is evidence that there has been a change in the Point of

Priority Date 11/6/00 2:13:44 PM bcontor

Quantity 11/6/00 2:28:02 PM bcontor

Season 11/6/00 2:25:41 PM bcontor

Source 11/6/00 2:17:42 PM bcontor

Summary 11/6/00 2:28:47 PM bcontor

Use 11/6/00 2:24:29 PM bcontor

(YES) The file contains all the necessary information to verify the POU.
Comment for 9: GIS, affidavits.
12. (YES) POU remark was required.
13. (NO) POU condition was not required.
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. (NO) The priority date was not claimed after the date a permit was required for the source and water use.
10. (YES) The claim file contains sufficient evidence of priority date.
12. (YES) The claim is recommended.
14. (NO) Priority remark was not required.
15. (NO) Priority condition was not required.
1. (YES) The basis of claim is beneficial use.
5. (YES) A flow measurement was required.
Comment for 5: license exam 31-2398. See file 31-11378 for Hubble analysis justifying extra diversion rate/acre for border irrigation.
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.
Comment for 8: Inadequate Q to deliver std volume in one season; limit calculated at authorized rate for 214 days. Note also combined use limitation w/ 31-11398 for volume; see comments and file.
9. (YES) Quantity remark was required.
10. (NO) Quantity condition was not required.
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.
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: Water Measurement District
8. (NO) The source is not surface water.
10. (NO) Source remark was not required.
11. (NO) Source condition was not required.
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. (YES) This is 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. (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.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A3111406



1. Name of Claimant(s)

Name: LLOYD RAY BARZEE Phone: (208)663-4558

Address: 1577 N 1950 E
TERRETON ID USA 83450

Name: JEWEL BARZEE Phone:

Address: 1571 N 1950 E
TERRETON ID USA 83450

2. Date of Priority: 04/02/1962

3. Source: Unknown

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
06N	35E	14	NW SE	JEFFERSON

5. Description of diverting works:

SOURCE IS GROUNDWATER. ORIGINALLY WELL TO DITCHES TO FLOOD IRRIGATION, NOW WELL TO MAINLINE TO CENTER PIVOTS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.28	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

*Ben use - add
cf's*

11. Place of use in counties: JEFFERSON

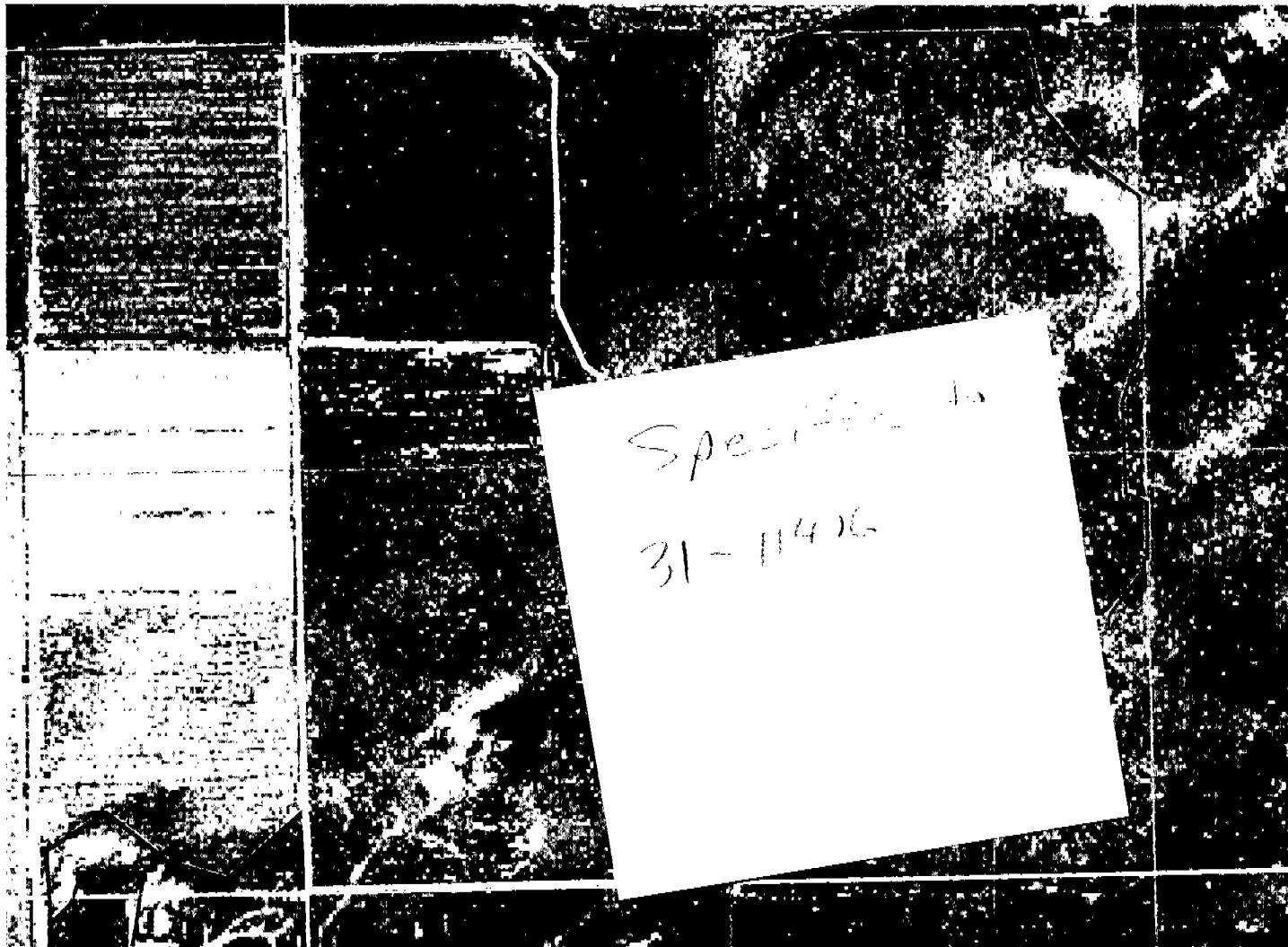
12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

SPLIT BY CHANGE OF OWNERSHIP. PARENT RIGHT WAS 31-11378 . THIS RIGHT IS CLAIMED ON A PERMISSIBLE PLACE OF USE BASIS WITH 31-11398 AND 31-11404. TOGETHER THESE RIGHTS AUTHORIZE IRRIGATION OF 55 ACRES WITH 1.18 CFS. A FORMAL TRANSFER WILL BE NEEDED TO CHANGE THE POD TO SECTION 13. BCONTOR 8/21/2000.

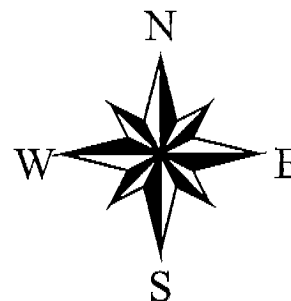
15. Basis of Claim: Beneficial Use



0 1320 Feet



- ⊙ Point of Diversion
- ⊙ Point of Diversion - Other Rights
- Place of Use
- Place of Use - Other Rights
- Quarter-quarter Sections
- Section Lines



GIS Illustration prepared from 1987/1988 NAPP photography by B. Contor 11/2000

the additional diversion rate, claimed under 31-11378.

The database records will be kind of a mess, because above and beyond what I've told you, there is an enlargement associated with these two rights, when part of the land was converted to sprinklers. To thicken the plot, the land (as enlarged) has been split by change of ownership. But if you analyze the POU on the attached layout (or the shapefile on the PC common on my D drive, East 473), that will get me what I need.

You can guess as well as I what direction the ditches and lands must have run. The USGS topo shows 2 1/2 miles between 5-foot contours, it is likely these lands were leveled, either for level border or graded border. I chose level border, soil type 111 with a 1000 foot run and 40% efficiency, got 6 hr. set times with 6.25 cfs, which is very typical of irrigation in the area.

This one is a very important one - the split of the enlargements overcomes a water-right deficiency on a POU that is the subject of a NOV Tim Luke sent out this summer. It is higher priority to me than the others I've sent.

Dave T. says he wants our report in October, but I don't think there's any way we can do it. But the heat is on, I need this pretty quick.

Typical crops would have been wheat, corn and alfalfa. The land is now in potatoes but potatoes were not grown when it was border irrigated.

Please let me know what you think.

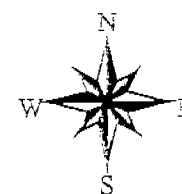
Shapefile to
B1-11378

P.S. If I get the data, I will do a
Hubert - my own analysis for training
purposes, but my training time will be
spent fighting CURS. Your analysis
will be the basis of the
recommendations.



- ⊙ 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



GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 8/2000

LLOYD & JEWEL BARZEE
1577 N 1950 E
TERRETON ID 83450

RE: CHANGE IN OWNERSHIP FOR A31-02398, A31-11378, A31-11380

Dear Mr. & Mrs. Barzee:

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

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

A31-02398:

A31-11398, 0.89 CFS, 55 ACRES, BARZEE

A31-11399, 3.85 CFS, 283.3 ACRES, PETERSON

A31-11378:

A31-11406, 0.28 CFS, 55 ACRES, BARZEE

A31-11407, 1.23 CFS, 283.3 ACRES, PETERSON

A31-11380:

A31-11404, 0.25 CFS, 55 ACRES, BARZEE

A31-11405, 1.09 CFS, 238.3 ACRES, PETERSON

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or

Technical Records Specialist

Enclosure

right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>A31-02398</u>	☒			
	<u>A31-11378</u>	☒			
	<u>A31-11380</u>	☒			

2. The following **REQUIRED** information must be submitted with this form:

A. ~~The appropriate FILING FEE. See instructions for fee amounts.~~ N/A

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Lee C. Peterson

Territon ID 83450

4. New Owner/Claimant(s)

Kloyd R. BARZEE

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

15711 1950E

City, State and ZIP Code

Territon Id. 83450

New Telephone Number

(208) 663-4538

5. Date you acquired the property

May 1990

sellers and LLOYD R. BARZEE and JEWEL BARZEE as purchasers.

1. Property to be sold and purchased is One hundred forty acre's (140), in Jefferson County of Terreton, Idaho as follows:

The Southwest Quarter (1/4) of section 13 excepting
The South Half (1/2) of the Southeast Quarter (1/4)
of the Southwest Quarter (1/4) of Section 13 Township
6 North, Range 35 East of Boise Meridian.

2. Purchase Price of Fifty Thousand Dollars (\$50,000) is to be paid as follows:

a. Eleven Thousand Dollars (\$11,000) down of which is acknowledged as paid: The balance of Thirty-nine Thousand Dollars (\$39,000) to be paid over a ten year period.

b. The unpaid balance shall earn interest at twelve percent (12%) per annum and each payment shall be applied first to interest due and the balance to principal.

c. The first principal and interest payment shall be payable on or before June 1, 1991. On or before that date, PURSHASERS shall pay one-tenth of the principal amount or Thirty-nine Thousand Dollars (\$39,000) plus any interest that has accrued to that date. Thereafter, PURCHASERS shall pay the sum of Thirty-nine hundred Dollars (\$3,900) per annum plus interest on the unpaid balance until both principal and interest are paid in full.

ANNUAL PAYMENT SCHEDULE			
DATE	PRINCIPAL	INTEREST	PAYMENT
1 JUNE 1991	\$39,000	\$4,680	\$8,580
1 JUNE 1992	\$35,100	\$4,212	\$8,112
1 JUNE 1993	\$31,200	\$3,744	\$7,644
1 JUNE 1994	\$27,300	\$3,276	\$7,176
1 JUNE 1995	\$23,400	\$2,808	\$6,708
1 JUNE 1996	\$19,500	\$2,340	\$6,240
1 JUNE 1997	\$15,600	\$1,872	\$5,772
1 JUNE 1998	\$11,700	\$1,404	\$5,304
1 JUNE 1999	\$7,800	\$936	\$4,836
1 JUNE 2000	\$3,900	\$468	\$4,368

specifying the matters in which such default occurred. The notice shall be served upon the PURCHASERS by depositing the same in a United States Post Office, addressed to the PURCHASERS at Terretton, Jefferson County, Idaho 83450. Said notice shall be sent by certified and/or registered mail, return receipt requested, postage prepaid, and such notice shall be deemed served upon its deposit in the postoffice as aforesaid. If the PURCHASERS shall fail to sure such default within sixty days (60) after the service of such notice as aforesaid, then SELLERS may elect to do any one or more of the following:

(a) Declare the entire unpaid balance on the Contract, including principal, interest, taxes, assessments, attorney's fees, and any other sums owing SELLERS to be immediately due and owing.

(b) Bring an action for specific performance of the terms, covenants and conditions of this agreement, and to require and enforce full and complete performance by PURCHASERS.

(c) Rescind this Contract and recover full and complete restitution from PURCHASERS.

(d) Declare this Contract to be terminated due to said default. In that event, this Contract shall be immediately terminated and PURCHASERS shall forfeit all rights to said premises, and all payments made hereon shall be retained by SELLERS as liquidated damages for breach of this Contract.

(e) To persue any other remedy in law or equity to enforce the performance of this Contract, or to recover damages for the breach thereof.

4. HEIRS, EXECUTORS, ADMINISTRATORS, PERSONAL REPRESENTATIVES: All covenants and agreements herein contained shall extend and be obligatory upon the heirs, executors, administrators, personal representatives, successors and assigns of the respective parties hereto.

NOTICE OF PURCHASERS INTEREST

NOTICE IS HEREBY GIVEN that the undersigned are parties to a Contract of sale dated the 14th day of May, by and between LEE C. PETERSON and MONA PERTERSON, as Sellers, of Terreton, Jefferson County, Idaho, and LLOYD RAY BARZEE and JEWEL BARZEE, husband and wife, as PURCHASERS, of Terreton, Jefferson County, Idaho, for the following described real property;

The Southwest Quarter (1/4) of section 13 excepting
The South Half (1/2) of the Southeast Quarter (1/4)
of the Southwest Quarter (1/4) of section 13 Township
6 North, Range 35 East of Boise Meridian.

TOGETHER with all appurtenant water rights.

Information regarding the sale of referred to herein can be obtained from GROVER & WALKER, P.O. Box 36, Rigby, Idaho, 83442.

In WITNESS WHEREOF, we have set our hands and seals the day and year in the acknowledgements hereinafter set forth.

SELLERS:

Lee C. Peterson
Mona Peterson

PURCHASERS:

Lloyd Ray Barzee
Jewel Barzee

 Claim Lloyd Barzee
 Doc Source License Microfiche
31-07175
 Date 8/17/00 Sig. LAC

REC

JUL 1 1976

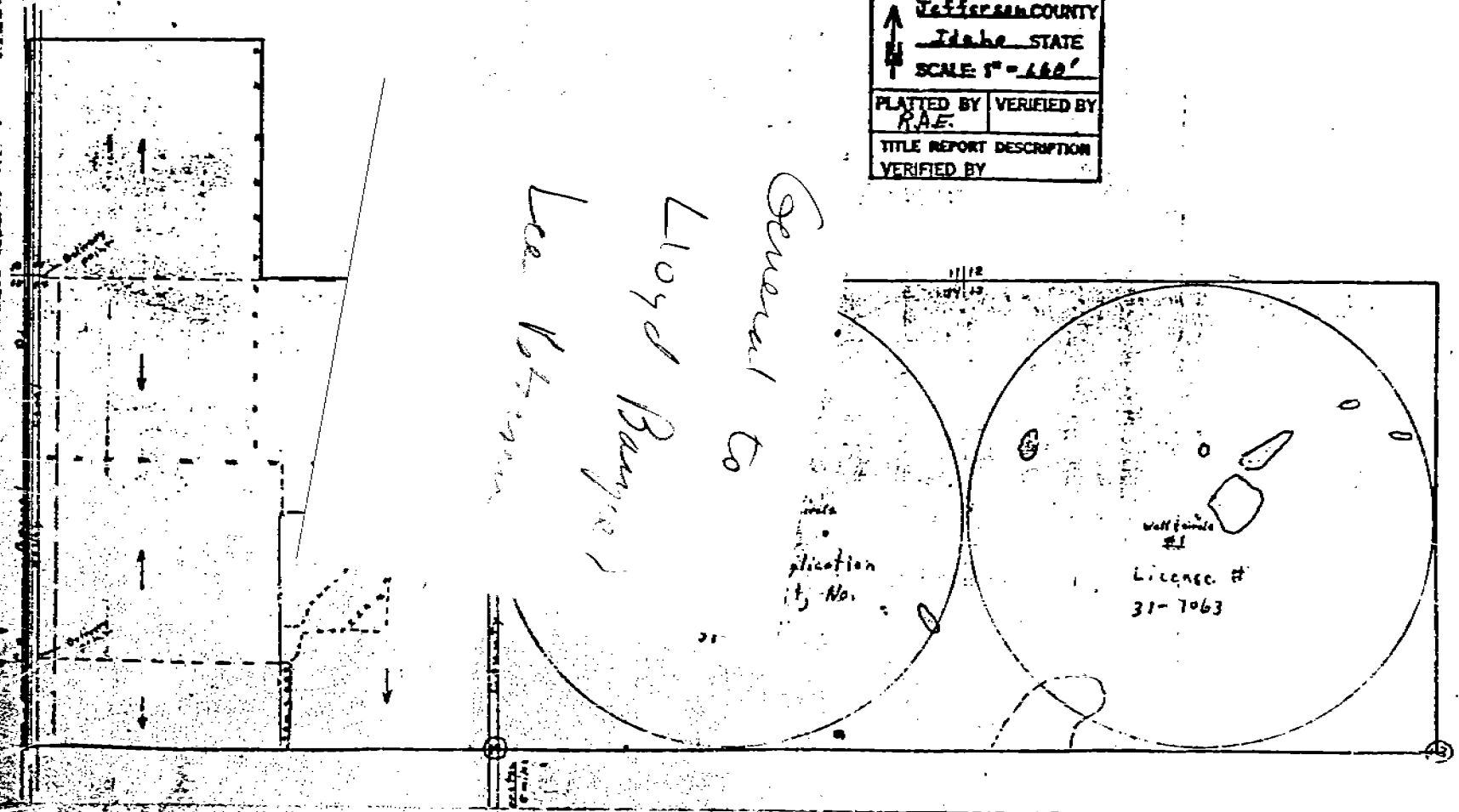
Department of Water Resources
 Eastern District Office

TP. 6 N. RGE 35 E. 8 M	
Jefferson County	
Idaho STATE	
SCALE: 1" = 160'	
PLATTED BY R.A.E.	VERIFIED BY
TITLE REPORT DESCRIPTION	
VERIFIED BY	

General to
 Lloyd Barzee
 Lee Brown

Application
 to No.

well found
 #1
 License #
 31-7063





Approximate pole of ↑
enlargement 31-11383
sketched by claimant

Claim Lloyd Barzee
Doc Source NAPP 690
Aug 1981
Date 8/12/00 Sig. BAC

Soil Series

#32 Grassy Butte
Loamy Sand p22

#74 Matheson
Sandy loam p41
includes areas of rock

#77 Matheson-Matlin
Loam - knoll-like
areas near rocks

#87 Modkin Sandy
Loam some rock

Claim Lloyd Bargee
Doc Source De H. County
Soil Survey 22 & 29
Date 8/12/00 Sig. Bob

some claims etc. What is your or Ron's recommendation on the fall irrigation request? Does he not have a little more than 112 acres? It looks like there is clearly a forfeiture between initial enlargement and resuming use but I'm not sure how that would be addressed in a transfer, perhaps assigning a priority as of date of resuming unless that is earlier than the priority he'll get through SRBA anyway.

I lean towards not allowing fall irrigation until a transfer has been filed and approved, or at least waiting till spring and evaluating then.

Tim

-----Original Message-----

From: Contor, Bryce
Sent: Thursday, August 17, 2000 1:03 PM
To: Luke, Tim
Subject: Lloyd Barzee Notice of Violation 6N 35E 13 SW 1/4

Tim -

Lee Petersen, who sold the land to Barzee, has filed beneficial use claim 31-11378 and enlargement claim 31-11380, and amended license-based claim 31-02398, to include about 55 or 56 acres of the W 1/2 of SW 1/4 of section 13, on a permissible place of use basis. Barzee has submitted a Notice of Change of Ownership which will result in these claims being split.

Barzee has also filed enlargement claim 31-11383 for 56 acres of irrigation on the E 1/2 of SW 1/4 of 13, and amended licensed-based claim 31-07063 to include those acres on a permissible place of use basis.

The evidence for these claims is good, and it appears that the claimed enlargements actually did occur. While it appears there may be a forfeiture issue, our instructions in AJ are to recommend if the use has been resumed as of our field inspection. Therefore, these claims will be recommended. With the delay from the database migration, it may be spring before a preliminary director's report is issued.

Once a partial decree is issued, Barzee understands that a formal transfer will be required to change the POD of these claims to the well currently used.

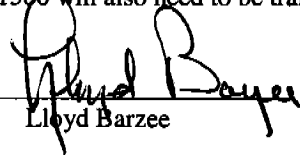
Mr. Barzee wondered if he could do a little fall irrigation based on these claims being in place, or if he should wait until a Directors Report is published.

Thanks, Bryce

Today Lloyd and I visited about the history of this enlargement and Place of Use. The following apply to these two claims:

1. The enlargement was accomplished the year the pivot was installed, either 1972 or 1973. Mr. Barzee will look for which year. 1972 is claimed, the correct year will be recommended.
2. Mr. Barzee recalls that the ASCS noted about 55 acres of irrigation. The shape we have drawn is about 57 acres but the ASCS deducted rocky spots. We looked at the soil survey maps, USGS topo, and 1981 aerial photos, to recreate the approximate original place of use.
3. The pivot in the NW of section 13 was licensed for 148 acres. That pivot was removed because the water drive didn't do well on the knolls, and the current pivot installed. From the aerial photo it appears the pivot in place in 1987 was slightly smaller than the one licensed.
4. When the land in the SW 1/4 was traded to Petersen, irrigation was stopped for a few years. In approx. 1990, Mr. Barzee purchased the ground back from Petersen and resumed irrigation, this time from a new well in the SW quarter. This well was drilled by Petersen.
5. For a few years, Petersen and Barzee went back and forth on whether or not the SW 1/4 of 13 would be sold to Barzee. This is the reason Barzee's were not able to proceed on the permit they had once applied for. (At that time Keith Barzee and Lloyd Barzee were working together.)
6. Mr. Barzee understands that once the Adjudication is complete, a formal transfer will be needed to correct the point of diversion and place of use for the center pivot. The Barzee portions of 31-02398, 31-11378, and 31-11380 will also need to be transferred.

I concur with the above


Lloyd Barzee

2. Enlargement in section 13 was two phases,
 - a) Flood irrigation in NWSW, 1987 NAPP shows correct acres.
From late 1960's through 1987 or later.
 - b) Sprinkler irrigation of potatoes in SWSW, approx. 30 acres.
I moved POU boundary on GIS & Petersen concurred.
Two or three years in late 1960's, possibly continuing in to 1970.
3. Petersen confirmed Lloyd Barzee's development of 50 or 55 acres of potatoes in the E 1/2 of SW 1/4 for Barzee's mother's DLE.

is the subject of a cease-and-desist order. The other yellow outlines are the approximate current place of use of Lee Peterson's right 31-02398 and claim A31-02398.

Lloyd Barzee was in yesterday exploring options, and describing the history of development.

The red outline is the licensed and claimed POU for 31-02398. It is for 4.74 cfs on 237 acres. The Proof of Beneficial Use acknowledges overlap of 50 shares of Holley Water Users water.¹ Currently, it appears that yellow-outline parcel "A" is watered only by Holley water, and that yellow-outline parcels "B" and "C" are watered only by groundwater, from the well marked in purple in the NW of the SE of 14. NWMD measured its capacity at approximately 3.7 cfs. This is just over 0.02 cfs/acre on the land actually irrigated from the well, about 0.018 cfs/acre on the land currently irrigated of the original licensed lands, and approximately 0.016 cfs/acre on the original licensed acres.

Barzee's account of the history is that Peterson obtained ownership of the W 1/2 of the SW quarter of 13 (parcel "D" on the map) by a Desert Land Entry from BLM, by virtue of irrigation of parts of the 80 acres as an enlargement from the well in section 14. The blue outline, approximately 66 acres, appears to represent approximately what was irrigated. Mr. Peterson may be able to provide affidavits to clarify and support this.

Barzee indicates that his mother obtained ownership of the E 1/2 of the SW quarter by DLE (parcel "E"), by virtue of irrigation of about 54 or 55 acres, from the well directly north in the NW quarter of 13. This irrigation would have taken place in 1973 or 1974. Mr. Barzee himself actually did the farming, and will try to reconstruct an accurate map and provide an affidavit. He is also looking for other evidence.

After obtaining the DLE, Barzee's mother conveyed the E 1/2 of the SW quarter to Peterson. Later, Peterson sold the entire SW 1/4 to Barzee.

Both Peterson and Barzee had applied for permits to irrigate the SW 1/4, but permits were never issued due to moratoriums.

There are two issues to deal with for Mr. Barzee, place of use and diversion rate.

It appears that the place of use issue can be mostly addressed if Mr. Peterson will file an enlargement claim for the 66 acres in Parcel D and if Mr. Barzee will file an enlargement claim for the 54 or 55 acres in Parcel E. The underlying licensed rights will have to be amended to a permissible place of use basis so that the proportionate portions of the licenses and enlargements can later be split off for the pivot.

The diversion rate issue may be partly addressed by Mr. Peterson filing a beneficial use claim for additional diversion rate on the land originally covered by 31-02398. The depositions submitted with the proof of beneficial use indicate that the diversion works were in place in the spring of 1962, and the licensing exam indicates a capacity of 6.25 cfs. The attached "rough" Hubble analysis indicates that the excess diversion rate could be recommended. If so, Peterson could allow part of these rights to be split off to Barzee, and still receive recommendation for adequate diversion rate for his current system:

¹ Per phone call to Mud Lake Water Users (successor to Holley), one share represented water for one acre.

under 0.010 cfs/acre. This would result in splitting on 1.01 cfs to Barzee, leaving 3.73 for Peterson. While this is much less than originally licensed, it is approximately equal to current capacity.

Barzee's enlargement claim would be on a license for approximately 2.6 cfs on 130 acres. This would result in dilution of the right on the licensed POU:

Original (approx)	2.60 cfs	130 acres
Enlargement	0 cfs	55 acres
Total	2.60 cfs	185 acres (approx 0.015/acre)
Enlargement	0.77 cfs	55 acres
Licensed POU	1.83 cfs	130 acres

This results in a total of 2.13 cfs on 121 acres, or about 0.018/acre, for the pivot in the SW of section 13. This should be adequate,² though Barzee may need to take off the end gun and perhaps part of the end boom. The diversion rate on the pivot from which Barzee accomplished his enlargement will be just barely adequate, at 0.015/acre.

A transfer will need to be filed to rearrange the acres of the two splits of the enlargement claims, and to change the Points of Diversion of those two claims to the well at the pivot. Mr. Barzee may wish to consider filing a transfer to more evenly distribute diversion rate per acre among the rights and places of use of all his pivots. He may also wish to file a transfer to move some POU acres to the pivot in SW of 13.

Because of the installation of pivots, Peterson has about 210 acres actively irrigated.³ If Peterson were willing, he could transfer to Barzee an additional 17 acres of POU and 0.34 cfs of diversion rate. This would leave Peterson with authorization for 4.55 cfs, which is still more than he currently diverts.

Attachments:

GIS Illustration

NWMD exams for Lee Peterson well in Section 14 and Lloyd Barzee well in Section 13.

Theoretical calculation of Barzee well capacity.

Rough Hubble analysis w/ soils data sheet.

Depositions of Witnesses for Proof of Beneficial Use for 31-02398.

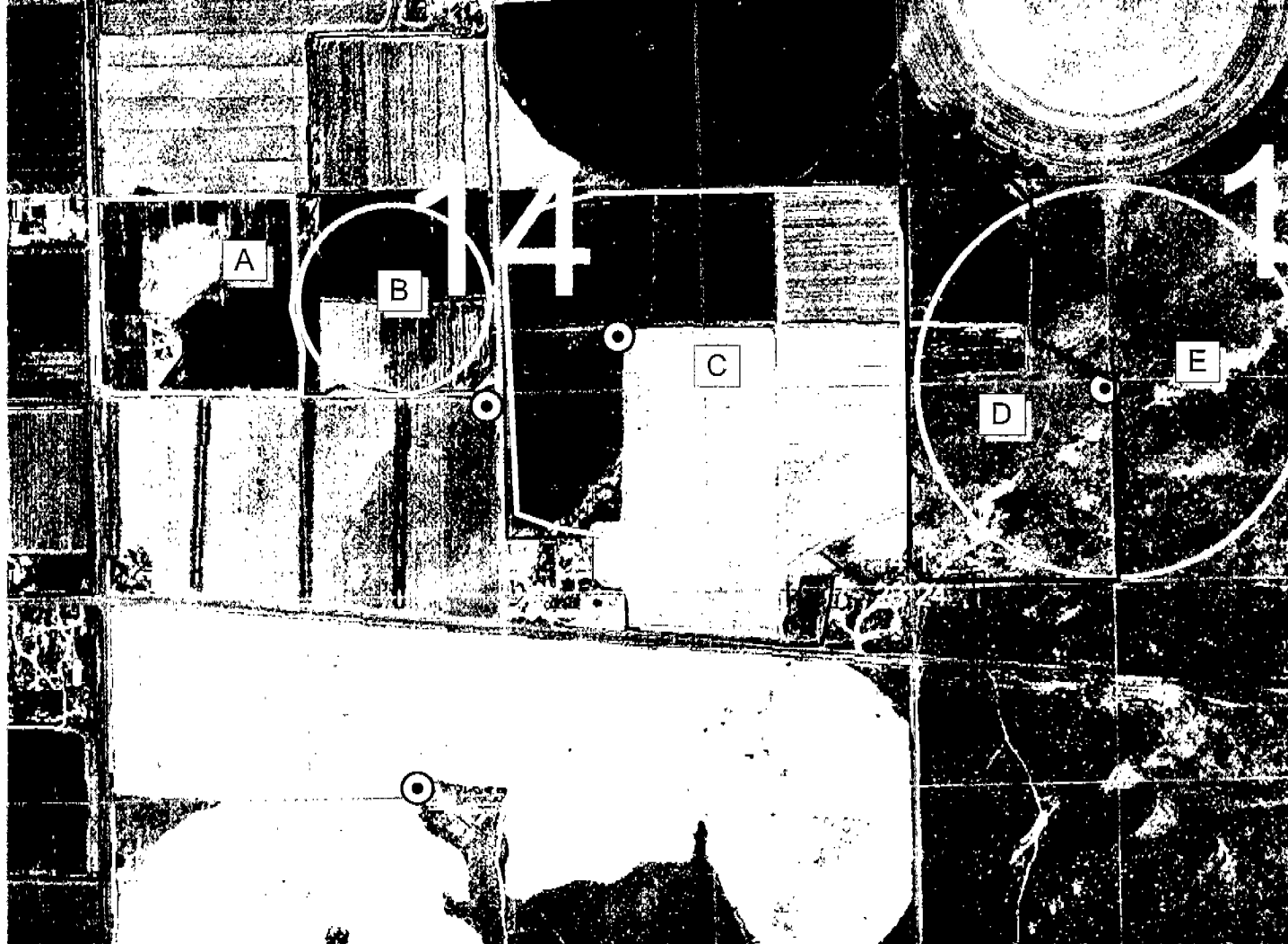
Letter regarding Licensing Examiner's finding of capacity for 31-02398.

Maps and documentation supplied by Barzee indicating enlargements.

Packet of information regarding cease-and-desist provided by Harold Jones.

² If Peterson's Beneficial Use claim for extra diversion rate is not recommended, the rate will be 0.015/acre.

³ Including parcel "A" which is irrigated from the Mud Lake Water Users association canal. Because 31-02398 was originally licensed with this overlap in place, those acres should not be considered available to transfer off, even though they aren't currently irrigated from the well.



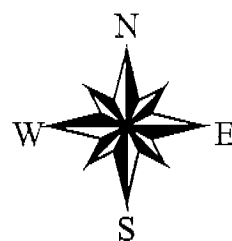
Approximate Current Place of Use

 Peterson Enlargement

 Approximate Recommended POU, 31-02398, Lee Peterson

 Section Lines

 Quarter-quarter Sections



Prepared 8/2000 by B. Contor

- 1) NWMD field exam indicates UPL demand
 $= 2.19 \times 40 \text{ KW} \approx 88 \text{ KW}$
- 2) Nearby Lee Peterson well measured PCC = 389 KW_h/ac-ft
- 3) PCC formula:
$$\text{PCC} = \frac{5431 \times \text{KW}}{\text{GPM}}$$

therefore:

$$\text{GPM} = \frac{5431 \times \text{KW}}{\text{GPM} \text{ PCC}}$$
- 4) Since these are nearby, similar systems, the PCC of the Peterson system is likely applicable to the Bargee system:

$$\text{GPM} = \frac{5431 \times 88}{389} \approx 1230$$

$$\text{cfs} = \frac{1230}{449} \approx 2.7 \text{ cfs}$$

SITE TAG #

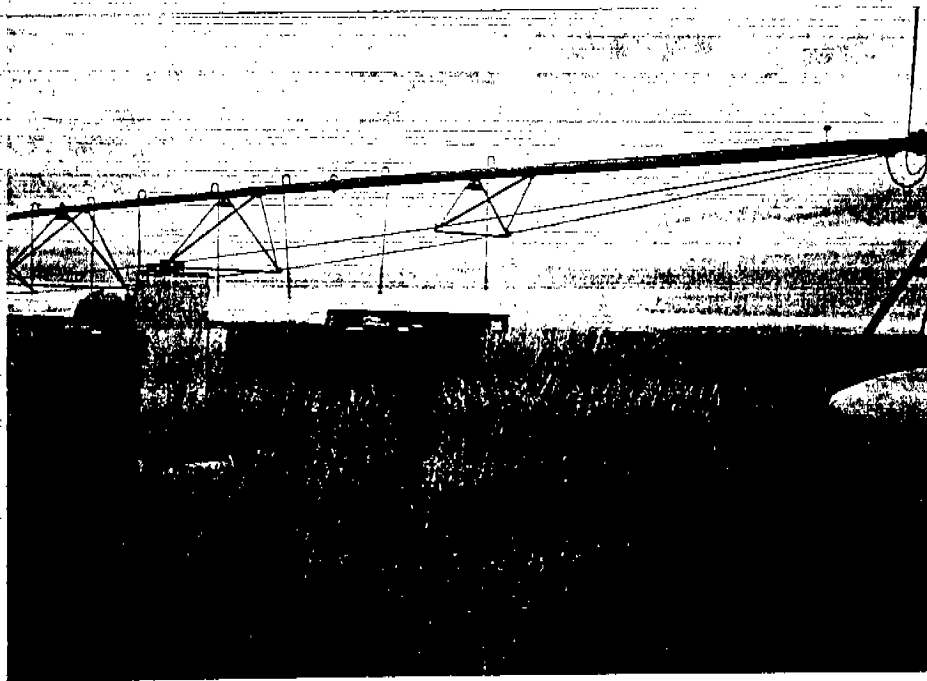
A0008882

RECORD #

300838

DIVERSION NAME

PETERSON WELL



EXAM DATE 11/25/98
(site_visit)

DIVERSION NAME Peterson Well
(div_name)

GPS FILE 0112518A
(gps_filnam)

SITE TAG NUMBER A0008882
(site_tagno)

GPS OFFSET (offset) 12' North 4' above well

TAG LOCATION (tag_locat) motor conduit

POD LEGAL (pod) T 6 N S, R 35 E, Sec 13, SE NW SW

DISTRICT MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)

COLLINS (c) PYGMY (p)

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2) HOUR METER (7) IRR. FLOWMETER (1)

ALTERNATE (3) OTHER FLOWMETER (8) CRP (4)

AMEND CLAIM (A) OPEN CHANNEL DEVICE (9)

SUITABLE FOR PCC even if other method selected (pcc_ok) YES NO

TRACKING will be required (trkng_reqd) YES NO

Well has ACCESS PORT for water level meas. (wl_access) YES NO

FLOWMETER installation poss. w/o major change (qmtr_ez) YES NO

FOLLOW-UP DATE (folup_date) 1999

OWNER/OPERATOR INFORMATION

OWNER (name) Lloyd Barzee PHONE _____

ADDRESS _____ CEL PHONE _____

OPERATOR (contact) _____ PHONE _____

ADDRESS _____ CEL PHONE _____

DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmidddate)
POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)
DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: 115
SERIAL: C2690-61-172 82-0064
HP: 150

WELL PUMP

MFG: Layne & Bowler
SERIAL: _____
TYPE: VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 MOTOR

MFG: _____
SERIAL: _____
HP: _____

BOOSTER 1 PUMP

MFG: _____
SERIAL: _____
TYPE: VERT T CENT SUBMER

BOOSTER 2 MOTOR

MFG: _____
SERIAL: _____
HP: _____

BOOSTER 2 PUMP

MFG: _____
SERIAL: _____
TYPE: VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: UPL
(utility)

KWH METER SERIAL: 86242067
(pwrmttr_sn)

POLE #: _____
(pole_no)

METER MFG: GE
(pwrmttr_mfg)

MAX KW DEMAND 2.19 x 40

Kh DISK CONSTANT 4.8
(kh) *

KILOWATT HRS 21606 x 40
(kwh_1)
(use date of exam for "kwh1_date")

MULTIPLIER 40
(disk_mult)

UTILITY ACCOUNT NUMBER _____
(acct_no)

PRESS. RELIEF

= (P)

INDIVE/UPDIVE

= =||

HOSE BIB

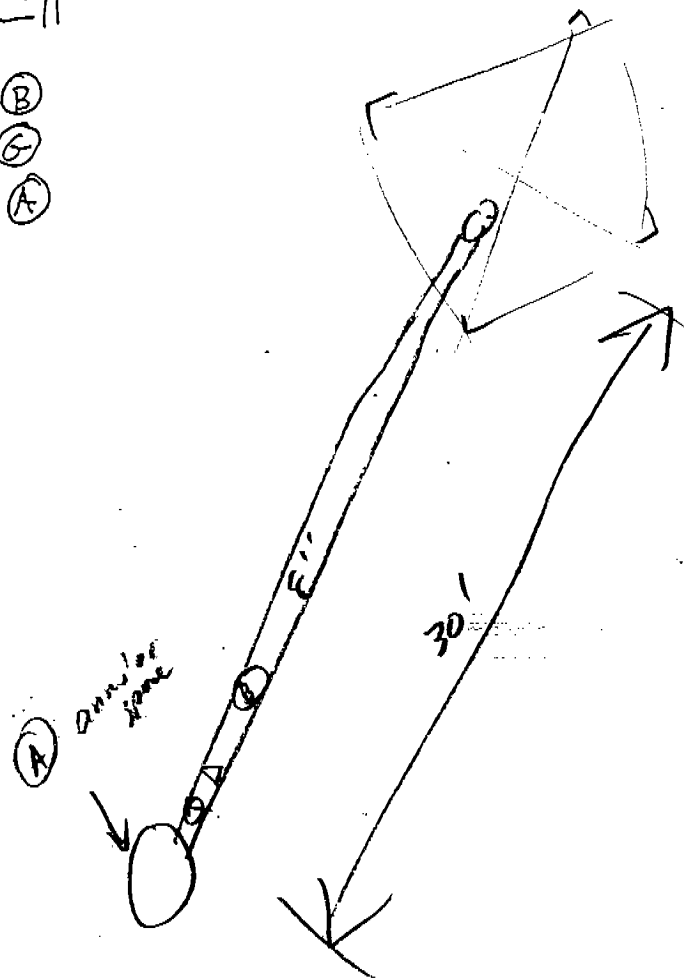
= (B)

PRESS. GAGE

= (G)

WELL ACCESS

= (A)

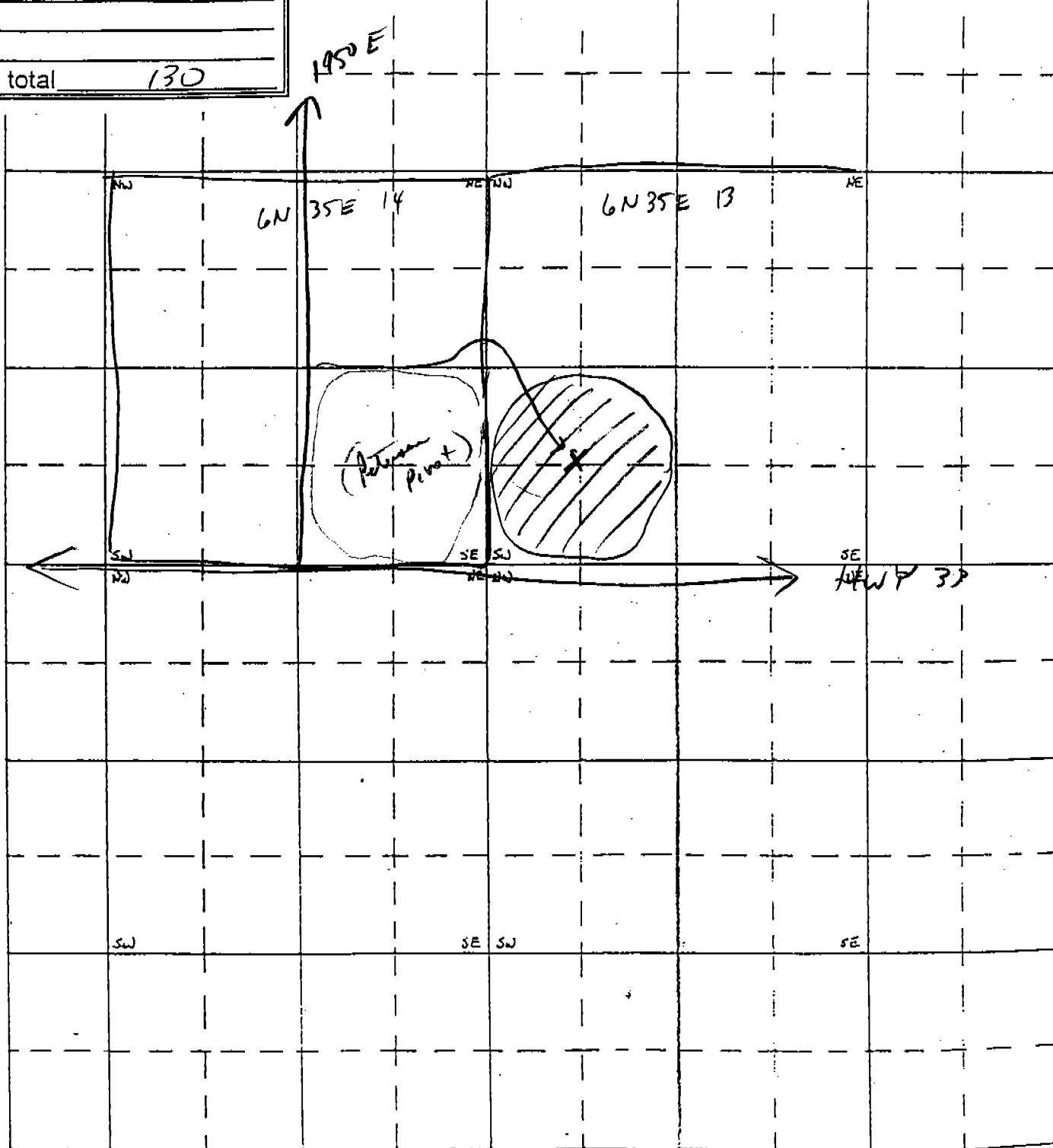


FILE-ONLY COMMENTS: _____

I certify that the above information is true and correct to the best
of my knowledge and ability and the measurements taken and recorded
are in accordance with the standards and specifications of the
equipment used.

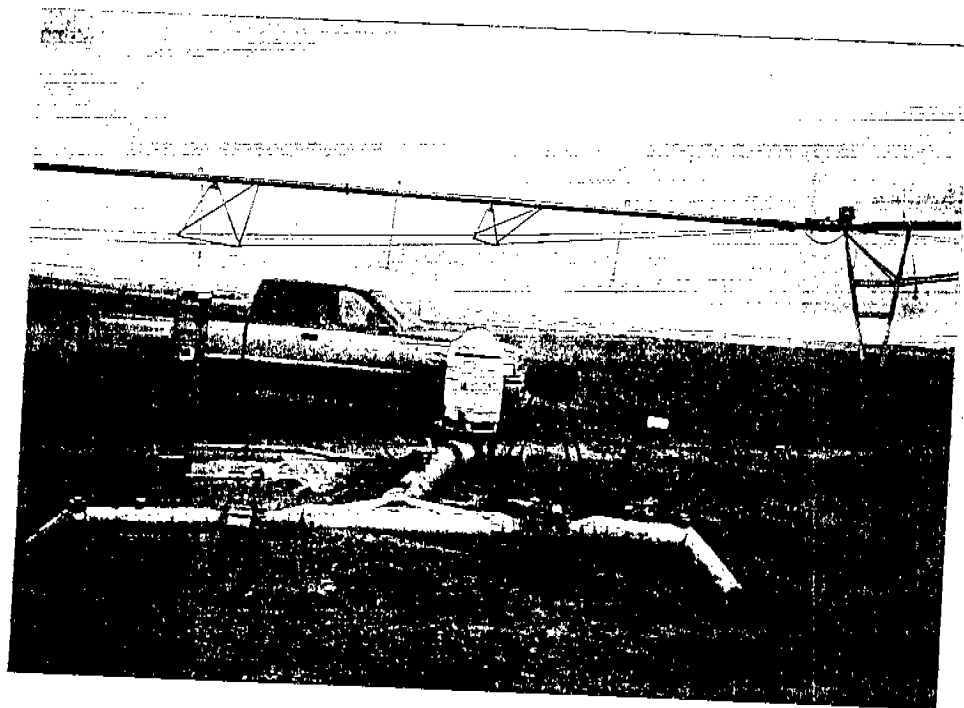
Signature Byce A. Contor Date 11/25/98

3	
4	
total	130



SCALE 1:24,000

DIVERSION NAME



PCC_AF_QAL:

=====

Z = Zero Pumpage

1 = Simple, no tracking

2 = Complex, no tracking req.

3 = Tracking req. & provided

4 = Tracking req, not provided

5 = Complex, exam incomplete

6 = Known problem with data

7 = PCC measured @ q-meter verification

8 = Low PCC where q-meter is required but not installed

9 = Calculated or Estimated PCC

N = No PCC

Q = Other, see exam notes

FOLLOW-UP DATE

2002

Power and Water Metering Information

KILOWATT HOUR METER		WATER MEASUREMENT METER and MOUNTING PIPE INFORMATION	
Utility	UPK	METER INFORMATION	
Pole No.		Manufacturer	Pact
Meter Manufacturer	ABB	Model Number	TRP (Eastern DPWR)
Meter Serial No.	1170507	Type (std-meter)	Sonic
Disc Constant(Kh)	1.8	PIPE INFORMATION	
Rated Voltage		Pipe material	See tape
Demand	3.06 X 40	Outside Diameter	
Multiplier (Mult)	40	Inside Diameter	
CTR (Current) - PTR (Voltage)		Distance of straight pipe upstream and down	Upstream / Down 3/2 dia

Exam complete

Y N

std confid

E (G) F P

Cond.#2 N = _____ (No. of Disc Rev) Time (sec) = _____ ÷ _____ ÷ _____ / 3 = _____ Ave

3.6 × _____ (Kh) × _____ (Mult) × _____ (N) ÷ _____ (T) = _____ KW

Cond.#3 N = _____ (No. of Disc Rev) Time (sec) = _____ ÷ _____ ÷ _____ / 3 = _____ Ave

3.6 × _____ (Kh) × _____ (Mult) × _____ (N) ÷ _____ (T) = _____ KW

Measured Flow Rate and Discharge Pressure - Enter flow rate as determined by the "standard" water measurement meter in GPM, and discharge pressure measured in PSI. Attach documentation to support data such as notes, printout tapes etc.

GPM Cond. #1 1668 #2 _____ #3 _____

PSI Cond. #1 55 #2 _____ #3 _____

owner

Power Consumption Coefficient (PCC) = KW × 5431 ÷ GPM

PCC Cond. #1 = 119.5 (KW) × 5431 ÷ 1668 (gpm) = 389.1 (kWh/ac.ft)

Percent of seasonal use 50

PCC Cond. #2 = _____ (KW) × 5431 ÷ _____ (gpm) = _____ (kWh/ac.ft)

Percent of seasonal use _____

PCC Cond. #3 = _____ (KW) × 5431 ÷ _____ (gpm) = _____ (kWh/ac.ft)

Percent of seasonal use _____

Is the system operator required to track and report changes in system operation? Yes No
(see form PCC3)

Water Level Data

Does the well have access to measure water levels? Yes No

Static Water Level _____ ft Pumping Water Level _____ ft (at condition # _____)
Date _____ Date _____

End gun SK100 - Large Pivot - 5 hp booster 187.2

6 PM
pilot/boost

Large pivot rating 1250 GPM. 6.1 gpm/acre

Sm. pivot rating 400 GPM - 3 ^{side} ~~corner~~ end gun

$$\begin{array}{r} \text{Big Pivot rating} \\ 1096 + 1096 - 350 \\ \hline 2 \\ \hline = 921 \end{array}$$

$$\begin{array}{r} \text{Little Pivot rating} \\ 400 + 400 - 50 \\ \hline 2 \\ \hline = 375 \end{array}$$

Data entry

Comments:

Per owner, arm = 350 gallons. used to

Per owner arm in & out about 1/2 of the time.

For hour meter use 375 GPM for min, 921 for

Big Pivot. See file for calculations, BAC 5/29.

PCC is max flow conditions, use for backup.

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature

Dwight A. Gorton

Date

5/25/99

(person performing measurements)

Date and time of reading: _____ Hr. Meter reading: _____
 Totalizer Reading: _____ Units: _____
 Instantaneous Reading: _____ Units: _____

II. ALTERNATE METHOD OR POWER RECORD SECTION

(Please fill out the columns that apply to your reporting method)

DAY	OPER. HOURS			PSI	BOOSTER		COUNT
	COND A.	COND B.	COND C.		ON	OFF	
1							
2							
3							
4	Mini Pivot		Ending hr meter				
5			Beginning hr meter				
6							
7			Net hrs				
8							
9							
10							
11	Big Pivot		Ending hr meter				
12			Beginning hr meter				
13							
14			Net hrs				
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							

Signature: _____ Date: _____

EXAM DATE 11/23/78 DIVERSION NAME _____
(site_visit) (div_name)
GPS FILE C112517B SITE TAG NUMBER 140008881
(gps_filnam) (site_tagno)
GPS OFFSET (offset) 4' above well
TAG LOCATION (tag_locat) motor conduit
POD LEGAL (pod) T 6 (N) S, R 35 E, Sec 14, NW SE
DISTRICT MEASUREMENT CAPABILITY (std_rcmd):
SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)
COLLINS (c) PYGMY (p)
MEASUREMENT RECOMMENDATIONS (op_num):
PCC (2) HOUR METER (7) IRR. FLOWMETER (1)
ALTERNATE (3) OTHER FLOWMETER (8) CRP (4)
AMEND CLAIM (A) OPEN CHANNEL DEVICE (9) Unused (6)
SUITABLE FOR PCC even if other method selected (pcc_ok) YES NO
TRACKING will be required (trkng_reqd) YES NO
Well has ACCESS PORT for water level meas. (wl_access) YES NO
FLOWMETER installation poss. w/o major change (qmtr_ez) YES NO
FOLLOW-UP DATE (folup_date) 1999
OWNER/OPERATOR INFORMATION
OWNER (name) Lee Peterson PHONE _____
ADDRESS _____ CEL PHONE _____
OPERATOR (contact) _____ PHONE _____
ADDRESS _____ CEL PHONE _____

PRESS. RELIEF

= (P)

INDIVE/UPDIVE

= =||

HOSE BIB

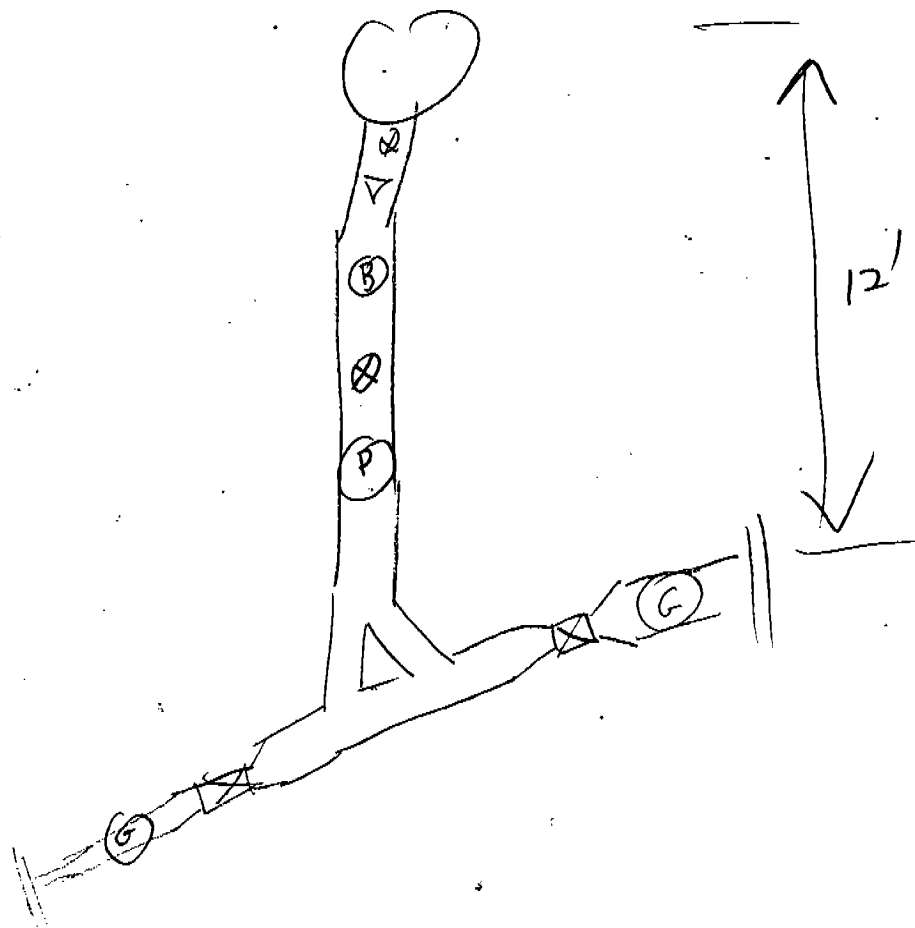
= (B)

PRESS. GAGE

= (G)

WELL ACCESS

= (A)



DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmiddat)
POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)
DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: 45
SERIAL: _____
HP: 160?

WELL PUMP

MFG: 7
SERIAL: 39? 517
TYPE: VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 MOTOR

MFG: _____
SERIAL: _____
HP: _____

BOOSTER 1 PUMP

MFG: _____
SERIAL: _____
TYPE: VERT T CENT SUBMER

BOOSTER 2 MOTOR

MFG: _____
SERIAL: _____
HP: _____

BOOSTER 2 PUMP

MFG: _____
SERIAL: _____
TYPE: VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

UTILITY: UPL
(utility)

POLE #: _____
(pole_no)

MAX KW DEMAND _____

KILOWATT HRS 13256 x 40
(kwh_1)
(use date of exam for "kwh1_date")

KWH METER SERIAL: 1176507
(pwrmttr_sn)

METER MFG: AB13
(pwrmttr_mfg)

Kh DISK CONSTANT 1.8
(kh)

MULTIPLIER 40
(disk_mult)

UTILITY ACCOUNT NUMBER _____
(acct_no)

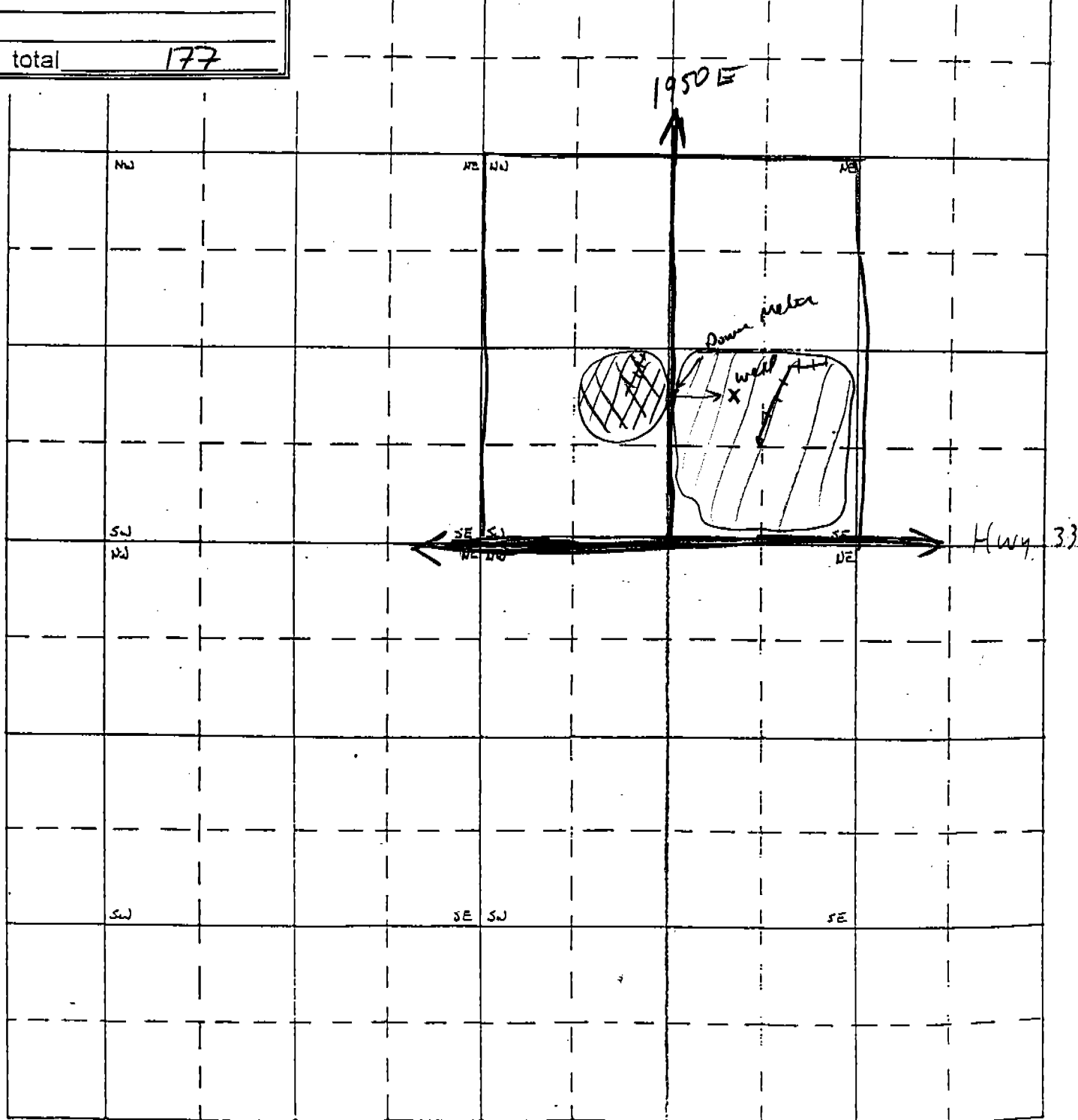
FILE-ONLY COMMENTS: See inventory sheet for formulas for trading.

✓ Action Add to summertime pump card list per attached sample.

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature Byron A. Connor Date 11/25/98

3
4
total 177



SCALE 1:24,000

PERMIT
NUMBER

1 Valley pivot w/ corner system, 1 mini-pivot on sward.

2 conditions: A = Big Pivot only ✓
B = Both Pivots.

Use hr meters: "B" ~~hrs~~ percent = $\frac{\text{Mini Pivot hrs}}{\text{Big Pivot hrs}} \times 100$

"A" percent = $100 - \text{"B" percent.}$

Recommendation: PCC w/ tracking

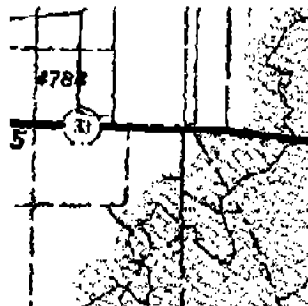
Follow-up: 1998 / 1999

[illegible]

Large

Image

Locator



Other Imagery:

[USGS Topo Map](#)

[01 Jul 1977](#)

12 km SW of Hamer, Idaho, United States 26 Jul 1992

Zoom 8m



0 1Km

0 1.5Mi

Image courtesy of the US Geological Survey.

OrigMetaTag = '4311214NE' Center Lon,Lat= -112.29375,43.84256 Running Time 23 ms Time 8,
8/14/2000 2:36:54 PM

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AJ5809NP
No. A31-02398

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/14/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEE C PETERSON TERRETON ID 83450 (208) 663-4313	05/09/1962	IRRIGATION	04-01 11-01	4.740 CFS	
TOTAL DIVERSION:					4.740 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06N R35E S14 NWSE

JEFFERSON County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
06N	35E 14	:		:		:		:		:		:		:		:		224.0
06N	35E 23	:	10	:	03	:		:		:		:	38	:	34	:	39	224.0
																	13.0	
TOTAL ACRES																	237.0	

POU County: JEFFERSON

Dates: Exam Made Date:

Verified Date: 03/12/1985

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Receipt E00501

WR5809NP
No. 31-02398

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/14/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEE C. PETERSON	05/09/1962	IRRIGATION	04/01 11/01	4.740 CFS	
TOTAL DIVERSION:					4.740 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06N R35E S14 SWSW NWSE JEFFERSON County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
06N	35E 14	:		:		:		:		:		:		:		:		224.0
06N	35E 23	:	10	:	03	:		:		:		:		:		:		13.0
TOTAL ACRES																	237.0	

Pol County: JEFFERSON

Remarks: GEN TRANS. 3622.

Dates:	App. Received:	Priority Date:	05/09/1962
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	04/16/1979	

Misc: Water District Number: Field Exam Fee:

Owner LEE PETERSEN Operator _____
County JEFFERSON State IDAHO Date 1986
Approximate acres _____ Approximate scale 1"=660'
Cooperating with Mud Lake Soil and Water Conservation District
Plan identification _____ Photo number _____
Assisted by James C. Baird USDA Soil Conservation Service

Irr. Ditch
Dir. of Irr.
Remove Ditch

A212 Lck Peterson ② 18.2 Ac
A347 --- Trans. To Clerk HAYLAND

④ 44.6 Hz
RAYLAND

③ 16.5 AC
HAYLAND

⑤ 19.0A
HAYLAND

① 16.3 A
HAYLAND

(C9) 17.9A
HAYLAND

① 19-8 Ac
KAYLANI

④ 21.6 Ac
HAYLAND

② 481A
HAYLAND

⑧ 33/Ac
NAV/AN/

① 6-7 AC
HAYLAND

A151 (T 1748)
P348

14-178.0

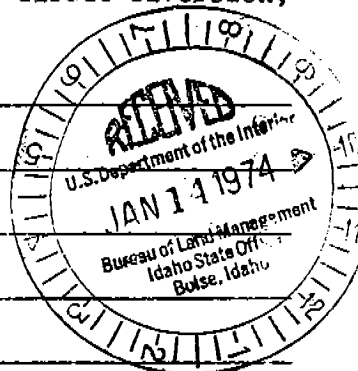
u sit
w/2 s/2

- * * * * *

Claim
Doc S

Date &

10-1
[] The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Describe that portion of the permit being assigned by listing the acreage within each 40-acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage.)



Made this 9th day of January, 19 74.

Lloyd B. Borge
Permit Holder

Spouse of Permit Holder

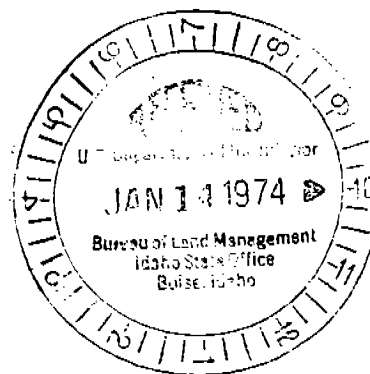
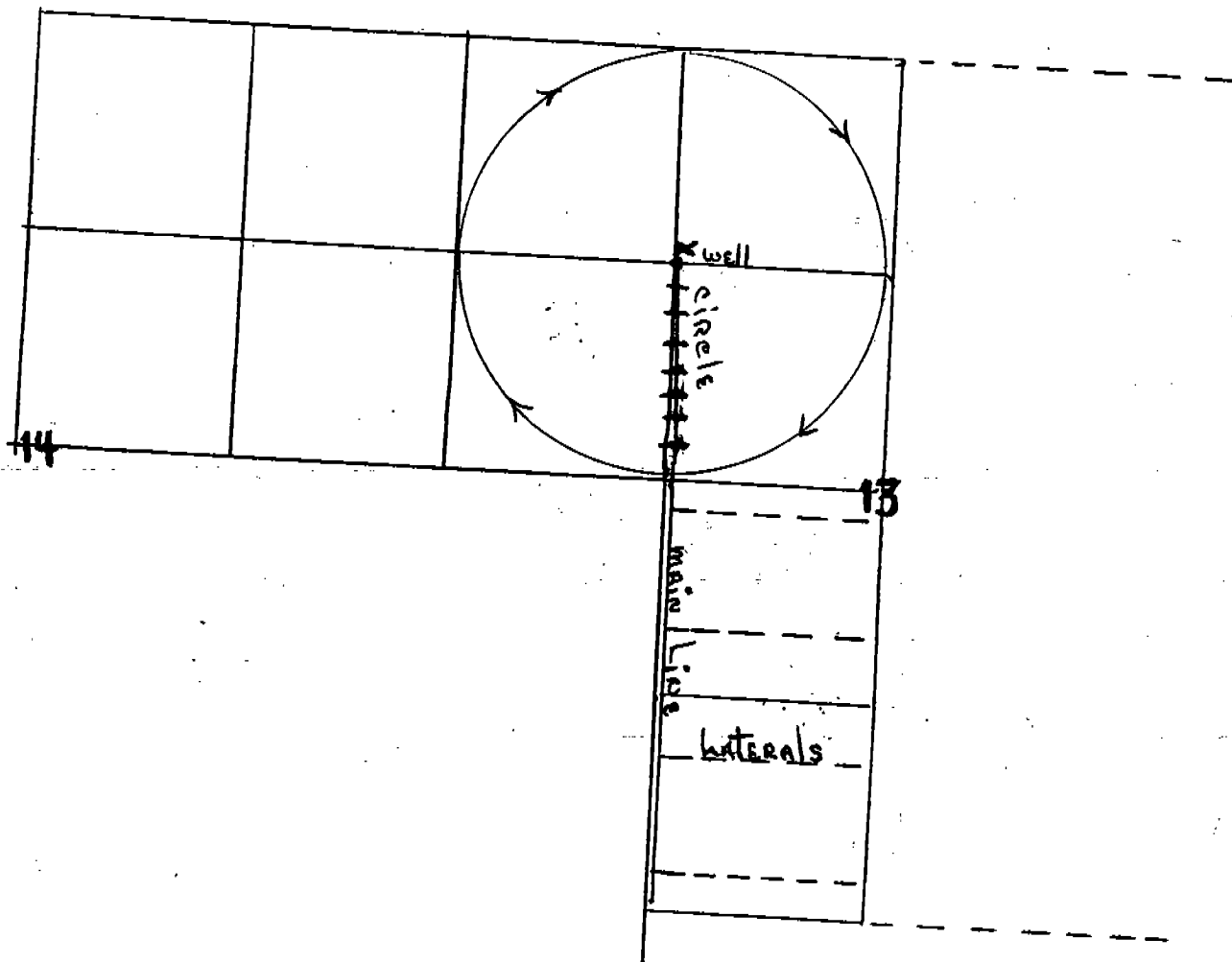
State of Idaho)
County of Jefferson) ss.

On this 9 day of January, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Anna L. Hae
Notary Public residing at
Terrace, Idaho 83450

My commission expires: 12-20-1976

Claim Lloyd Borge
Doc Source Claimant
Date 8/15/00 Sig. BBC



Claim Lloyd Burgee
Doc Source claimant

Date 8/15/00 Sig. CBac

January 30, 1962

Re: Permit No. G-30436

Lee C. Petersen
Terreton,
Idaho 83450

Dear Mr. Petersen:

A representative of this department has made an examination of the works covered by your permit G-30436 and has found the following:

Quantity of water diverted: 6.25 c.f.s.
Amount of water that can be recognized as beneficially used
under Idaho Law: 4.74 c.f.s.
Purpose of use: irrigation of 237 acres in N4SW,
E1/4, sec. 14; N4N4W NE, sec. 23, T. 6 N., R. 35 E., E. 4.

Total
237 acres

The priority date established is: May 9, 1962.

A fee totaling \$ 21.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Donald A. McElldowney
Water Rights Clerk

DAM:ks

50420

31-02398

DO NOT MICROFILM
From WR License File Microfiche

D. Conlon

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

Lee C. Petersen, farmer, Terraton, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

individual

Ques. 3. State number, approval date of permit, and date of priority: Permit G-20426
approved - April 9, 1962 - priority March 29, 1962

Ques. 4. State source of water supply: well
Give location of point of diversion, showing subdivision, section, township and range
NW1SE4, Sec. 14, T 6 N - R 35 E, B.M.

Ques. 5. Describe your works of diversion: pump, motor and ditches
_____; state amount of water they are capable of conveying from point of diversion to place of use: 300 inches; Give name of canal or ditch or other works by which water is conducted to such place of use: none

_____; if a well, state depth of well 187'; depth and size of casing 16" x 187'; depth to water 109'; if pump is used, state discharge of pump: 300"; tell how it was measured or determined full capacity; if sprinkler irrigation, give number and size of nozzles and operating pressure: gravity

Ques. 6. State for what purpose water is used: irrigation and fall stock water
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

T 6 N - R 35 E, B.M. - Section 14, NE1SW4 - 40 ac., NW1SW4 - 40 ac., NE1SE4 - 40 ac., NW1SE4 - 40 ac., SW1SE4 - 40 ac., SE1SE4 - 40 ac.; Section 23 - NE1NE4 - 10 ac., NW1NE4 - 10 ac.

31-02398

430

DO NOT MICROFILM
From WR License File Microfiche

Ques. 6-1: If this is a ground water permit, give name and address of person that drilled the well: Hopkins Brothers, Thornton, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:
irrigation, and stock water in the fall

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

original holder

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: Spring 1962 - Time used since first use:

Consecutively since that time

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

50 shares of Holley Water Users Association

(sign)

Lee C. Petersen
Lee C. Petersen

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Lewiston, County of Blaine
State of Idaho, on this 19th day of May, A. D. 1967.

My commission expires: 2/12/70

Laura J. Smith

31-02398

DO NOT MICROFILM
From WR License File Microfiche

30430

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Carl R. Hoggan, 30, farmer, Hamer, Idaho

Ques. 2 Are you acquainted with Lee C. Peterson, the holder of Permit No. G-30436? How long have you known him and where does he reside?

12 years and I know he lives 6 miles East of Terreton, Idaho

Ques. 3. Have you read or heard said Permit No. G-30436 read, and are you familiar with its provisions and conditions: Yes XXX No.

Ques. 4. State source of water supply: well

Give location of place of diversion, showing subdivision, section, township and range

NW1SE1, Sec. 14, T 6 N - R 35 E, B.M.

Describe works for conveying water to place of use: Pump and motor and ditches

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 6 How much water have you seen being so conveyed? 6 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

T 6 N - R 35 E, B.M. - Section 14, NE1SW1 - 40 ac., NW1SW1 - 40 ac., SE1SE1 - 40 ac.,

NW1SE1 - 40 ac., SW1SE1 - 40 ac., SE1SE1 - 40 ac.; Section 23 - NE1NE1 - 10 ac., NW1NE1 - 10 ac.

31-02398

DO NOT MICROFILM
From WR License File Microfiche

30430

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

This is a sandy loam soil with a clay base and would require at least 1 inch per acre for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? Spring of 1962

Other times you have seen such use: Consecutively since that time.

(Signed):

Carl R. Hoggan

***** Carl R. Hoggan

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Boise, County of Ada, State of Idaho, on this 19th day of May, A.D. 1967

Laura Henderson
Notary Public for the State of Idaho
Residing Boise Idaho

My commission expires 2/2/72

31-02398

DO NOT MICROFILM
From WR License File Microfiche

30436

and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Gary Laird, 24, farmer, Hamer, Idaho

Ques. 2 Are you acquainted with Lee C. Petersen, the holder of Permit No. G-30436? How long have you known him and where does he reside?

I have known him about 5 years and I know he lives about 6 miles east of Terretton

Ques. 3. Have you read or heard said Permit No. G-30436 read, and are you familiar with its provisions and conditions: Yes XXX No.

Ques. 4. State source of water supply: well

Give location of place of diversion, showing subdivision, section, township and range

T 6 N - R 35 E, B.M. Section 14, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Describe works for conveying water to place of use: ditches to the place of use, of course it has a pump and motor

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: about 6 How much water have you seen being so conveyed? I would say about that much, about 6 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

T 6 N - R 35 E, B.M. - Sec. 14, NE $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac., NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 40 ac., NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac., SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 40 ac.; Sec. 23 - NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 10 ac., NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 10 ac.

31-02398

DO NOT MICROFILM
From WR License File Microfiche

30430

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

This land is sandy loam and would need at least 1 inch per acre for hay or grain

but would need more than an inch per acre for potatoes.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? Spring 1962

Other times you have seen such use: Ever since that time.

(Signed):

Gary Laird

***** Gary Laird

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in

Boise, County of Ada, State of Idaho, on

this 19th day of May, A. D. 1967

Laura G. Henderson

Notary Public for the State of Idaho

Residing Boise, Idaho

My commission expires 8/2/70

31-02398

DO NOT MICROFILM
From WR License File Microfiche

304.36

Claimant = A31-02398

Weather Station = HOME EVAP PAN

Monthly ET											
(mm/day)											
net								Gross Irrigation Application			
AVE IR								(peak period ET/eff. in mm/day)			
season								irrig. freq.			
(mm/yr)								(days)			
mar	apr	may	jun	jul	aug	sep	oct	ratio	ET	irrig.	season
											(mm/yr)
3	4	4	6	7.65	6	4	3	4.08	1.07	12.7	8.03
											10.70
											16.05
											20.46
											16.05
											10.70
											8.03

1 (mm/day) =
20.46
(cfs/acre) =
0.034
net (cfs) =
8.02
net (ft/yr) =
0.09
ac-ft/yr) =
0

8.03 10.70 16.05 20.46 16.05 10.70 8.03

0	1.14	0	8.025	10.7	16.05	20.46	16.05	10.7	8.025	0
1	1.14	0	0	0	0	0	0	0	0	0
1.17	1.13	0	0	0	0	0	0	0	0	0
1.51	1.12	0	0	0	0	0	0	0	0	0
1.84	1.11	0	0	0	0	0	0	0	0	0
2.26	1.1	0	0	0	0	0	0	0	0	0
2.76	1.08	0	0	0	0	0	0	0	0	0
3.26	1.08	0	0	0	0	0	0	0	0	0
3.76	1.07	0	0	0	0	0	0	0	0	0
4.26	1.06	0	0	0	0	0	0	0	0	0
4.76	1.05	0	0	0	0	0	0	0	0	0
5.51	1.04	0	0	0	0	0	0	0	0	0
6.51	1.03	0	0	0	0	0	0	0	0	0
7.51	1.02	0	0	0	0	0	0	0	0	0

Rough Hubble
analysis?

BAC
8/15/02

lower	upper	lower	upper	lower	upper	lower	upper		
0	6	0.16	0.18	7.9	8.4	1	2	1	2.04
6	60	0.16	0.18	7.9	8.4	1	2	2	4.08
								3	6.12
								4	8.16
								5	10.20

Management Allowed Deficit (MAD)

crop	root depth (ft)	stress point	MAD (inches)
alfalfa (hay or seed)	5	0.5	5.10
corn (field or silage)	4	0.5	4.08
grain (winter or spring)	4	0.5	4.08
pasture (or grass hay)	3	0.5	3.06
other (enter below)			
Dry Beans	2	0.4	1.63

Intake Family

choose base number for intake family from table below based on texture
base number (#'s 1 through 7) = 3

Intake Family

#	flood	furrow	texture
1	0.3	0.3	heavy clays, silty clay (> 60% clay)
2	0.5	0.35	clays, slit loam (lake laid), sandy clay
3	1	0.4	silty clay loam, clay loam, sandy clay loam, silt loam (
4	1.5	0.5	silt loam (wind laid), loam, very fine sandy loam
5	2	0.55	sandy loam, fine sandy loam, gravelly loam
6	3	0.7	very fine sand, loamy sands, gravelly sandy loam
7	4	0.85	sand

If you wish to assign intake family by an alternate method (from

Roy Hubble 8/15/00

My Computer

Ask Jeeves

Dial-Up Networking

Network Neighborhood

Pathfinder Office 2.51

Shortcut to Greenbri...

Recycle Bin

Acrobat Reader 4.0

home.asp

home.asp (2)

My Briefcase

NetMeeting

Join Intel WebOutfit...

Microsoft PowerPoint

Shortcut to Pccommon

V1320

Microsoft Outlook

grumpy

Shortcut to vehicle log

Microsoft Excel

ArcView

Microsoft Word

Microsoft Access

Microsoft Photo Editor

Shortcut to Map97 (2)

Shortcut to proj

Shortcut to mar 31 time

Internet Explorer

Start

Inbox - Microsoft Outlook

Exploring - Training

Microsoft Excel - FIR.wk3

D:\Hubble\Training\...

9:39 AM

File Edit View Tools Help

Contents of 'Training'

Desktop

My Computer

3 1/2 Flopp...

Micron I...

Micron I...

Arcv...

arcv...

Avh...

b22...

b29...

B31...

B32...

B33...

b34...

b35...

Date...

700...

Driv...

800...

Hub...

900...

1000...

1100...

1200...

1300...

Nw...

Pcc...

Prof...

Program Files

salmon

AE02Common on 'Ae02' (N:)

PowerConsump on 'A006' (P:)

(R:)

Users on 'Ae02' (U:)

Name

Size

Type

Modified

Attributes

BORDER

44KB

Application

10/13/87 2:05 PM

A

D:\Hubble\Training\BORDER.EXE

Job name: A31-02398

Location: TERRETON

By: BCONIOR

Date: Aug 15, 2000

Border width: (W)= 100 ft

Intake family curve number (If)=3.00

Roughness coefficient (n)=0.100

Design application depth (Fn)= 4.08 inches

Design efficiency (E)= 40.0 percent

Gross application (Pg)=10.20 inches

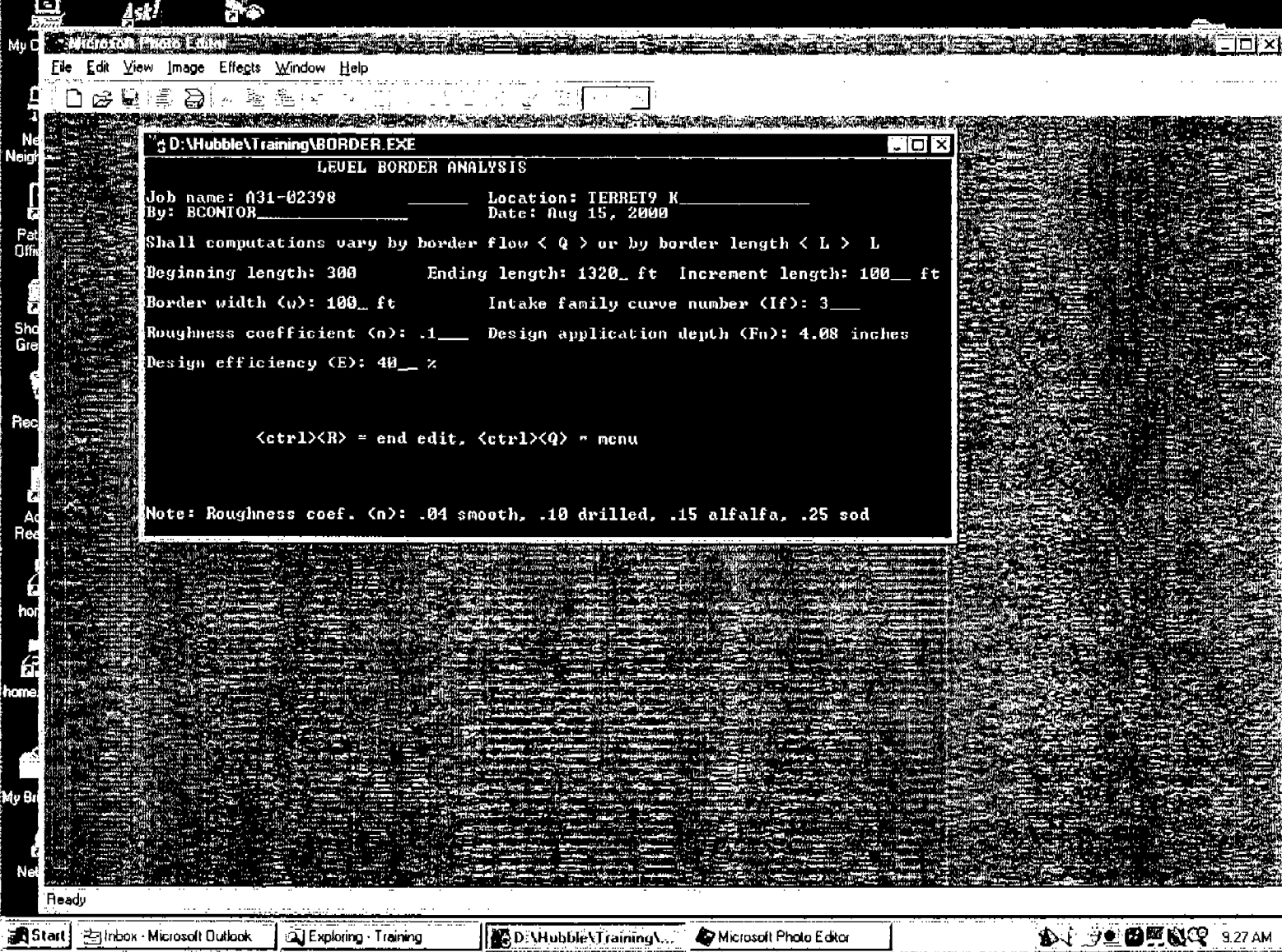
Border Length <ft>	Border Flow <cfs>	Unit Flow <cfs/ft>	Inflow Time	Travel Time To End	Deep Percolation <in>	Flow Depth <in>
300	1.5	0.015	4 hr, 37 min	4 hr, 49 min	6.12	2.71
400	2.1	0.021	4 hr, 29 min	4 hr, 49 min	6.12	3.24
500	2.7	0.027	4 hr, 19 min	4 hr, 49 min	6.12	3.75
600	3.4	0.034	4 hr, 9 min	4 hr, 49 min	6.12	4.25
700	4.1	0.041	4 hr, 3 min	4 hr, 49 min	6.12	4.70
800	4.8	0.048	3 hr, 56 min	4 hr, 49 min	6.12	5.16
900	5.6	0.056	3 hr, 49 min	4 hr, 49 min	6.12	5.59
1000	6.3	0.063	3 hr, 44 min	4 hr, 49 min	6.12	6.02
1100	7.2	0.072	3 hr, 38 min	4 hr, 49 min	6.12	6.45
1200	8.0	0.080	3 hr, 33 min	4 hr, 49 min	6.12	6.86
1300	8.9	0.089	3 hr, 28 min	4 hr, 49 min	6.12	7.27

**** Return to menu: <RET> ***

1 object(s) selected

143.7KB

Rough Hubble 8/15/00



Rough Hubble 8/15/00

109, 110	6-60	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37	5	4L
111, 112	0-6	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37		
	6-60	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37		
113*:											
Terreton part	0-6	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37	5	4L
	6-60	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37		
Bereniceton part	0-7	0.6-2.0	0.19-0.21	7.9-8.4	<2	Low	High	Low	0.37	3	4L
	7-14	0.6-2.0	0.16-0.18	8.5-9.0	<2	Low	High	Low	0.28		
	14-46	0.2-0.6	0.19-0.21	8.5-9.0	<2	Moderate	High	Low	0.20		
	46	---	---	---	---	---	---	---	---		
114*:											
Terreton part	0-6	0.6-2.0	0.14-0.18	7.9-8.4	<2	Moderate	High	Low	0.32	5	4L
	6-60	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37		
Bereniceton part	0-7	2.0-6.0	0.11-0.13	7.9-8.4	<2	Low	Moderate	Low	0.17	2	3
	7-14	0.6-2.0	0.16-0.18	8.5-9.0	<2	Low	Moderate	Low	0.28		
	14-46	0.2-0.6	0.19-0.21	8.5-9.0	<2	Moderate	High	Low	0.20		
	46	---	---	---	---	---	---	---	---		
Rock outcrop part.											
115*:											
Terreton part	0-6	0.6-2.0	0.14-0.18	7.9-8.4	<2	Moderate	High	Low	0.32	5	4L
	6-60	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37		
Rock outcrop part.											
116*:											
Terreton part (loamy sand)	0-6	2.0-20	0.06-0.10	7.9-8.4	<2	Low	High	Low	0.17	5	3
	6-60	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37		
Terreton part (sandy clay loam)	0-6	0.6-2.0	0.14-0.18	7.9-8.4	<2	Moderate	High	Low	0.32	5	4L
	6-60	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37		
117*:											
Terreton part	0-6	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37	5	4L
	6-60	0.06-0.2	0.16-0.18	7.9-8.4	<2	High	High	Low	0.37		
Zwiefel part	0-3	2.0-6.0	0.05-0.07	7.9-8.4	<2	Low	Low	Low	0.10	4	1
	3-21	2.0-6.0	0.05-0.07	7.9-8.4	<2	Low	Low	Low	0.10		
	21-28	0.06-0.2	0.15-0.17	7.9-9.0	<2	Moderate	High	Low	0.20		
	28-60	0.06-0.2	0.15-0.17	8.5-9.0	<2	High	High	Low	0.32		
Urban land: 118*.											
Wardboro: 119	0-2	2.0-6.0	0.11-0.13	7.4-8.4	<2	Low	Low	Low	0.17	1	3
	2-60	>20	0.03-0.05	7.4-8.4	<2	Low	Low	Low	0.10		

See footnote at end of table.

Claim A31-02398

Doc Source USDA Soil Survey

Se. of Conds, 1979

Date 8/15/00 Sig. BAC

Re: Documentation

Additional documentation may be found in AJ file 31-11406

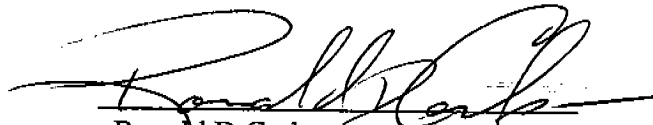
General to
Lt. Col. Eugene J.
Lee Station

ordered that the following action be taken by Lloyd Barzee no later than
8/24, 2000.

TERMS OF COMPLIANCE LISTED BELOW:

- 1) Cease irrigation of the SW¼ Sec 13, T06S R35E until there are valid water rights reflecting the actual use.
- 2) Payment of an agreed civil penalty in the amount of \$300.00 for the violation identified on the cease and desist order.

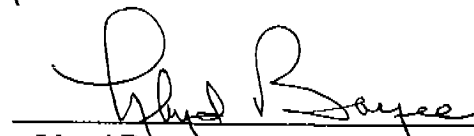
Dated this 24 day of August, 2000.


Ronald D Carlson
Manager, Eastern Regional Office

CONSENT

Respondent acknowledges in general the facts set forth and accepts fully the terms and conditions of this Order. These terms shall become effective upon execution by the parties. Respondent waives any right to contest this Order and consents to the issue hereof.

Signed this 24 day of August, 2000.


Lloyd Barzee

your or Ron's recommendation on the fall irrigation request? Does he not have a little more than 112 acres? It looks like there is clearly a forfeiture between initial enlargement and resuming use but I'm not sure how that would be addressed in a transfer, perhaps assigning a priority as of date of resuming unless that is earlier than the priority he'll get through SRBA anyway.

I lean towards not allowing fall irrigation until a transfer has been filed and approved, or at least waiting till spring and evaluating then.

Tim

-----Original Message-----

From: Contor, Bryce
Sent: Thursday, August 17, 2000 1:03 PM
To: Luke, Tim
Subject: Lloyd Barzee Notice of Violation 6N 35E 13 SW 1/4

Tim -

Lee Petersen, who sold the land to Barzee, has filed beneficial use claim 31-11378 and enlargement claim 31-11380, and amended license-based claim 31-02398, to include about 55 or 56 acres of the W 1/2 of SW 1/4 of section 13, on a permissible place of use basis. Barzee has submitted a Notice of Change of Ownership which will result in these claims being split.

Barzee has also filed enlargement claim 31-11383 for 56 acres of irrigation on the E 1/2 of SW 1/4 of 13, and amended licensed-based claim 31-07063 to include those acres on a permissible place of use basis.

The evidence for these claims is good, and it appears that the claimed enlargements actually did occur. While it appears there may be a forfeiture issue, our instructions in AJ are to recommend if the use has been resumed as of our field inspection. Therefore, these claims will be recommended. With the delay from the database migration, it may be spring before a preliminary director's report is issued.

Once a partial decree is issued, Barzee understands that a formal transfer will be required to change the POD of these claims to the well currently used.

Mr. Barzee wondered if he could do a little fall irrigation based on these claims being in place, or if he should wait until a Directors Report is published.

Thanks, Bryce

Call tim

Need
Consent decree + no fall water

No irrig until water rights reflect
actual use.

assess costs - \$300

To: Eastern Reg.

ROUTING SLIP

663-4558
663-4552
shop

Distribution	Provided for your:	
Date: 7/28/00	Information	
To: Skip Jones	Comments	
From: Tim Luke	Approval	
	Signature	
Special Notes:		
Ran		

RECEIVED

AUG 03 2000

Department of Water Resources
Eastern Region

Thanks ^{very} much a compliance
conference. I hope what we

have, makes POD T6N R.35E
Section 12 DENWSW worthy of
permit. I feel that it is.

Th. 1.
see + NOV material
from Harold
Jones our attention
rely

Ed Bayne

Wayo BARZEE

1577N. 1950E

● KERRETON ID

83450

Norman Young

Lloyd Barzee
1577 N 1950 E
Terreton, ID 83450

Re: Notice of Violation and Cease and Desist Order
Point Of Diversion: T06N R35E Sec 13 NENWSW

Dear Mr. Barzee,

Enclosed is a Notice of Violation and Cease and Desist Order regarding the above referenced diversion. Please note all civil penalties and compliance dates stipulated in the attached order. Please also note your opportunity to request a compliance conference concerning this matter as well as the time frame and manner in which such a request must be made.

Respectfully,

A handwritten signature in black ink, appearing to read "Tim Luke", written over a horizontal line.

Tim Luke
Water Allocations

Cc: IDWR Eastern Region
ESPA North Water Measurement District

Enclosures

D:\Data\MS Word 97\Enforce\BarzeeNVlet.doc

The Director of the Department of Water Resources (department), being charged with the duty of protecting vested water rights, enforcing certain statutes of the state of Idaho and the rules of the department, and being authorized to order the cessation of violations or attempted violations of the provisions of the law relating to appropriation and distribution of water, has investigated the use of water by Lloyd Barzee (herein referred as Barzee).

Based on the department's investigation and understanding of the law, the Director finds, concludes and orders as follows:

FINDINGS OF FACT

1. On November 25, 1998, staff from the Eastern Snake Plain Aquifer North Water Measurement District (NWMD) inspected an irrigation well owned by Barzee located in T6S, R35E, Section 13, NENWSW. As per this inspection, the well diversion consists of a vertical turbine pump with a 150 nameplate horsepower (Hp) motor that diverts water to a center pivot irrigation sprinkler system covering approximately 130 acres located in the SW1/4 of T6S, R35E, Section 13. The examiner noted that there were no valid water rights appurtenant to this place of use. The field examiner also noted that the well was connected to an electric utility power meter that registered both billing cycle kilowatt (Kw) demand and kilowatt hour (Kwh) readings. The recorded Kw and Kwh provide evidence of withdrawal of water from the well in 1998. It was further noted that the approximate 130 acres had been planted in alfalfa during 1998.
2. On November 30, 1998, the NWMD sent correspondence to Barzee advising him that water rights had not been approved for the irrigated place of use in the SW1/4 of T6S, R35E, Section 13. Barzee had filed a water right application for the well and place of use in 1982 but the application had not been approved due to various water right moratoriums administered by the department. As per department records, the water right application in question is designated as number 31-02398. The NWMD advised Barzee to contact the department concerning this potential unauthorized use of water.

and June 13, 1999. Notes in the department file pertaining to this matter show that Barzee was attempting to provide documentation of irrigation of the 130 acres prior to November of 1987, or the commencement of the Snake River Basin Adjudication.

5. Inspection of power consumption records from the area utility provider on file with the department confirms use of the Barzee well in Section 13, T6S, R35E from 1995 through 1999.

6. On May 25, 2000, a field examiner from the NWMD visited the Barzee well located in T6S, R35E, Section 13, NENWSW with Barzee. The examiner confirmed again that the well was connected to an electric utility power meter that registered both billing cycle Kw demand and Kwh readings. The recorded Kw and Kwh provide evidence of withdrawal of water from the well in 2000. The examiner also confirmed that the approximate 130-acre pivot had been planted in grain.

7. The field visit of May 25, 2000 by the NWMD indicates that the diversion and irrigation system has not changed since the prior NWMD visit in 1998. Use of ground water under this system therefore is still applied without benefit of a valid water right. As of July 5, 2000, Barzee has not filed an adjudication claim, water right transfer or taken any other action that might bring the water use into compliance with valid water rights.

CONCLUSIONS OF LAW

1. Idaho Code 42-1701B(6)(a) states, in pertinent part:

...that persons determined to be in violation of section 42-351, Idaho Code, shall be liable for a civil penalty not to exceed:

(ii) For irrigation uses, three hundred dollars (\$300) annually for each acre irrigated, in whole or in part, by the illegal use or diversion.

2. During 1998 and 1999, both the NWMD and the department advised Barzee of concerns about unauthorized use of water from the well located in T6S, R35E, Section 13, NENWSW. Barzee responded to the department inquiry in 1999 and advised the department that he would try to provide information concerning prior development or take some other action to resolve the problem.

- IT IS HEREBY ORDERED as follows.
1. Barzee shall cease and desist diverting water to land in the SW1/4 of Section 13, T6S, R35E.
 2. For failure to comply with the law and any authorized water rights, Barzee shall pay a five thousand-dollar (\$5,000.00) civil penalty to the department. The penalty shall be paid by August 1, 2000.
 3. For any future diversion of ground water or application of ground water that is not in compliance with valid water rights, or by subsequent order and decision by the department, Barzee shall pay a civil penalty of three hundred dollars (\$300) annually per acre for each acre irrigated not in conformance with valid water rights.
 4. Barzee is entitled to a **Compliance Conference** if Barzee submits a written request for a conference to the department within fourteen (14) days of receipt of the Notice of Violation.
 5. Barzee shall have the opportunity to enter into a **Consent Agreement** with the Department to remedy the violation and to assure future compliance with the laws of the State of Idaho.

DATED this 6TH day of July, 2000.


NORMAN C. YOUNG
Administrator
Water Management Division

Mr. Lloyd R. Barzee
Terreton, ID. 83450

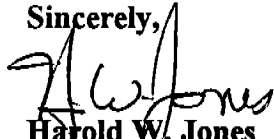
Dear Mr. Barzee:

I am writing to follow up Bryce Contor's letter of November 30, 1998. In that letter he discussed ground in Sections 13 and 14 of 6N; 35E that was being irrigated but had no recorded water right or approved permit.

There is on the data base applications 31-07507 and 31-07379 which, if approved, might cover the ground in question. I would suggest that you make an appointment with me to discuss what possibilities are out there to address water rights for your pivots. As you are aware, continued irrigation on these grounds might result in problems this planting season.

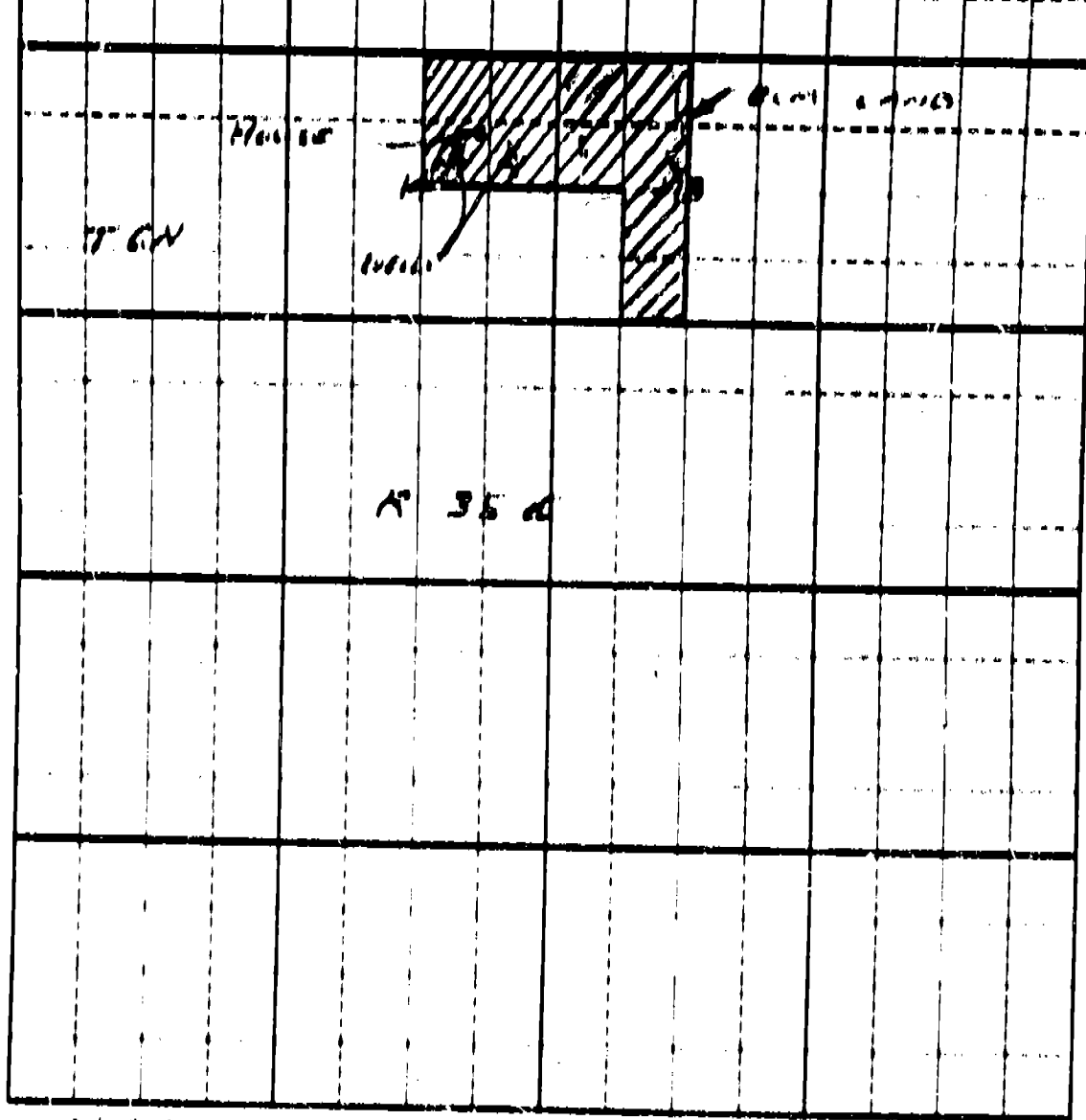
You can contact me at 525-7161.

Sincerely,



Harold W. Jones
Water Right Supervisor

HWJ::dn



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.

George W. [Signature]

111 701133

DATE: July 16, 1976

I have examined both the licensed system (No. 31-7063) and the system for which the application for permit has been submitted by Mr. Barzee. I have determined that the following legal description pertains to Mr. Barzee's center pivot sprinkler system under License No. 31-7063:

- 1) Point of diversion: NE1/4NW1/4, Sec. 13, T. 6N, R. 35E
- 2) Lands irrigated: T. 6N, R. 35E, Sec. 13:
 - NE1/4NW1/4 - 36 acres
 - NW1/4NW1/4 - 36 "
 - SW1/4NW1/4 - 36 acres
 - SE1/4NW1/4 - 36 "
- T. 6N, R. 35E, Sec. 14:
 - NE1/4NE1/4 - 2 acres
 - SE1/4NE1/4 - 2 "

Total lands irrigated under License No. 31-7063 - 148 acres

I, therefore, recommend that the appropriate changes be made with respect to License No. 31-7063, and that application for permit No. 31-7175 be approved.

Enclosed are the aerial photo of Sec. 13, T. 6N, R. 35E, and the Federal Land Bank plat of Mr. Barzee's system in question.

cc: Federal Land Bank Association

Thorton

ADVISORY COMMITTEE

KIRK JACOBS
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REXBURG

FRANK SULLIVAN
DUBOIS

LYNN WOOD
MONTEVIEW

NICK HILLMAN
HAMER

JERRY PANCHERI
HOWE

AARON SAVAGE
HAMER

Lloyd R. Barzee
Terreton, ID 83450

Dear Mr. Barzee:

I have had a chance to visit with Harold Jones of Idaho Department of Water Resources concerning your pivot east of Peterson's. I've also searched the IDWR computer database for permits in the SW quarter of 6N 35E section 13 and the SE quarter of section 14.

There is a license for Peterson's pivot in the SE quarter of section 14 (31-02398). Its place of use does not appear to include your pivot. There are also two outstanding applications listed in the database, 31-07507 in the name of Lee C. Peterson (1988) and 31-07379 in the name of Keith and Lloyd Barzee (1982). However, no permits have been issued due to various moratoriums which have been in effect in Mud Lake over the years.

The bottom line is that, technically, your well is an illegal diversion. As we discussed, you will probably have to transfer an existing water right of your own or a purchased water right to cover that use. You may call (208) 525-7161 to set up an appointment with an IDWR Water Rights Agent to discuss your options.

I'm sorry to be the bearer of bad news.

Sincerely,



Bryce A. Contor
Assistant Hydrographer

cc: Harold Jones, IDWR ✓
Tim Luke, IDWR

Water Right Number - 31-07379

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

BARZEE

KEITH

1 - BARZEE ROAD

2 -

3 -

City- TERRETON

State- ID Zip- 83450

Phone -

BARZEE

LLOYD

1 - BARZEE ROAD

2 -

3 -

City- TERRETON

State- ID Zip- 83450

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/21/1982 15 EASTERN A - APPLICATION+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
06N 35E 13 NW SW (51) JEFFERSON+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 3.200+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.200 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
06N 35E 13 NE SW 40.0 01 IRRIGATION (51) JEFFERSON
06N 35E 13 NW SW 40.0 01 IRRIGATION (51) JEFFERSON
06N 35E 13 SW SW 40.0 01 IRRIGATION (51) JEFFERSON
06N 35E 13 SE SW 40.0 01 IRRIGATION (51) JEFFERSON

Total Acres: 160.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

11/27/98 08:19:06
Page 2

Water right number - 31-07379

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

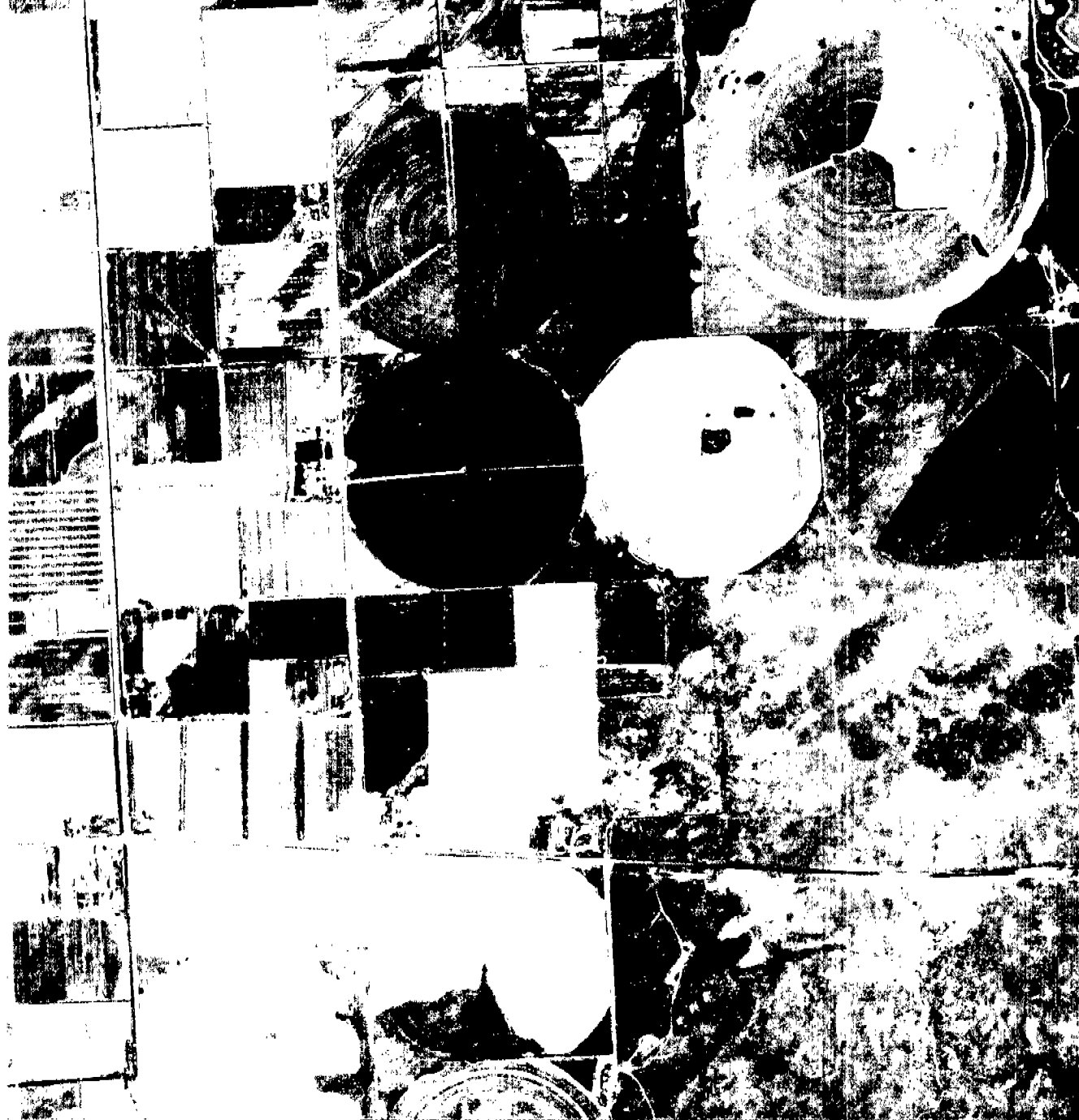
+ - - - - -Comments- - - - - +
No Comments Found

+ - - Audit Fields - 09/22/87 05/22/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls - 7
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Presumption Flag -	Name Connector -	POU Ownership Flag-
SRBA Decreed Flag -		





October 31, 1972

Herman G. Young
District Engineer, Eastern District Of
Department of Water Administration
840 South Holmes Avenue
Idaho Falls, Idaho 83401

Re: Application for Permit No. 31-7063
Lloyd Roy Barnes

Dear Mr. Young:

The land involved in the above water permit application is included in the allowed decedent land entry 1-2103 of the Arlo H. Barnes Estate. We understand that Lloyd H. Barnes is to perfect the entry on behalf of the heirs.

Since the entry is allowed the water permit may be further processed and issued as far as this office is concerned. Mr. Barnes will need the permit at the time final proof is made.

Sincerely yours,

Vincent S. Strabel

Vincent S. Strabel, Chief
Branch of L&M Operations

31 7063

Figure 1

[illegible]

Outline of System

4

11-17

Correcting License No. 31-7003

In the name of Sadie Barzoo Acor

ORDER

WHEREAS, on August 8, 1975, the Department of Water Resources issued the above numbered license to Sadie Barzoo Acor for 2.00 cfs of water from a ground water source with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 13, Twp. 6 N, Rge. 35 E, B.M., Jefferson County, for the irrigation of 152 acres in the NW $\frac{1}{4}$ (70 acres), Sec. 13 and NE $\frac{1}{4}$ (70 acres), Sec. 14, all in Twp. 6 N, Rge. 35 E, B.M.; and

WHEREAS, it has been brought to the attention of the Director that the place of use as listed on the license is in error; and

WHEREAS, it appears that the Department may have been negligent at the time the license was issued; and

WHEREAS, having reviewed the matter, the Director of the Department of Water Resources finds that the above numbered license should be corrected to show the true place of use;

IT IS, THEREFORE, HEREBY ORDERED that an amended license be issued under License No. 31-7003 listing the place of use as follows:

Sec. 13, Twp. 6 N, Rge. 35 E, B.M.

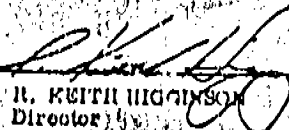
NE $\frac{1}{4}$ NW $\frac{1}{4}$	30 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	30 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	30 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	30 acres

Sec. 14, Twp. 6 N, Rge. 35 E, B.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$	2 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	2 acres

Total 148 acres

Dated this 17 day of August, 1976.


R. KEITH HIGGINSON
Director

11 2000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
 06/23/1988 15 EASTERN A - APPLICATION

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
 GROUNDWATER

+ - - - - - Point of Diversion - - - - - +
 TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

06N 35E 14 NW SE (51) JEFFERSON

+ - - - - - Water Use - - - - - +
 Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 1.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
 1.200 0.0

+ - - - - - Place of Use - - - - - +
 TwN Rng Sec Tract Lot Acres Code Description County

06N 35E 13 NW SW 40.0 02 IRRIGATION STORAGE (51) JEFFERSON

06N 35E 13 SW SW 20.0 02 IRRIGATION STORAGE (51) JEFFERSON

Total Acres: 60.0

+ - - Diversion Means - WELL & PUMP TO SPRINKLER SYSTEM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
 No Remarks found.

+ - - - - - Old Water Right Numbers - - - - - +
 No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
 No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- E000501	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 06/23/1988	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				

LLOYD

1 - BARZEE ROAD

2.

3 -

City- TERRETON

State- ID Zip- 83450

Phone -

Priority	Date	Region	Stage	Status
12/21/1982	15	EASTERN	A - APPLICATION	

+ . - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

Point of Diversion									
Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
06N	35E	13	NW SW			(51) JEFFERSON			

Water Use					
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	3.200	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +
3.200			0.0	

Place of Use									
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
06N	35E	13	NE SW		40.0	01	IRRIGATION	(51)	JEFFERSON
06N	35E	13	NW SW		40.0	01	IRRIGATION	(51)	JEFFERSON
06N	35E	13	SW SW		40.0	01	IRRIGATION	(51)	JEFFERSON
06N	35E	13	SE SW		40.0	01	IRRIGATION	(51)	JEFFERSON

Total Acres: 160.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+	-	Remarks	+
		No Remarks found.	

Swan Falls Mor.
Mud Lake Mor.
Drought Mor.

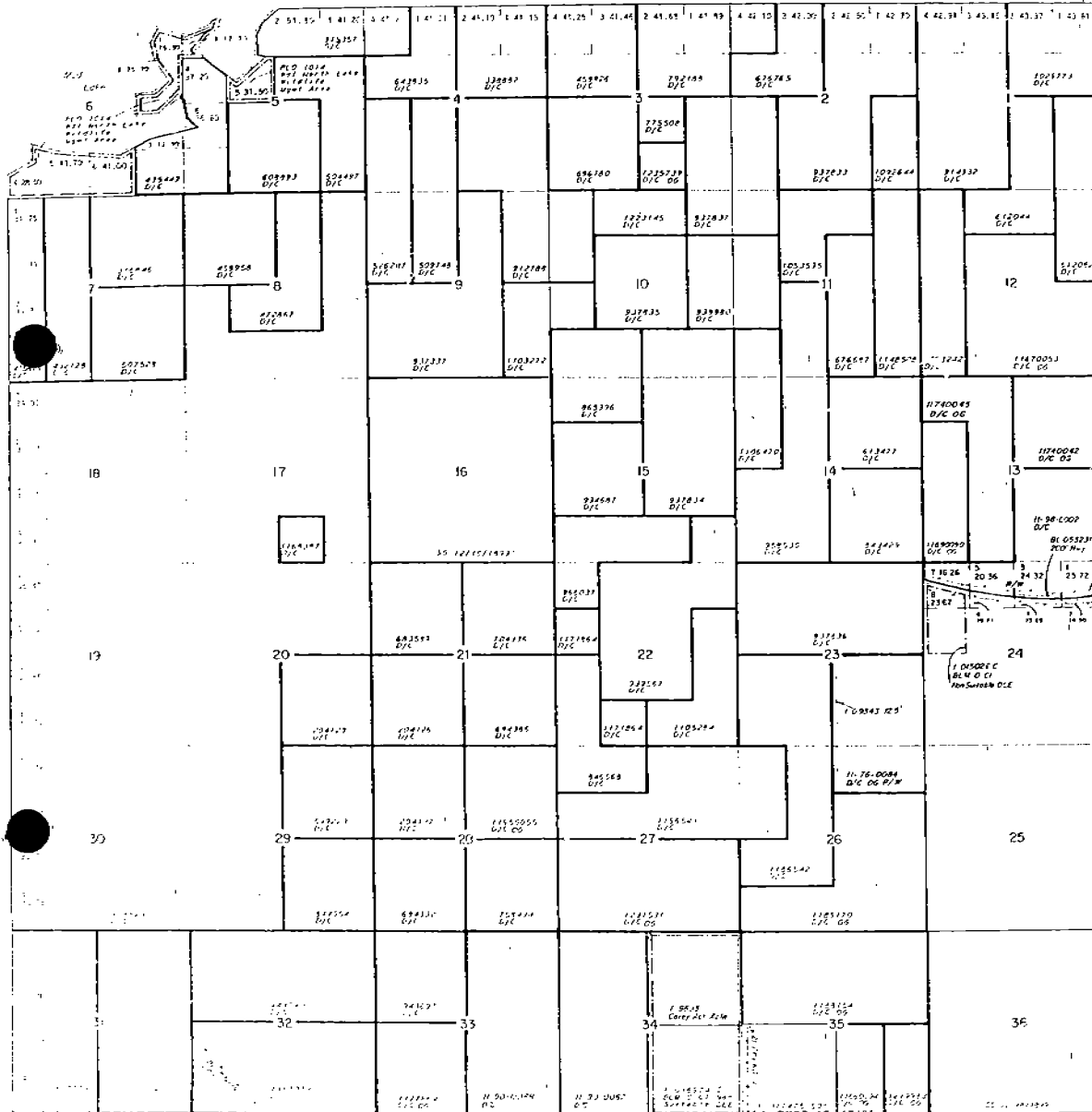
Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				

TOWNSHIP 6 NORTH RANGE 35 EAST OF THE BOISE MERIDIAN, IDAHO

SECTION	SUBDIVISION																ACRES	KIND OF ENTRY -OR- PURPOSE OF ORDER	SERIAL FILE -OR- ORDER NUMBER	DATE OF ACTION	DATE POSTED	REMARKS - E. G. DATE CLOSED, TERMINATED, REJECTED OR RESCINDED		
	NE 1/4				NW 1/4				SW 1/4				SE 1/4										LOTS	OTHER DESCRIPTION
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE								
FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER, AND/OR OTHER PUBLIC PURPOSES, AND INDIAN TREATIES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS																								
11	X		X										X		X		160.00	HE Pat	1148508	12/15/1954		BL 055934		
12					X	X		X	X								160.00	DLE Pat	1158242	3/22/1956		BL 055933		
32							X	X	X	X	X	X	X	X	X		320.00	DLE Pat	1167073	11/30/1956		I 03355		
17															X		40.00	PS Pat	1168387	1/23/1957		I 06480		
22						X							X				80.00	PS Pat	1171864	5/28/1957		I 05969		
33							X	X	X	X							160.00	DLE Pat	1177864	12/17/1957		I 03356		
23													X	X										
26	X																					reduced to 25' 10/14/1976		
35									X	X								R/W Trans Line	I 09343	6/12/1958		Other Tps 5N 35E, 8N 34E, 10N 35E, 2N 36E; Proof of Construction 8/27/1958, Width		
26					X	X																		
2	X	X	X		X	X											320.00	DLE Pat	1186541	9/25/1958		I 04352		
2							X	X	X	X														
26					X		X	X	X								320.00	DLE Pat	1186542	9/25/1958		I 04356		
35	X	X	X	X	X	X	X	X	X								320.00	DLE Pat	1188154	11/14/1958		I 04350		
26		X	X						X	X	X	X	X	X	X		320.00	DLE Pat	1188170	11/17/1958		I 04351		
34	X	X	X	X	X	X	X	X									320.00	DLE	I 010749	4/12/1960		Canc 9/14/1964		
33	X	X	X	X						X	X	X	X				320.00	DLE	I 011500	9/22/1960		Canc 1/5/1962		
35																		R/W Trans Line				Subdiv Und; Other Tps 10N 27E, 7N 34E, 9S 36E, 11S 36E, 5N 35E, 9S 41E; Proof of Construction 5/23/1961		
35										X	X						80.00	DLE Pat	I 011425	9/8/1960				
10	X				X												80.00	FX Pat	1223145	10/4/1961		I 0749		
27							X	X	X	X	X	X	X	X			320.00	DLE Pat	1231531	4/8/1963		I 011430		
3															X		40.00	PS Pat	1235739	4/16/1964		I 014052; 29 FR 13277		
5																3, 5								
6																1, 2, 4, 5, 6	6N 34E	SD approves CI Agreement		9/18/1964		Closed to DG Leasing		
28	X	X	X	X													160.00	PS Pat	11650055	4/12/1965		I 015326		
35													X	X			80.00	DLE Pat	11660094	10/11/1965		I 013737		
12		X				X	X			X	X	X	X	X			320.00	DLE Pat	11670053	9/21/1966		I 012007		
2					X	X												BLN O CI Non Suitable DLE	I 015026	10/31/1966		Part CI Term 10/31/1997		
2	X	X	X	X									X	X	X			BLN O CI Non Suitable DLE	I 016953 C	4/19/1967		CI Term 9/28/1983		
34					X	X	X	X	X	X	X	X						BLN O CI Non Suitable DLE	I 016954 C	4/19/1967		CI Term 9/28/1983		
34	X	X	X	X									X	X	X	X		BLN O CI Non Suitable DLE	I 016974 C	4/19/1967				
13	X	X	X	X														BLN O CI DLE	I 017517 C	8/14/1967				
13					X	X	X	X				X						BLN O CI DLE	I 2105 C	8/22/1968				
13					X	X	X	X				X					200.00	DLE	I 2105	10/21/1968		See Pat 11740045 1/14/1974		
13							X		X	X							120.00	DLE Pat	11690090	2/28/1969		I 015026		
13	X	X	X	X													160.00	DLE	I 017517	5/28/1969		See Pat No. 11740042 12/5/1973		
13													X	X	X	X								
24																		All						
25																		All				Term 4/20/1989 Open to Entry 9:00 AM 5/16/1989 54 FR 75 16002-03 4/20/1989		
36																		See Rnks				All; All unappropriated public land, Jefferson County, Segr from appropriation under DLE, HE, IA & PS; Other Tps 8N 32E; 35 FR 12859; CI 11/20/1970, 35 FR 226, 17862-63		
13	X	X	X	X													312.09	DLE Pat	I 3663	8/13/1970				
13					X	X	X	X				X					200.00	DLE Pat	11740042	12/5/1973		I 017517		
23													X	X	X	X						I 2105		
26	X	X																BLN O CI DLE	I 6537 C	7/16/1974				
23													X	X	X	X								

TOWNSHIP 6 NORTH RANGE 35 EAST OF THE BOISE MERIDIAN, IDAHO

SECTION	SUBDIVISION												ACRES	KIND OF ENTRY -OR- PURPOSE OF ORDER	SERIAL FILE -OR- ORDER NUMBER	DATE OF ACTION	DATE POSTED	REMARKS— E. G. DATE CLOSED, TERMINATED, REJECTED OR RESCINDED				
	NE 1/4				NW 1/4				SW 1/4										LOTS	OTHER DESCRIPTION		
	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW										
FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER, AND/OR OTHER PUBLIC PURPOSES, AND INDIAN TREATIES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS																						
11	X			X								X				160.00	HE Pat	1148508	12/15/1954		BL 055934	
12					X	X		X	X							160.00	DLE Pat	1158242	3/22/1956		BL 055933	
32								X	X	X	X	X	X	X		320.00	DLE Pat	1167073	11/30/1956		I 03355	
17														X		40.00	PS Pat	1168387	1/23/1957		I 06480	
22						X						X				80.00	PS Pat	1171864	5/28/1957		I 05969	
33						X	X	X	X							160.00	DLE Pat	1177864	12/17/1957		I 03356	
23												X	X									
26	X																				reduced to 25' 10/14/1976	
35								X	X								See Rmks	R/W Trans Line	I 09343	6/12/1958		Other Tps 5N 35E, 8N 34E, 10N 35E, 2N 36E; Proof of Construction 8/23/1958; Width
26						X	X															
27	X	X	X	X		X	X									320.00	DLE Pat	1186541	9/25/1958		I 04352	
2								X	X	X	X											
26					X			X	X	X						320.00	DLE Pat	1186542	9/25/1958		I 04356	
35	X	X	X	X	X	X	X	X	X	X						320.00	DLE Pat	1188154	11/14/1958		I 04350	
26					X	X				X	X	X	X	X		320.00	DLE Pat	1188170	11/17/1958		I 04351	
34	X	X	X	X	X	X	X	X	X							320.00	DLE	I 010749	4/12/1960		Canc 9/14/1964	
33	X	X	X	X						X	X	X	X			320.00	DLE	I 011500	9/2/1960		Canc 1/5/1962	
35																	See Rmks					Subdiv Und; Other Tps 10N 27E, 7N 34E, 9S 36E, 11S 36E, 5N 35E, 9S 41E; Proof of
																	R/W Trans Line	I 011475	9/8/1960			Construction 5/23/1961
35										X	X					80.00	DLE Pat	1219983	5/24/1961		I 05580	
10	X			X												80.00	PX Pat	1223145	10/4/1961		I 0749	
27								X	X	X	X	X	X	X		320.00	DLE Pat	1231531	4/8/1963		I 011430	
3													X			40.00	PS Pat	1235739	4/16/1964		I 014052; 29 FR 13277	
5															3, 5							
6															1, 2, 4, 5, 6	6N 34E					SD approves CI Agreement	
28	X	X	X	X												160.00	PS Pat	11650055	4/12/1965		I 015326	
35												X	X			80.00	DLE Pat	11660094	10/11/1965		I 013737	
12		X				X	X		X	X	X	X	X			320.00	DLE Pat	11670053	9/21/1966		I 012007	
24					X	X											BLM O CI Non Suitable DLE	I 015026	10/31/1966		Part CI Term 10/31/1997	
	X	X	X									X	X	X	X		BLM O CI Non Suitable DLE	I 016953 C	4/19/1967		CI Term 9/28/1983	
34				X	X	X	X	X	X	X	X						BLM O CI Non Suitable DLE	I 016954 C	4/19/1967		CI Term 9/28/1983	
34	X	X	X	X								X	X	X	X		BLM O CI Non Suitable DLE	I 016974 C	4/19/1967			
13	X	X	X	X													BLM O CI DLE	I 017517 C	8/14/1967			
13					X	X		X	X			X					BLM O CI DLE	I 2105 C	8/22/1968			
13					X	X		X	X			X				200.00	DLE	I 2105	10/21/1968		See Pat 11740045 1/14/1974	
13					X			X	X							120.00	DLE Pat	11690090	2/28/1969		I 015026	
13	X	X	X	X												160.00	DLE	I 017517	5/28/1969		See Pat No. 11740042 12/5/1973	
13												X	X	X	X							
24																	All					
25																	All				11/20/1989 Open to Entry 9:00 AM 5/16/1989 54 FR 75 15002-01 4/20/1989	
36																	See Rmks				All; All unappropriated public land, Jefferson County, Segr from appropriation under	
																	BLM O Prop CI Mult Use	I 3663	8/13/1970		DLE, HE, 1A & PS; Other Tps 8N 32E; 35 FR 12859; CI 11/20/1970, 35 FR 226, 17852-63	
13	X	X	X	X												312.09	DLE Pat	11740042	12/5/1973		I 017517	
13					X	X		X	X			X				200.00	DLE Pat	11740045	1/14/1974		I 2105	
23												X	X	X	X							
26	X	X																				
23												X	X	X	X			BLM O CI DLE	I 6537 C	7/16/1974		

[illegible]

30 3/18/15 d approves CT Agreement 4) (st
3120 3-3 closes land to BG leasing
Sec 5: Lots 3,5
Sec 6: Lots 1,2,4,5,5-

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

CURRENT TO	CURRENT TO
MAR 16 1954	

INSE PLATS

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST

The United States of America

Do all to whom these presents shall come, greeting:

Form 1660-5
(January 1963)

1-2105

Office of Lito B. Bence

are entitled to a land patent pursuant to the Desert Land Act of March 3, 1877, as amended and supplemented; 43 U.S.C. 321, et seq., for the following described lands:

Boise National, Idaho

27.6 N., E. 25 E.,

Section 13, Township 13N, Range 18E, BLM

containing 200.00 acres.

NOW KNOW YE, that there is, therefore, granted by the United States, unto the above named claimant the land above described; TO HAVE AND TO HOLD the said land with all the rights, privileges, and appurtenances, of whatsoever nature, therefore, the same belonging, unto the said claimant, their successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES:

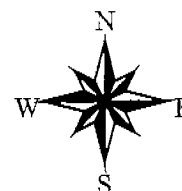
1. A right-of-way location for ditches and canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.

2. All the oil and gas in the land so patented, and to it, or persons authorized by it, the right to prospect for, mine and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914, 38 Stat. 505, as supplemented; 30 U.S.C. 121-124.



- ⊙ 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

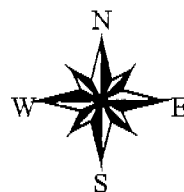



GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 8/2000



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- Quarter-quarter Sections

0 1320 Feet



GIS Illustration from 1987/88 NAPP Photography, Prepared by B. Contor 8/2000

