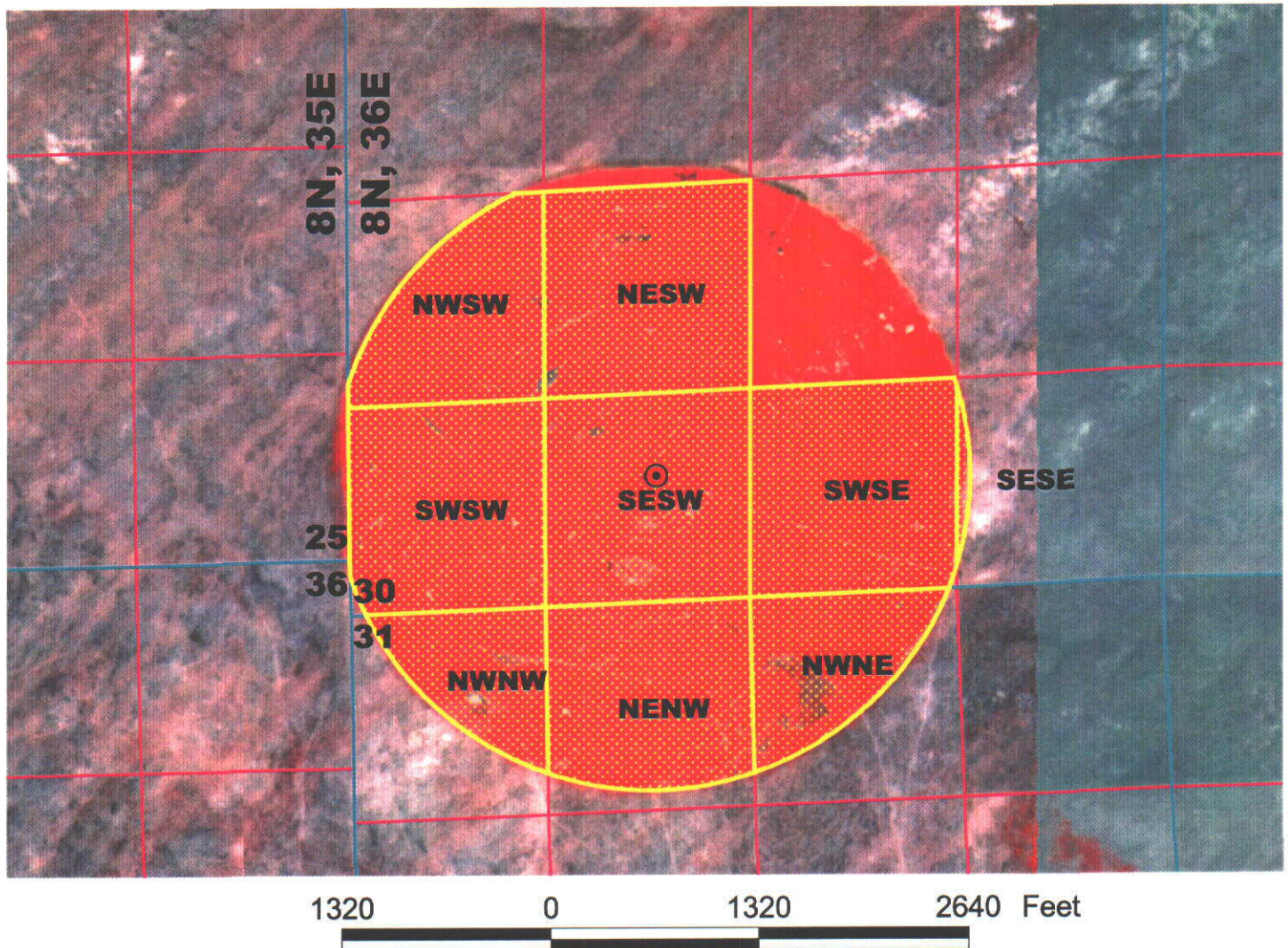




STATE OF IDAHO

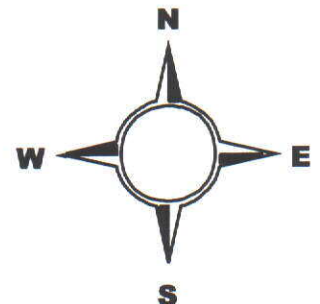
Department of Water Resources
Eastern Region

Water Right(s): 31-11410



Total Irrigated Acres: 258

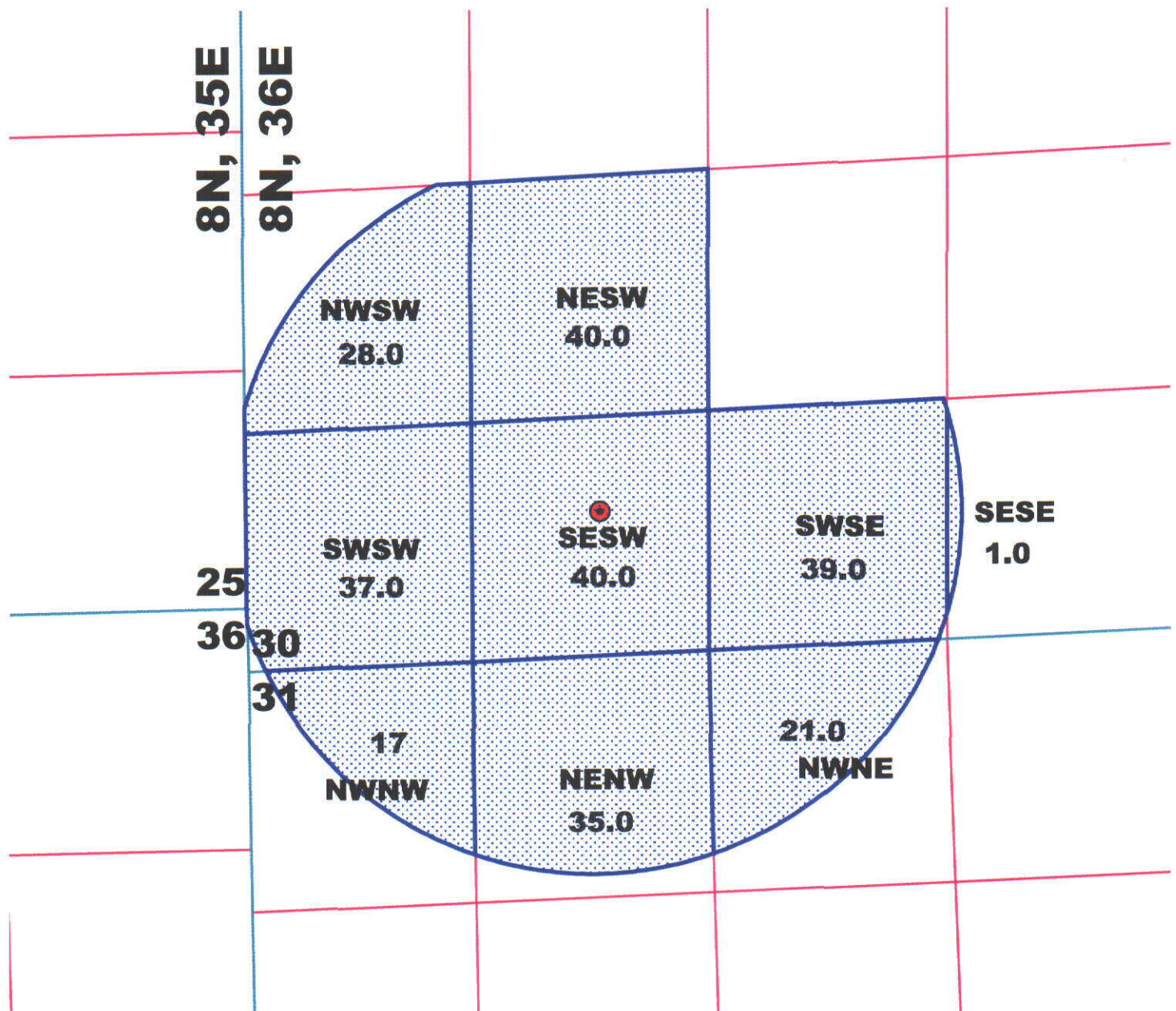
-  Point of Diversion
-  Place of Use
-  Quarter Section Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: September 2000

WR #: 31-11410

Sid Brown



Total Irrigated Acres: 258

Acreage Distribution

Prepared By: Craig Saxton
September 2000

09/29/2000

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

RIGHT NUMBER: 31-11410

NAME AND ADDRESS: SID E BROWN
2251 E 2350 N
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 4.54 CFS
774 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.54 CFS. COMBINED RIGHT NOS.:
31-11410, 31-11414, AND 31-11428.

PRIORITY DATE: 01/14/1976

POINT OF DIVERSION: T08N R36E S30 NESESW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	4.54 CFS 774.0 AFY

PLACE OF USE:

<u>IRRIGATION Within JEFFERSON County</u>					
T08N R36E S30	SESE	1	T08N R36E S30	NESW	40
T08N R36E S30	SWSE	39	T08N R36E S30	SESW	40
T08N R36E S30 LOT 3	NWSW	28	T08N R36E S30 LOT 4	SWSW	37
T08N R36E S31	NWNE	21	T08N R36E S31	NENW	35
T08N R36E S31 LOT 1	NWNW	17			
258 ACRES TOTAL					

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE

ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 31-11366, 31-
11368.

RIGHT NO. 31-11428 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT
TO SECTION 42-1426, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

11/20/2000

WATER RIGHT NO. 31-11410

Owner Type Name and Address
Current Owner SID E BROWN
 2251 E 2350 N
 HAMER, ID 83425
 (208)662-5424

Priority Date: 01/14/1976
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	11/01	4.54 CFS	774 AFA	
Total Diversion			4.54 CFS	774 AFA	

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
08N	36E	30	NE SE SW		JEFFERSON

IRRIGATION Use:
Acre Limit: 258

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>
08N	36E	30		SESE	1									
				NESW	40									
				SWSE	39									
		31		SESW	40	3	NWSW	28	4	SWSW	37			
				NWNE	21									
				NENW	35	1	NWNW	17						

Total Acres: 258

Conditions of Approval:

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

Remarks:

- Explanatory THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 31-11366, 31-11368.
- Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.54 CFS. COMBINED RIGHT NOS.: 31-11410, 31-11414, AND 31-11428.
- Explanatory RIGHT NO. 31-11428 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

Water Right 31-11410

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
csaxton	9/28/00	Combined Right	This right is the result of combining 31-11366 and 31-11368 for the ease of the adjudication.
csaxton	9/29/00	Split Right	Right 31-07179 was split into 31-11366 and 31-11367 per C/O request. Right 31-07181 was split into 31-11368 and 31-11369 per C/O request.

Dates:

Licensed Date:
 Claim Received Date: 08/28/2000
 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>
Contacts	9/28/00 10:50:58 AM	csaxton			In Process
POD	9/28/00 11:12:21 AM	csaxton			In Process
POU	9/28/00 11:14:55 AM	csaxton			In Process
Priority Date	9/28/00 10:58:45 AM	csaxton			In Process
Quantity	9/28/00 11:29:05 AM	csaxton			In Process
Season	9/28/00 3:23:40 PM	PMeyer			In Process
	9/28/00 3:09:44 PM	PMeyer			In Process
	9/28/00 2:59:50 PM	csaxton			In Process
	9/28/00 2:27:40 PM	PMeyer			In Process
	9/28/00 11:20:28 AM	csaxton			In Process
Source	9/28/00 11:12:47 AM	csaxton			In Process
Summary	9/28/00 11:40:03 AM		9/28/00 11:40:03 AM	csaxton	Complete
Use	9/28/00 11:13:31 AM	csaxton			In Process

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector:
 Overall Max Diversion Rate: 4.54
 Overall Max Diversion Volume: 774
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
Contacts	9/28/00 10:50:56 AM	csaxton	1. Appointment has not been scheduled. Comment for 1: I have already met with Sid on several occasions.
POD	9/28/00 11:12:18 AM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (YES) Point of Diversion remark was required.

POD	9/28/00 11:07:29 AM	csaxton	9. (NO) Point of Diversion condition was not required.
POU	9/28/00 11:14:53 AM	csaxton	Edited point location 1. (YES) The POU is required. 2. (NO) The basis of claim is not beneficial use. 3. (YES) The Parent Right has a POU. 4. (YES) The claimed POU can be verified using the water right file. 12. (NO) POU remark was not required. 13. (NO) POU condition was not required.
Priority Date	9/28/00 10:58:44 AM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (NO) The basis of claim is not beneficial use. 5. (NO) The basis of claim is not a posted notice. 6. (YES) Parent right has a priority date. 7. (NO) The basis of claim is not an application or permit. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (YES) Priority remark was required. 15. (NO) Priority condition was not required.
Quantity	9/28/00 11:29:02 AM	csaxton	1. (NO) The basis of claim is not beneficial use. 2. (NO) The basis of claim is not a posted notice. 3. (YES) The parent right has a diversion rate and/or diversion volume. 4. (YES) The claimed diversion rate and/or volume can be verified using the water right file. 7. (YES) The parent right has an annual diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (YES) Quantity remark was required. 10. (NO) Quantity condition was not required.
Season	9/28/00 3:23:37 PM	PMeyer	1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard. 15. (NO) Period of Use remark was not required.
Season	9/28/00 3:09:42 PM	PMeyer	16. (NO) Period of Use condition was not required. 1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard.
Season	9/28/00 2:59:47 PM	csaxton	15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required. 1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard.
Season	9/28/00 2:27:37 PM	PMeyer	15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required. 1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard.
Season	9/28/00 11:20:26 AM	csaxton	15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required. 1. (NO) The basis of claim is not beneficial use. 2. (YES) The parent right has a period of use. 3. (YES) The claimed Period of Use can be verified using the water right file. 12. (YES) Irrigation is the purposed use. 14. (NO) The period of use on the decree, license or transfer is not shorter on either the start or end date than allowable under IDWR's current standard.
Source	9/28/00 11:12:45 AM	csaxton	15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required. 1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a source. 3. (YES) The claimed source can be verified using the water right file.

Summary 9/28/00 11:39:59 AM csaxton

- 8. (NO) The source is not surface water.
- 10. (NO) Source remark was not required.
- 11. (NO) Source condition was not required.
- 1. (NO) The basis of the claim is not beneficial use.
- 3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or partial forfeiture.
- 5. (NO) General remark was not required.
- 6. (NO) Explanatory remark was not required.
- 7. (YES) Additional condition was required.
- 8. (YES) Wanted to view the recommended right.
- 9. (NO) This is not a split right.
- 10. (YES) This is a combined right.
- 11. (NO) Documents were not linked or attached to this file.
- 12. (YES) Set the verification date.

Use 9/28/00 11:13:29 AM csaxton

- 1. (NO) The basis of claim is not beneficial use.
- 2. (YES) The parent right has a purpose of use.
- 3. (YES) The claimed purpose of Use can be verified using the water right file.
- 11. (NO) Purpose of Use remark was not required.
- 12. (NO) Purpose of Use condition was not required.

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 31-11410
Date Received: 8/28/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A311410



1. Name of Claimant(s)

SID E BROWN Phone: (208)662-5424

2251 E 2350 N
HAMER ID USA 83425

2. Date of Priority: 01/14/1976

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
08N	36E	30	NE SE SW	JEFFERSON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	5.16	774

7. Total Quantity Appropriated is:
5.16 C.F.S. and/or 774 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
08N	36E	30	SE	SE	IRRIGATION	1	
			NE	SW	IRRIGATION	40	
			NW	SW	3	IRRIGATION	28
			SW	SE	IRRIGATION	39	
			SE	SW	IRRIGATION	40	
			SW	SW	4	IRRIGATION	37
Section Acres						185	
08N	36E	31	NW	NE	IRRIGATION	21	
			NE	NW	IRRIGATION	35	
			NW	NW	1	IRRIGATION	17
Section Acres						73	
Total Acres						258	

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: 31-11414 AND 31-11428

14. Remarks:

THIS RIGHT IS THE RESULT OF COMBINING 31-11366 AND 31-11368 FOR THE EASE OF THE ADJUDICATION.

THIS RIGHT WITH RIGHTS 31-11414 AND 31-11428 ARE LIMITED TO THE TOTAL COMBINE DIVERSION RATE OF 4.54 CFS.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

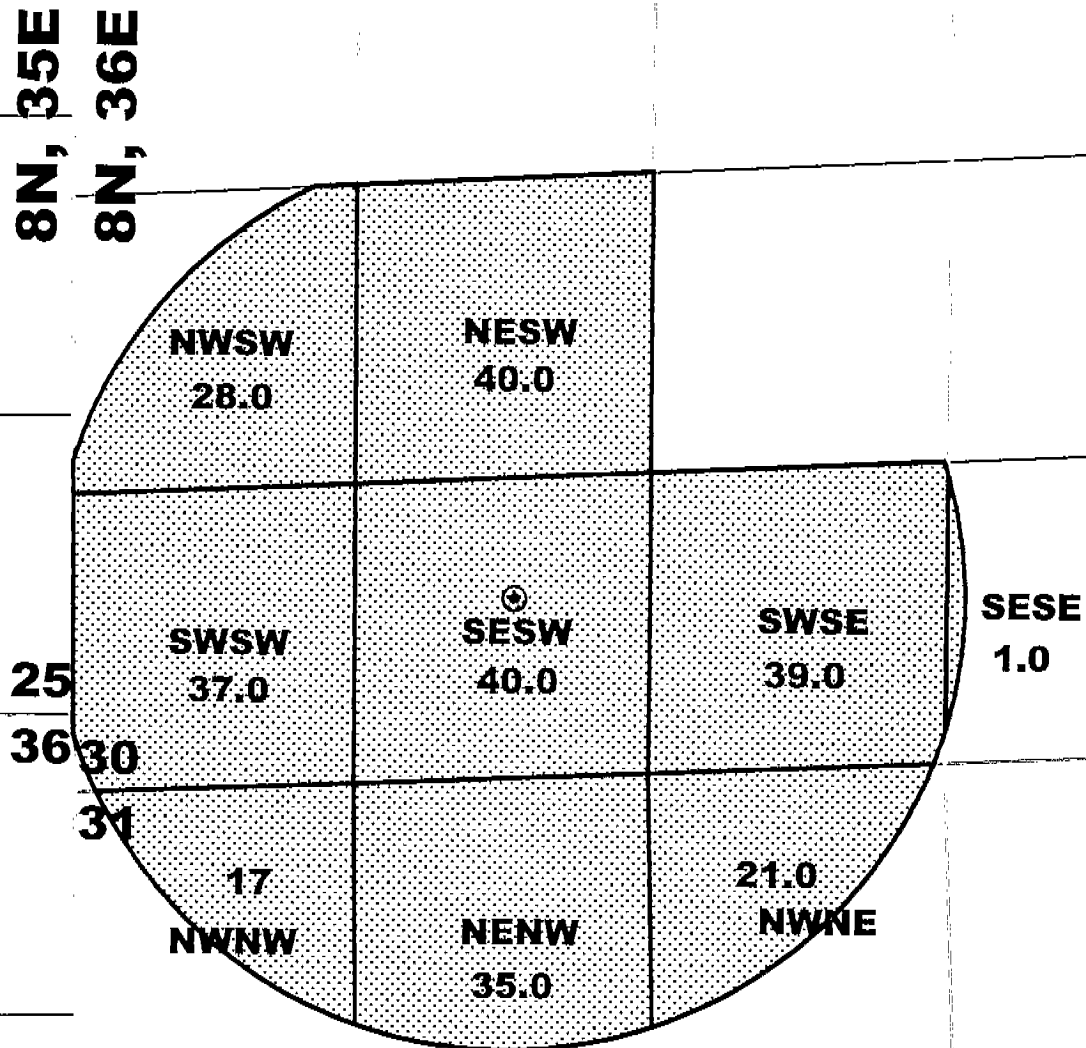
Notary Public

Residing at _____

My commission Expires _____

WR #: 31-11410

Sid Brown



Total Irrigated Acres: 253

Acreage Distribution

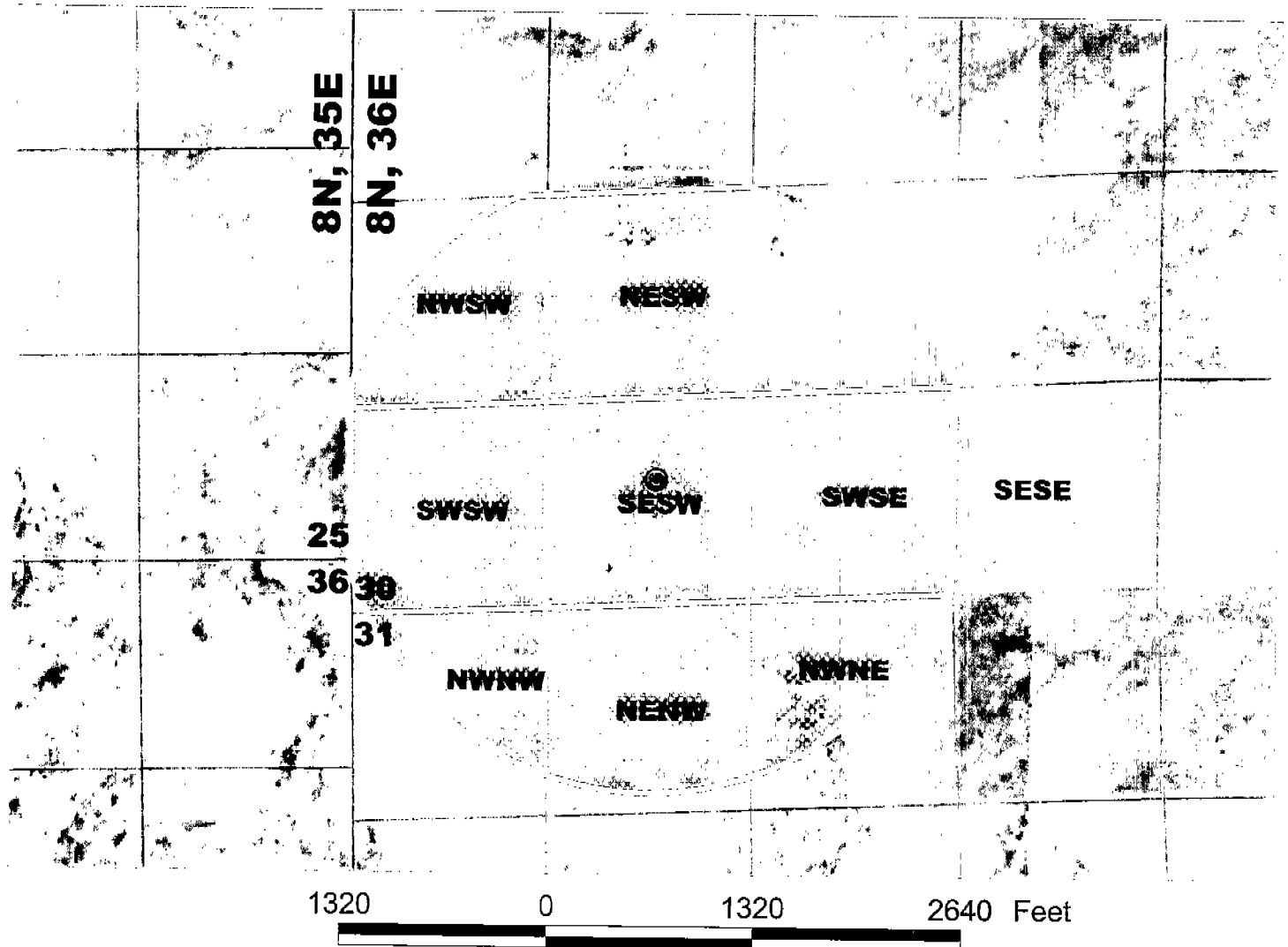
Prepared By: Craig Saxton
September 2000



STATE OF IDAHO

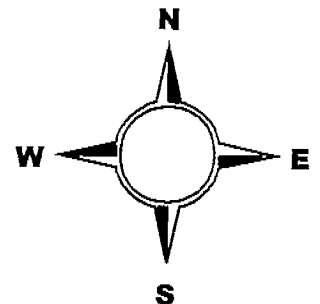
Department of Water Resources
Eastern Region

Water Right(s): 31-11410



Total Irrigated Acres: 150

- ⊙ Point of Diversion
- Place of Use
- Quater Section Lines
- Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: September 2000

01/24/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-11410

SID E BROWN

2251 E 2350 N

HAMER ID 83425

Telephone Number: (208)662-5424

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

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

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

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

DATE: 2/12/01

SIGNATURE: Sid E. Brown

Please print your name: Sid E. Brown

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

8-29-00/

Yesterday I contacted Deena Teel about an enlargement claim for a pivot field Brown Operates. Sid has a farming agreement with Blue, but part of the proposed Enlargement. Deena said the original intent of the Farming agreement is to prevent trespass for the pivot and to go ahead and file the enlargement in the new Qtr sections. meet with Sid Brown on Friday

8-31-00/

Spoke with Jeff Anderson - to sum up He has a WR from a spring for 40 acres. He wanted to develop the system to be more efficient to pick up more acres. This can't be done because it increases the consumption use. Not necessarily the diversion Rate, but the Volume.

Long Taylor



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

October 3, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SID E BROWN
2251 E 2350 N
HAMER ID 83425

RE: COMBINED RIGHT 31-11410

Dear Sir/Madam:

The above referenced right is a combination of 31-11366 and 31-11368 and supercedes them. If you have questions about this matter, please contact Water Agent Craig Saxton in this office.

Sincerely,

A handwritten signature in cursive script that reads 'Jennifer Crabtree'.

Jennifer Crabtree
Technical Records Specialist

Enclosure