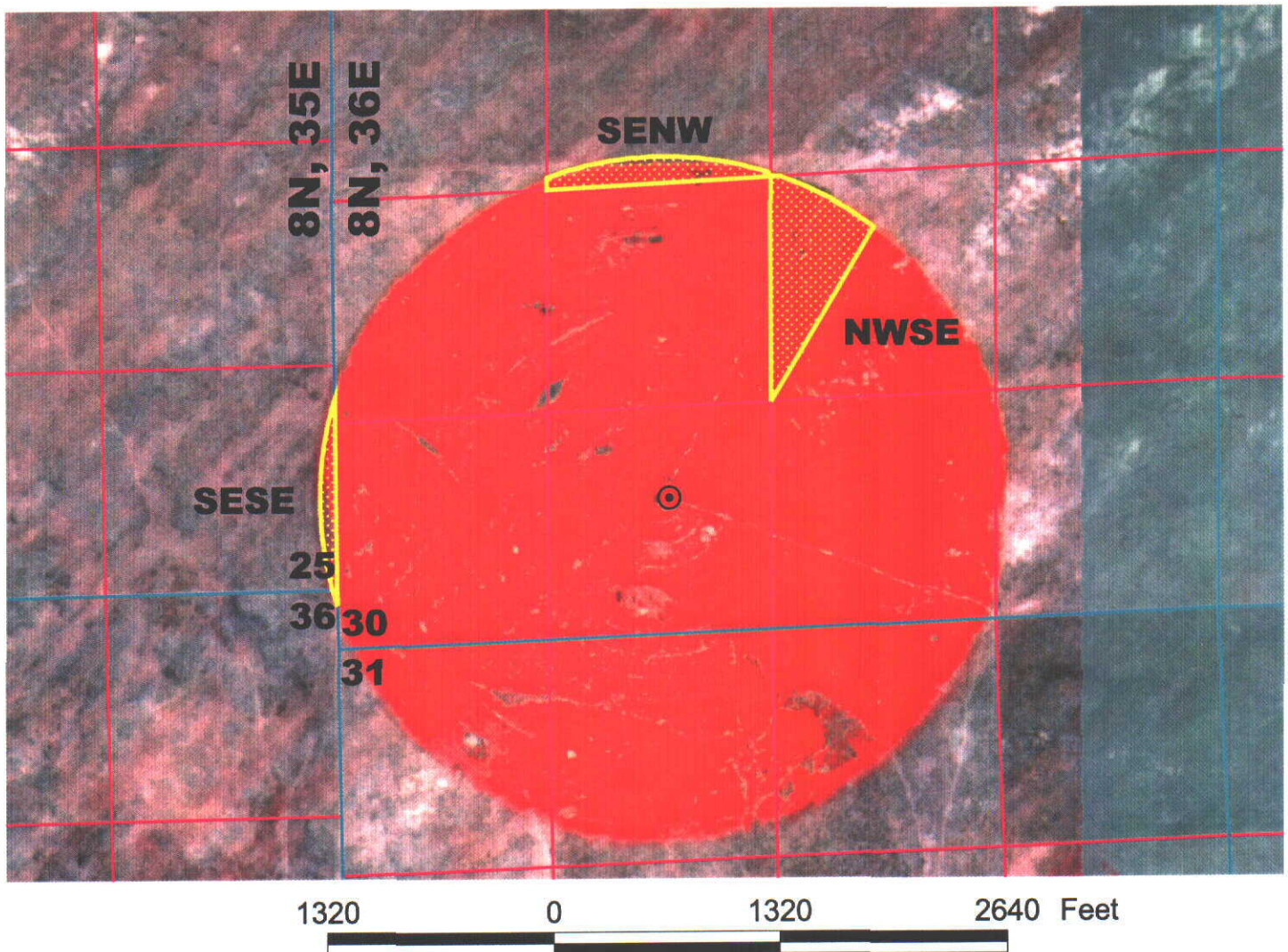




STATE OF IDAHO

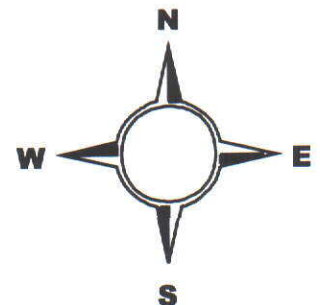
Department of Water Resources
Eastern Region

Water Right(s): 31-11428



Total Irrigated Acres: 14.8

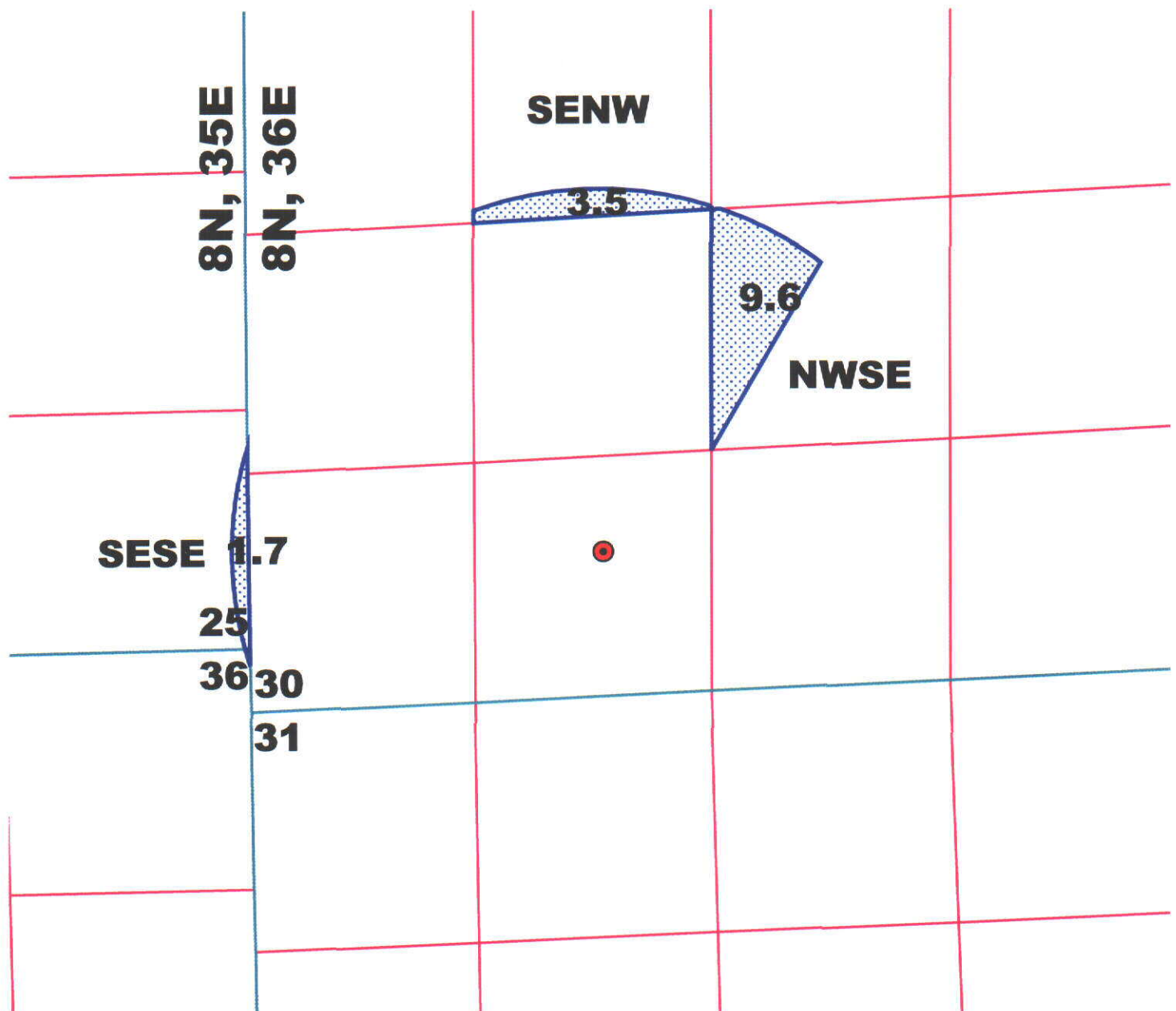
-  Point of Diversion
-  Place of Use
-  Quarter Section Lines
-  Section Lines



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

WR #: 31-11428

BLM



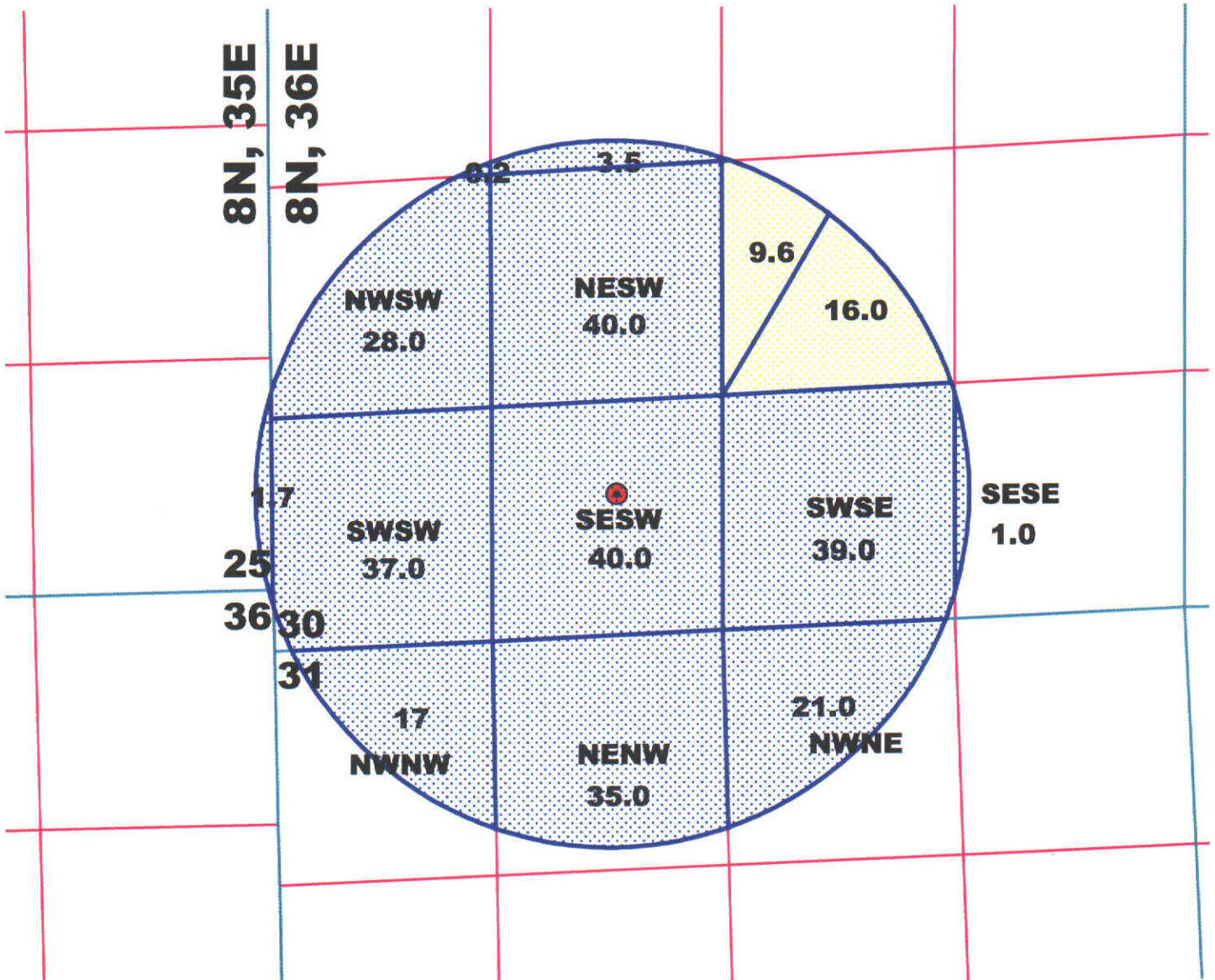
Total Irrigated Acres: 14.8

Acreage Distribution

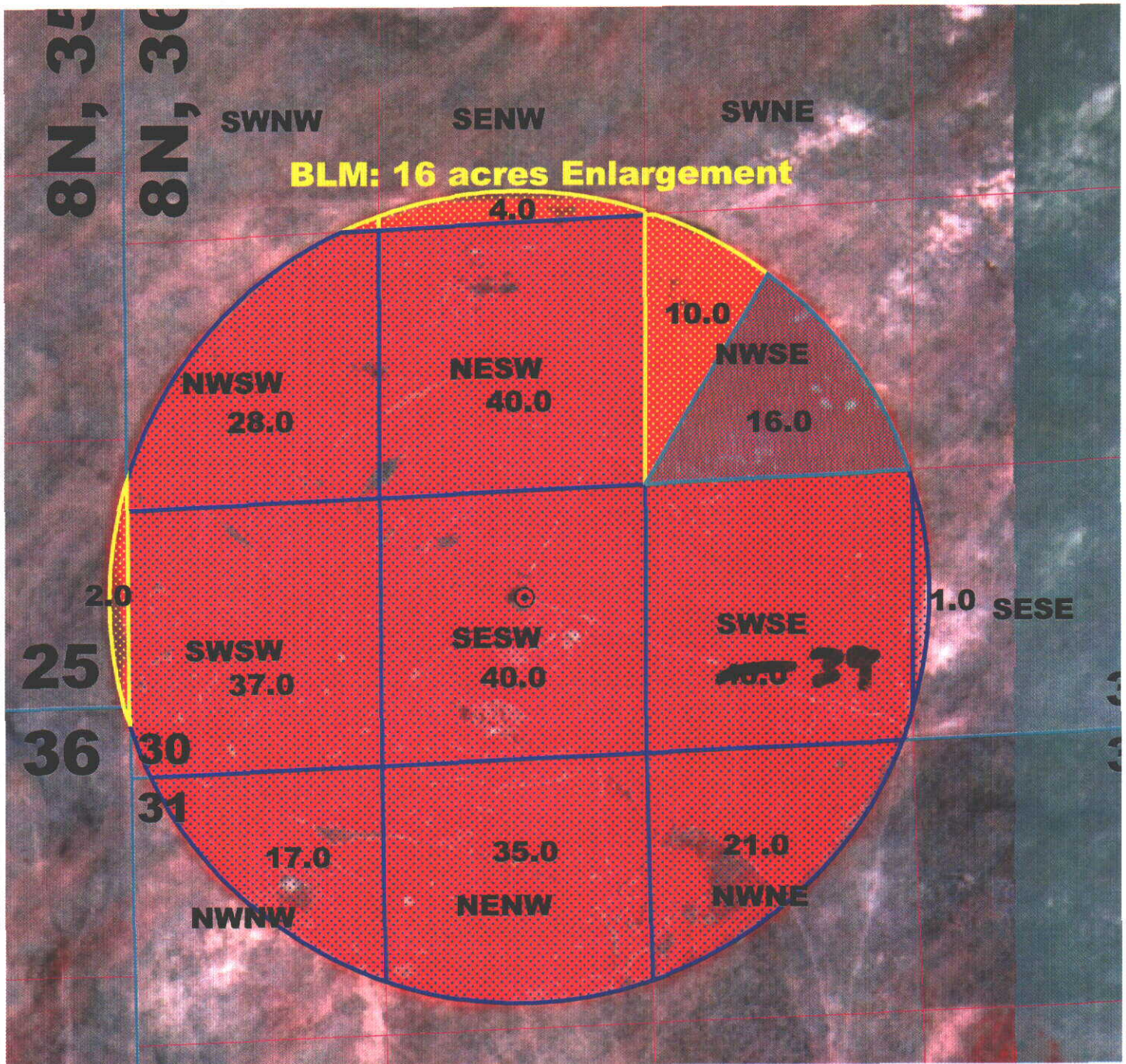
Prepared By: Craig Saxton
September 2000

Possible Recommendation

SID BROWN



Potential Recommendation for Sid Brown Pivot.



31-11410: 5.16 cfs. 258 AC, BROWN

31-11414: 0.32 CFS, 16 AC, BLM

31-11428: 16 AC, 0.0 CFS

Combined

This right is limited to a total combine diversion rate of 4.54 cfs.

RIGHT NUMBER: 31-11428

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.30 CFS
51.8 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

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

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 10/31	0.300 CFS 51.80 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T08N R35E S25 Lot 4 SESE	1.7	T08N R36E S30	SENW	3.5
T08N R36E S30	NWSE	9.6		

14.8 ACRES TOTAL

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-11410
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

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.

A3111428



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-11428

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BLM USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE, ID 83709-1657 (208)373-4000

Original Owner SID E BROWN
2251 E 2350 N
HAMER, ID 83425
(208)662-5424

Priority Date: 01/14/1976
Basis: Beneficial Use
Status: Valid

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.3 CFS	51.8 AFA	
Total Diversion			0.3 CFS	51.8 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: 16

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	35E	25	4	SESE	1.7									
	36E	30		SENW	3.5									
				NWSE	9.6									

Total Acres: 14.8

Conditions of Approval:

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

Remarks:

1. General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-11410 PURSUANT TO SECTION 42-

2. Quantity

1426, IDAHO CODE.

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.

Comments:

Author	Date	Subject	Comment
csaxton	9/29/00	Enlargement Claim	This is an enlargement claim for acres on BLM land. Confirmed with Deena Teel on 8-29-00 over the phone, that the original intent of the Farming agreement in 8N, 36E, Section 30 NWSE was to prevent trespass. She felt picking up other acres in different

Dates:

Licensed Date:
 Claim Received Date: 09/13/2000
 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:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	9/29/00 11:56:21 AM	csaxton			In Process
POD	9/29/00 11:59:37 AM	csaxton			In Process
POU	9/29/00 12:59:33 PM	csaxton			In Process
Priority Date	9/29/00 11:58:26 AM	csaxton			In Process
Quantity	9/29/00 1:07:05 PM	csaxton			In Process
Season	9/29/00 1:04:55 PM	csaxton			In Process
Source	9/29/00 12:17:05 PM	csaxton			In Process
Summary	9/29/00 1:11:55 PM		9/29/00 1:11:55 PM	csaxton	Complete
Use	9/29/00 12:20:05 PM	csaxton			In Process

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector:
 Overall Max Diversion Rate: 0.3
 Overall Max Diversion Volume: 51.8
 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:

Element	Date Time Stamp	Reviewer	Log Text
Contacts	9/29/00 11:56:19 AM	csaxton	1. Appointment has not been scheduled. Comment for 1: Contact with BLM representative on 8-29-00.
POD	9/29/00 12:15:20 PM	csaxton	Edited point location
POD	9/29/00 11:59:35 AM	csaxton	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Point of Diversion. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: Licensing exam for 31-7179 and 31-7181.

POU	9/29/00 12:59:31 PM	csaxton	8. (NO) Point of Diversion remark was not required. 9. (NO) Point of Diversion condition was not required. 1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: 1987 Napp photography 12. (YES) POU remark was required. 13. (NO) POU condition was not required.
Priority Date	9/29/00 11:58:24 AM	csaxton	1. (NO) There has not been a later court decree of the water right(s) from the water source. 4. (YES) The basis of claim is beneficial use. 4b. (YES) The priority date was claimed after the date a permit was required for the source and water use. 9. (YES) The claim was for an expansion or enlargement under 42-1416B or 42-1426. 10. (YES) The claim file contains sufficient evidence of priority date. 12. (YES) The claim is recommended. 13. (YES) The claim is coded correctly. 14. (NO) Priority remark was not required. 15. (NO) Priority condition was not required.
Quantity	9/29/00 1:07:03 PM	csaxton	1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: Enlargement Claim. No additional diversion Rate. 6. (YES) The source is ground water and the purpose of use requires a diversion volume limit. 8. (YES) Irrigation is a purpose of use. 9. (NO) Quantity remark was not required. 10. (NO) Quantity condition was not required.
Season	9/29/00 1:04:54 PM	csaxton	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.
Source	9/29/00 12:17:04 PM	csaxton	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: Licensing Exam for 31-7179 and 31-7181 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	9/29/00 1:11:53 PM	csaxton	1. (YES) The basis of the claim is beneficial use. 2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (NO) Additional condition was not required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.
Use	9/29/00 12:20:03 PM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 11. (NO) Purpose of Use remark was not required. 12. (NO) Purpose of Use condition was not required.

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 31-11428
Date Received: 9/13/00
Receipt No:
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BLM Phone: (208)373-4000

USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID USA 83709

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	10/31	0.32	56

7. Total Quantity Appropriated is:

0.32 C.F.S. and/or 56 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	35E	25	SE	SE	4	IRRIGATION	2
						Section Acres	2
08N	36E	30	SE	NW		IRRIGATION	4
			NW	SE		IRRIGATION	10
						Section Acres	14
						Total Acres	16

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

THIS IS AN ENLARGEMENT CLAIM ASSOCIATED WITH 31-11410 AND 31-11414.

CHANGE OF OWNERSHIP PER REQUEST (CSAXTON 9-28-00).

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: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title
_____, that I have signed the foregoing
_____ Organization
document in the space below as _____ of
_____ Title
_____ and that the statements contained in the
_____ Organization
foregoing document are true and correct. _____

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.
_____)

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 31-11428

Date Received: 9/13/00

Receipt No:

Received By:

EO 26193
CS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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	10/31	0.32	56

7. Total Quantity Appropriated is:
0.32 C.F.S. and/or 56 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	35E	25	SE	SE	4	IRRIGATION	2
						Section Acres	2
08N	36E	30	SE	NW		IRRIGATION	4
			NW	SE		IRRIGATION	10
						Section Acres	14
						Total Acres	16

11. Place of use in counties: JEFFERSON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

THIS IS AN ENLARGEMENT CLAIM ASSOCIATED WITH 31-11410 AND 31-11414.

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): Ed F. Brown Date: 9/22/00

Date: _____

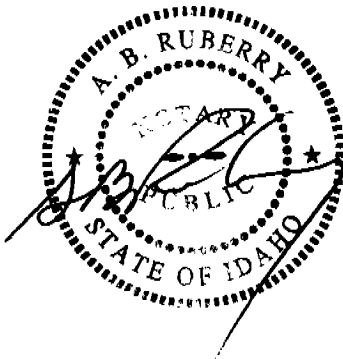
State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 22nd
of SEPT. 2000 AUGEN B. RUBERRY

Notary Public

Residing at BOANO FALLS BOANO

My commission Expires 09/23/03

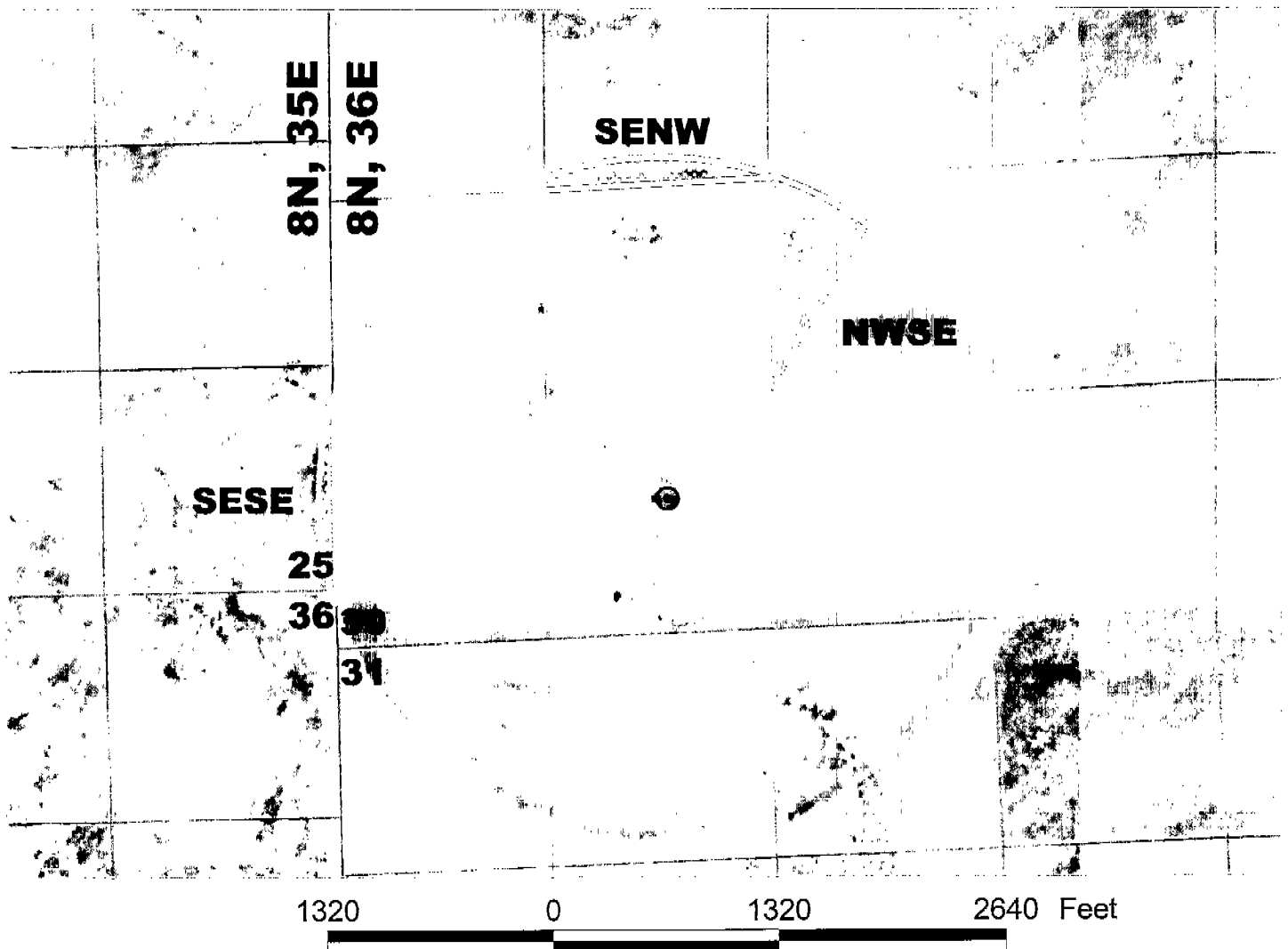




STATE OF IDAHO

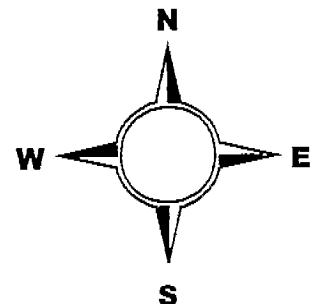
Department of Water Resources
Eastern Region

Water Right(s): 31-11428



Total Irrigated Acres: 14.3

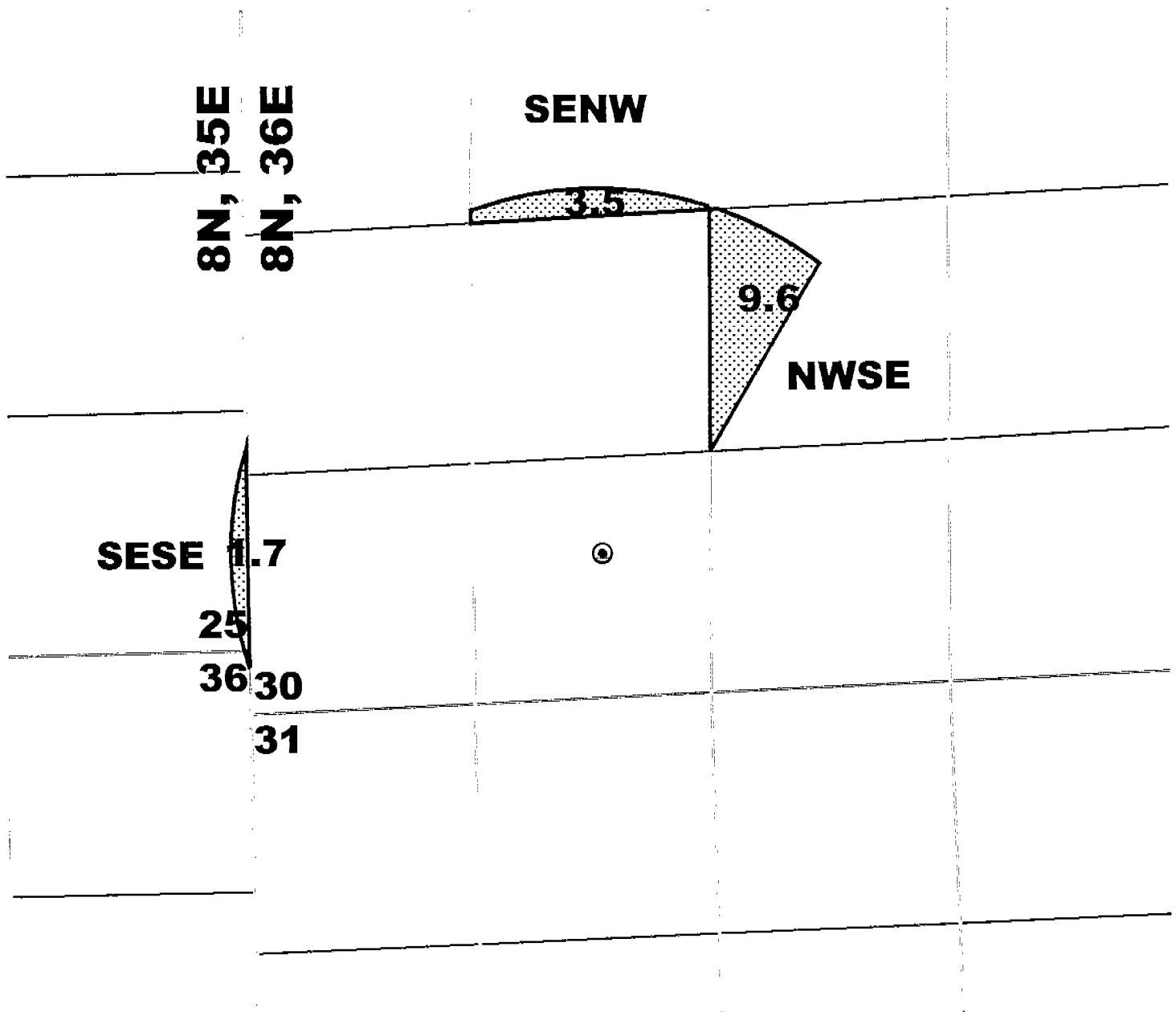
- ⊙ Point of Diversion
- Place of Use
- Quater Section Lines
- Section Lines



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

WR #: 31-11428

BLM



Total Integrated Acres: 14.0

Acreage Distribution

Prepared By: Craig Saxton
September 2000

RECEIVED

MAR 08 2001

01/25/2001

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

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: 31-11428

UNITED STATES OF AMERICA ACTING THROUGH
USDI BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709-1657
Telephone Number: (208)373-4000

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:

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

DATE: 3/7/2001

SIGNATURE: Deena Teel

Please print your name: Deena Teel

524-7533

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

RECEIVED

MAR 08 2001

Department of Water Resources
Eastern Region



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 3, 2000

BUREAU OF LAND MANAGEMENT
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE ID 83709

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT 31-11428

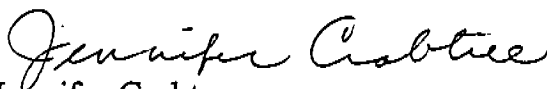
Dear Sir/Madam:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,


Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Sid Brown

9-12-00

SID BROWN
2251 E 2350 N
HAMER ID 83425

Re: Enlargement Claim 31-11409

Dear Sid:

I finally got word back from the BLM, and they don't think that the fence is any indication of the property boundary between your pivot and BLM land. I am enclosing a copy of the E-mail that was sent to me from the BLM.

I am enclosing the enlargement claim for the acres on BLM land. The Enlargement claim is for 16 acres. I spread the licensed acres around to cover 258 acres of your land. The remaining 16 licensed acres were put on the BLM land. This leaves 16 acres that are irrigated, but not licensed. That is the 16 acres that will be under the enlargement claim. Total acres are 290. Total fee for the enlargement claim is \$66.00. \$50.00 claim fee, and \$1 per acre for 16 acres. Please return it signed and notarized as soon as possible.

I am going to combine the two water rights you have into one right for the 258 acres. I am also going to combine the two BLM rights into one right. That way, we will have 3 rights instead of 5; your right, the BLM right, and the BLM enlargement. If you have any questions or objections with this, please let me know.

I am enclosing a map to give you an idea of what I potentially plan to recommend on the pivot.

I just spoke with Allen Ruberry and he mentioned that you would be coming into the office next week. You can just bring the claim in when you come to see Allen. We can discuss any questions you might have. Thank you for your time and patience.

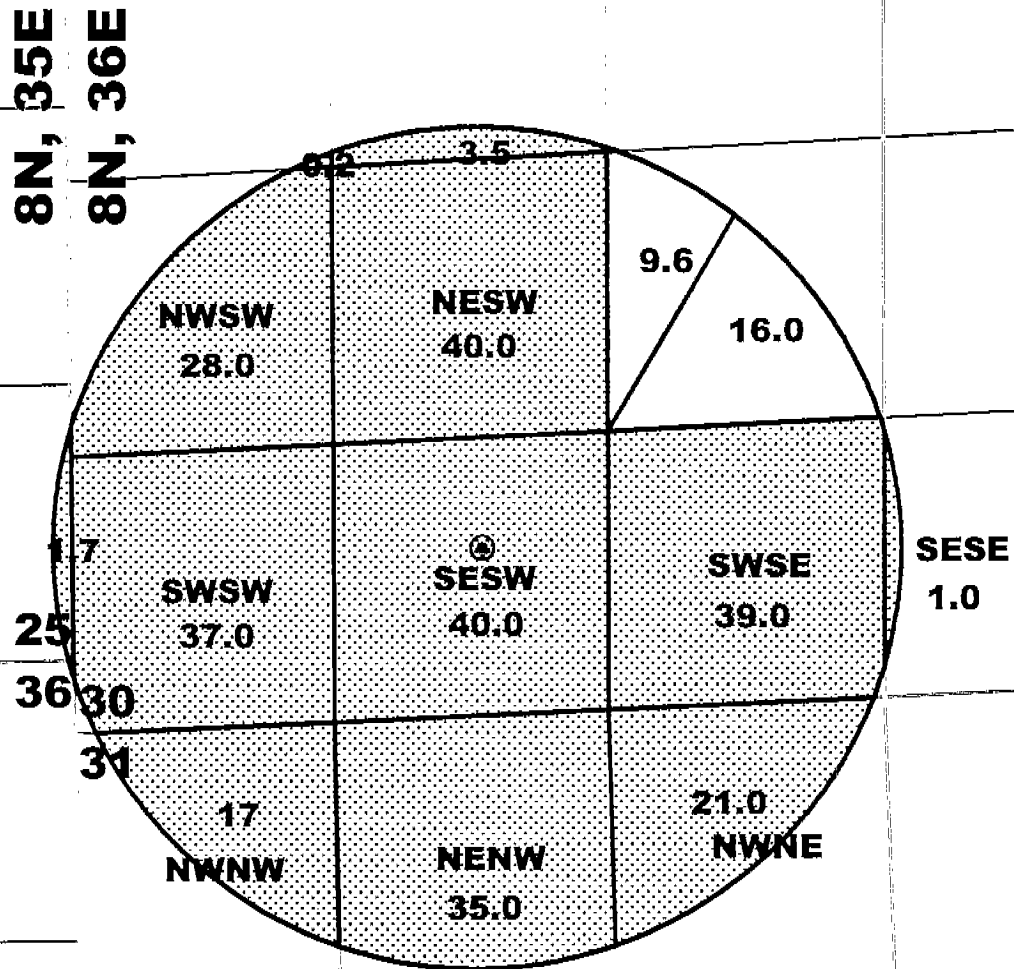
Sincerely,

Craig L. Saxton
Water Resource Agent

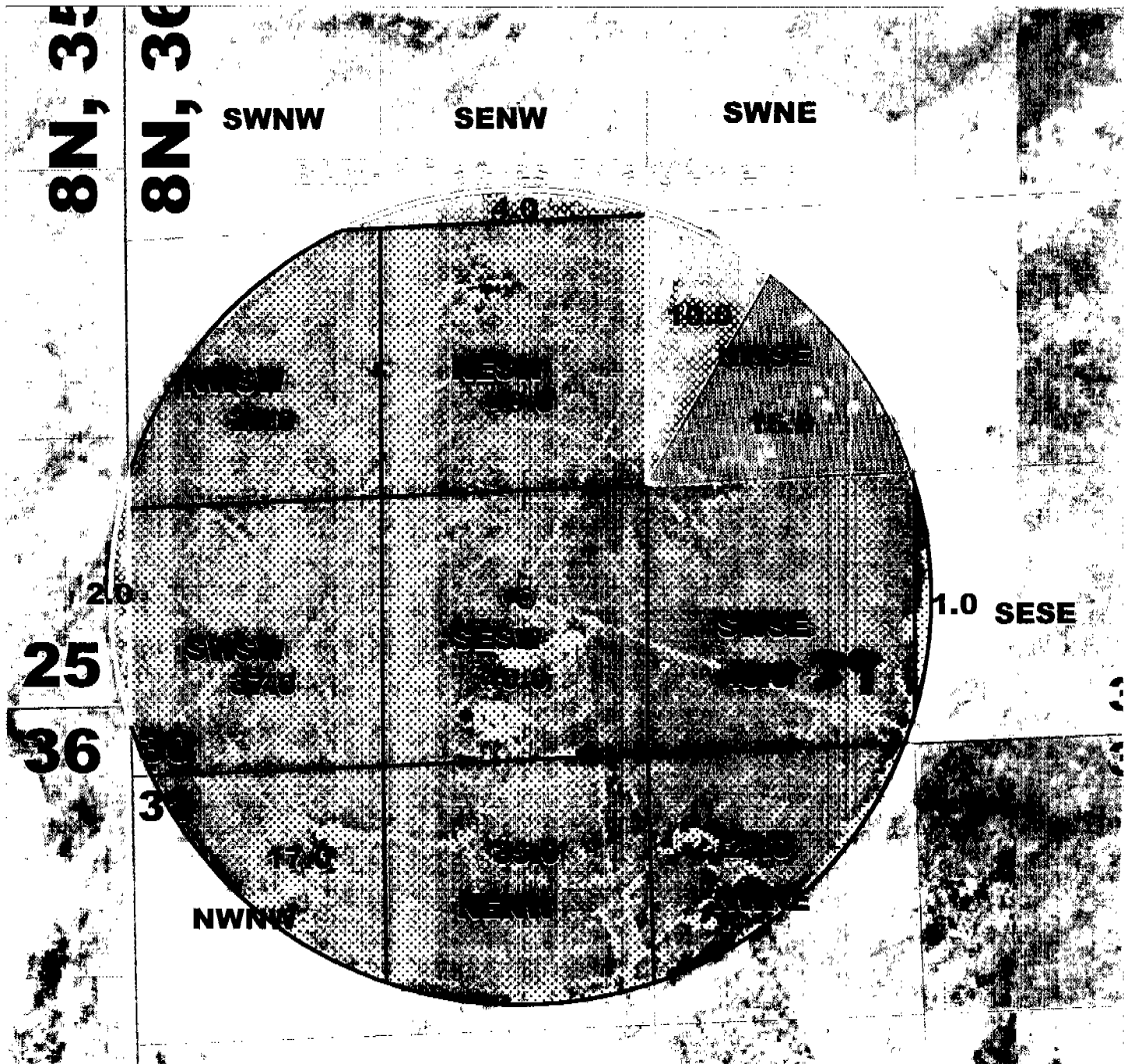
Enclosures (3)

Possible Recommendation

SID BROWN



Potential Recommendation for Sid Brown Pivot.



31-11410: 5.16 cfs. 258 AC, BROWN

31-11414: 0.32 cfs, 18 AC, BLM

Combined

This right is limited to a total combine diversion rate of 4.54 cfs.