

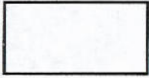
Idaho Department of Water Resources

Claim Number: 57-02152

Legal: T06S, R03E, S01, 02,
11, 12

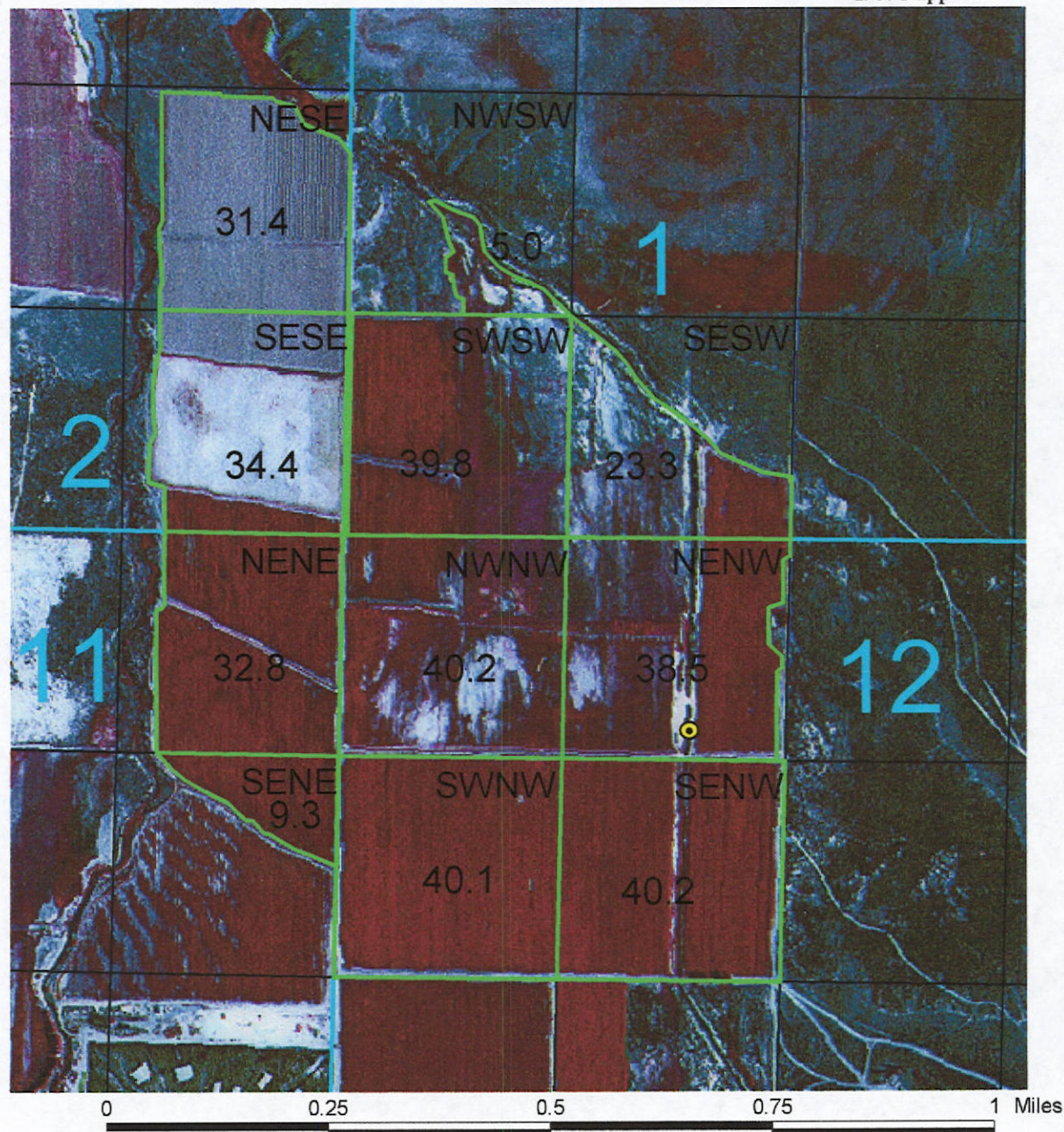
Reviewed By:

1987 Napp Photo

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



3/03



PICTURE # 1

This is TRIANGLE DAIRY'S P/D for the Unnamed Stream. This is also the Re-Lift Pond, 57-02152. T6S, R3E, Sec. 12, SESENW.

10/9/90
Roh



MICROFILMED
OCT 07 1992

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: A57-02152
Date Received: 1/11/1989
Receipt No: W002037
Received By: DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRIANGLE DAIRY, INC. 208-345-3130
Address: P.O. BOX 7526
BOISE, ID 83707

2. Date of Priority: APR 13, 1923

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	03E	11	SW	NW	SW		OWYHEE
				SW	SW		OWYHEE
		12		NW	SE		OWYHEE
		13		NW	NE		OWYHEE
				SW	NE		OWYHEE
				SE	NE		OWYHEE
				SE	NW		OWYHEE
				NE	SW		OWYHEE
				NW	SE		OWYHEE
		14		SE	NE		OWYHEE
				NW	NW		OWYHEE
				SW	NW		OWYHEE
				SE	NW		OWYHEE
				NE	SW		OWYHEE
				NW	SW		OWYHEE
				NW	SE		OWYHEE
	04E	18		SW	NW		OWYHEE

5. Description of diverting works:
17 WELLS AND/OR PUMPS. IRRIGATION THROUGH SPRINKLERS AND FURROWS

A57-02152

Page 1

Date: 03/31/89

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6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.400		600.00

7. Total Quantity Appropriated is:
2.400 C.F.S. (and/or) 600.00 A.F.A.

8. Total consumptive use is 420.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	03E	11	NE	NE		IRR	40.0
						Section Acres	40.0
		12	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
						Section Acres	80.0
						Total Acres	120.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:
02-2308, 57-0185, 57-0191.

14. Remarks:

WATER IS COMINGLED FROM THE WELLS ON THE PROPERTY AND DIRECTED TO THE APPROPRIATE LAND DEPENDING UPON CROP NEEDS. THE WATER MAY BE DIVERTED THROUGH MAINLINES TO SPRINKLERS OR INTO LATERAL DITCHES AND/OR THE SHOOFLY CREEK CHANNEL FOR DISTRIBUTION. THE SURFACE WATER FROM THE SNAKE RIVER IS DIVERTED THROUGH THE MAIN CANAL FOR DISTRIBUTION IN A LIKE MANNER.

15. Basis of Claim: LICENSE
Water Right Number: 15743

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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

57-02152

Date Received

1-11-89

Receipt Number

W2002037 & W2002478

**NOTICE OF CLAIM
TO A
WATER RIGHT**

RECEIVED

JAN 11 1989

ACQUIRED UNDER STATE LAW Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Triangle Dairy, Inc. Phone (208) 345-3130
P. O. Box 7526
Mailing Address 897-Park-Bldg, Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) 4/13/23

3. Source of water supply (a) Ground Water
which is tributary to (b) N/A

4. a. Location of existing point of diversion is: Township SEE ATTACHMENT "A" Range SEE ATTACHMENT "A" Section SEE ATTACHMENT "A",
1/4 of 1/4 of 1/4, Govt. Lot, B.M., County of

Additional points of diversion if any: _____

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

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

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

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

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

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

SEE ATTACHMENT "B"

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OCT 07 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

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SEP 5 0 1988

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 2.4 or 600

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.4 (cfs) and/or (b) 600 (acre feet)

8. Total consumptive use claimed is 420 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	3E	11	40																40
6S	3E	12					40	40											80

Total number of acres irrigated 120

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

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

02-2308; 57-0185-0191

or None ()

14. Remarks:

Water is comingled from the wells on the property and directed to the appropriate land depending upon crop needs. The water may be diverted through mainlines to sprinklers or into lateral ditches and/or the Shoofly Creek channel for distribution. The surface water from the Snake River is diverted through the main canal for distribution in a like manner.

Last Name Triangle Dairy, Inc. Ident No. _____

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Copies: White -State, Yellow-Claimant

OCT 07 1992

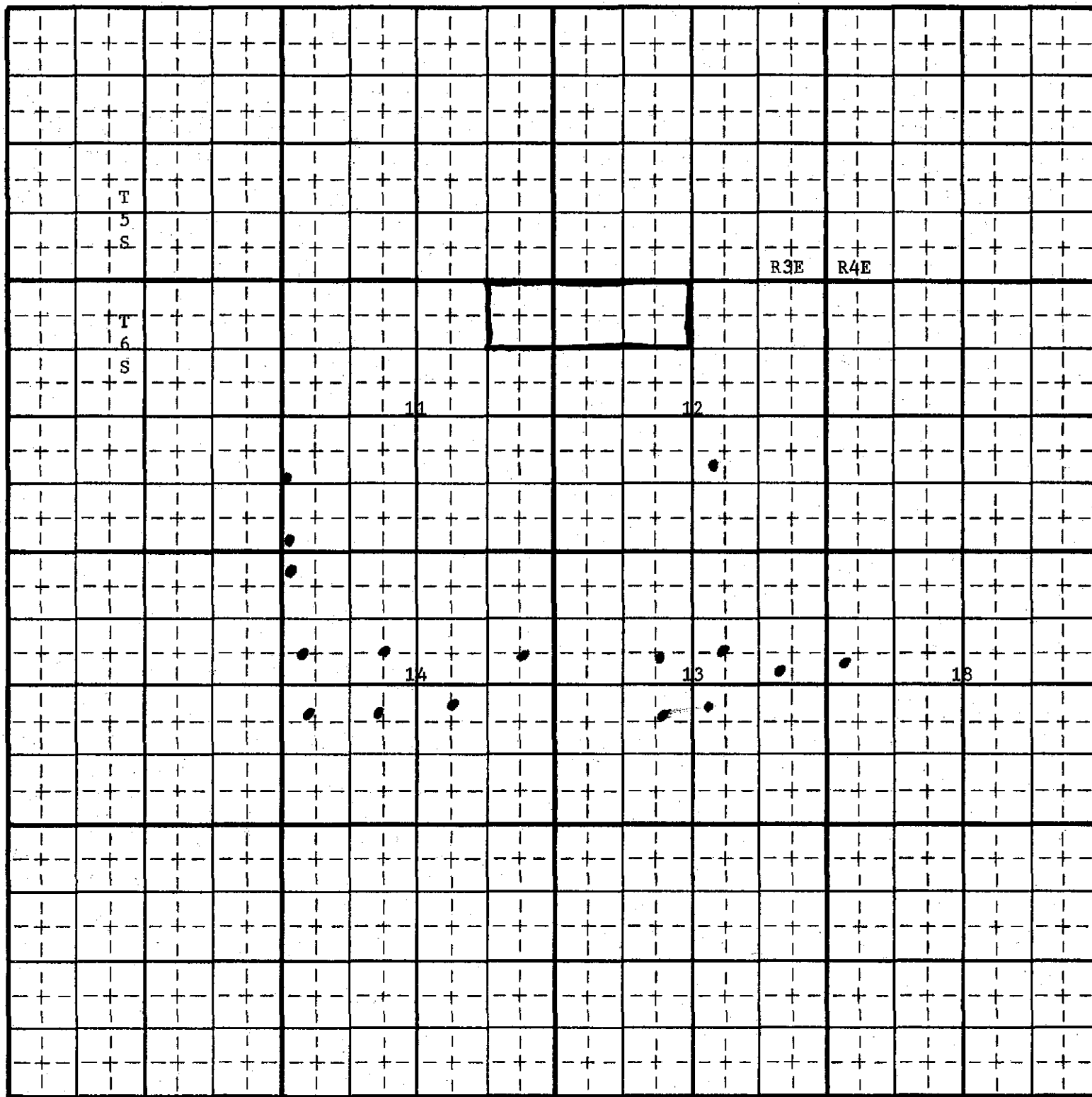
It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Scale: 2 inches equals 1 mile



River diversion off map

Last Name Triangle Dairy, Inc. Ident No.

MICROFILMED
Copies: White-State, Yellow-Claimant
OCT 07 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 57-2152
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

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

Signature of Authorized Agent *William D. Tate*
Title and Organization President, Triangle Dairy, Inc. Date 1/6/89

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

Subscribed and sworn (or affirmed) before me this 6 day of January 19 89
SEAL Notary Public *Sheryl Chapman*

Residing at 457 Willowbrook Meridian Id

My Commission Expires 6/14/94

Please Print Name Sheryl Chapman

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Triangle Dairy, Inc. Ident. Number _____

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OCT 07 1992 Copies Will Be Made, Yellow-Claimant

ATTACHMENT "A"
ITEM 4a

SW/4 NW/4 SW/4, SEC. 11; SW/4 SW/4, SEC. 11; NW/4 SE/4, SEC. 12; NW/4 NE/4, SEC. 13; SE/4 NW/4, SEC. 13; SW/4 NE/4, SEC. 13; NW/4 SE/4, SEC. 13; SE/4 NE/4, SEC. 13; NE/4 SW/4, SEC. 13; SE/4 NE/4, SEC. 14; NW/4 NW/4, SEC. 14; SW/4 NW/4, SEC. 14; SE/4 NW/4, SEC. 14; NW/4 SW/4, SEC. 14; NE/4 SW/4, SEC. 14; NW/4 SE/4, SEC. 14; ALL IN T6S, R3E; AND SW/4 NW/4, SEC. 18, T6S, R4E, OWYHEE COUNTY.

ATTACHMENT "B"

Seventeen drilled wells and/or pumps for withdrawal and pressurization of water. Irrigation is through both sprinkler and furrow techniques.

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OCT 07 1992

Water Right Number - 57-02152

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 15743

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

*** C - CURRENT OWNER ***

PALMER

JAMES M.

1 -

2 -

3 -

City- GRAND VIEW

State- ID Zip- 83624

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
04/13/1923 14 L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED STREAMS SHOOFLY CREEK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

06S	03E	12	NE NW ✓			(73) OWYHEE	272.0 361.0	4.8
06S	03E	12	NW NW			(73) OWYHEE	272.0 361.0	4.5

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

01 - IRRIGATION

2.400

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.400+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

06S	03E	11	NE NE		40.0	01	IRRIGATION	(73) OWYHEE
06S	03E	12	NE NW		40.0	01	IRRIGATION	(73) OWYHEE
06S	03E	12	NW NW		40.0	01	IRRIGATION	(73) OWYHEE

Total Acres: 120.0

+ - - Diversion Means -

+ - - 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.

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OCT 07 1992

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	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 02/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 06/07/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Microfilm Roll No	-	Presumption Flag	-

OCT 07 1992

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Burley } ss.
James M. PalmerFirst: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 15743, and that his postoffice address is Arvidson
State of Idaho.

Second: That the name of the stream from which said water is to be diverted is...

unnamed stream, tributary to Shoshone CreekThird: That the point of diversion of said water is on South boundary near center of the NW 1/4 of the NW 1/4 Sec. 12, 68, 3 EastFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 7, 1924Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works:

dams and ditches

II. Dimensions of work:

(a) Height of dam 5 feet, length of dam at top 20 feet, length of dam at bottom 10 feet. Material used in construction.....Earth

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir..... acre feet.

(c) Size of headgate: Width..... feet, height..... feet.

(d) Conduit..... width at bottom..... feet, width at water line..... feet, depth of water..... feet; diameter of pipe.....

inches, average grade per mile is..... feet. Length of conduit is..... miles.

Seventh: That said works are capable of conducting to the place of intended use 120 miles feet of water.Eighth: That water appropriated under said permit is available for 120 acres of land described as follows: for NE 1/4 NE 1/4 Sec. 12, 40 Acres
and NE 1/4 NW 1/4 Sec. 12, 80 Acres, 68, 3 EastNinth: Remarks: That I have about 1 1/2 miles of Ditches completed. I am using this water for the growing of crops at the present time.James M. Palmer
(Sign here)

Subscribed and sworn to before me this.....

day of May1924My commission expires April 27, 1926B. M. Whitted Palmer
Notary Public

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OCT 07 1992

15743

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 15743This proof is for BEN. USEIn Water District No. 561. Name of applicant: James M. Palmer2. Source of water supply: Unnamed Stream3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ & NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12T. 6 S R. 3 E.B.M. County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: 2 diversions consist of earth embankments. no head gates being used. ditches are 2 ft. wide x 1 ft. deep

5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: yes

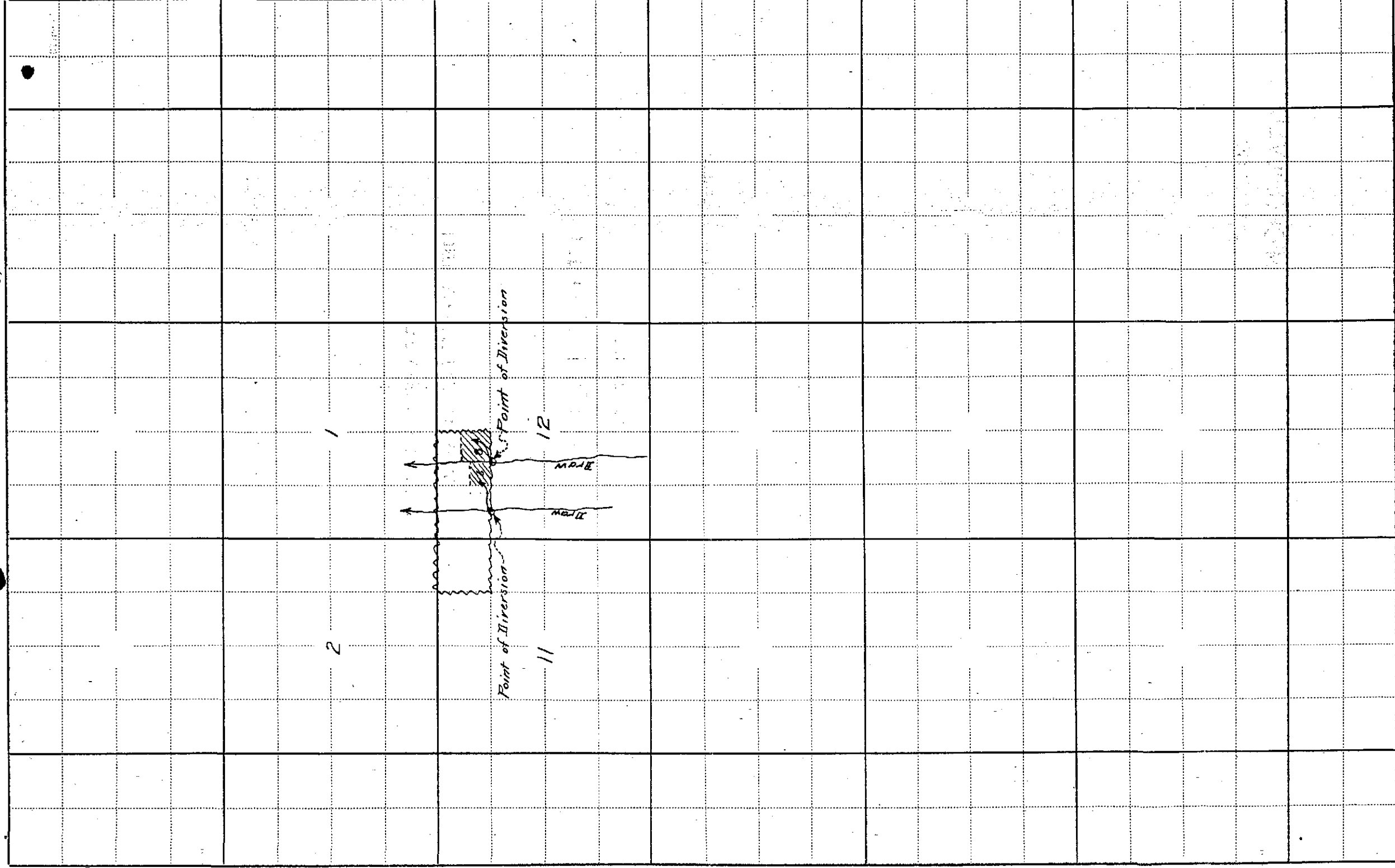
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11, and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 12, Twp. 6 S., R. 3 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? none

Remarks: This water is supplied from ^{surface} drainage of adjacent fields which are irrigated from artesian wells.

This examination was made on the 9th day of June 1925(Signed) Fred A. Palmer Examiner.



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

15743

~~15743~~

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-02152

Date: 3-11-03

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	65	3E	1									5.5	40	24						69.5
GIS												.5	39.8	23.3						68.1
Claim			2													33.5			32	65.5
GIS																31.4			34.4	65.8
Claim			11	32			9													41
GIS				32.8			9.3													42.1
Claim			12					39	40	40	40									159
GIS								38.5	40.2	40.1	40.2									159

Number of POD's 1

Total Claimed Acres: 335

Overlapping FOU Claim #'s:

57-00187 B

Total GIS Acres: 335

COMMENTS:

County data indicates claimant doesn't own any of these parcels. No precise map. Per image interpretation and claim legal.

Idaho Department of Water Resources

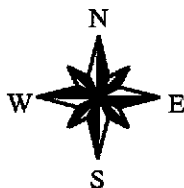
Claim Number: 57-02152

Legal: T06S, R03E, S01, 02,
11, 12

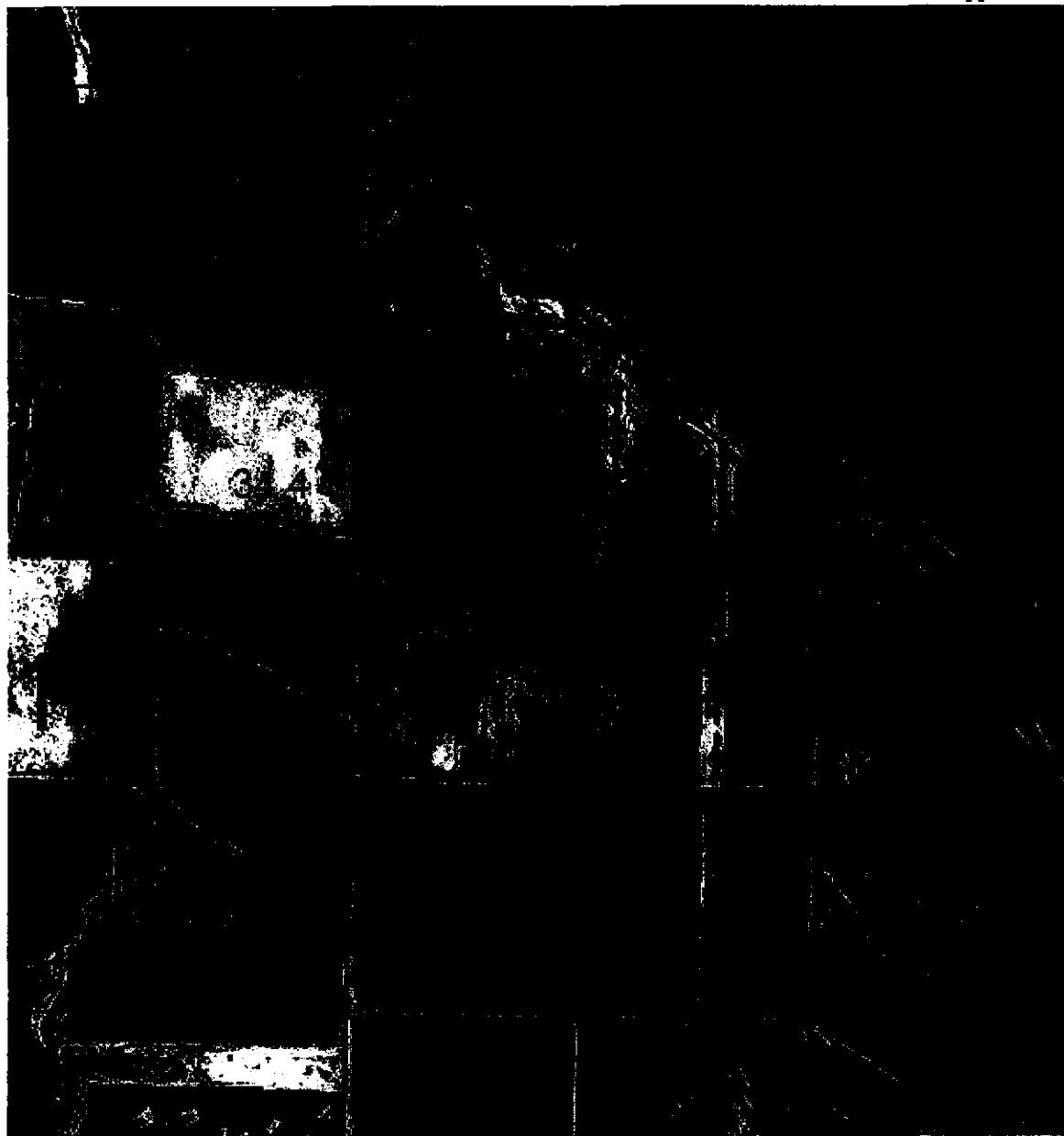
Reviewed By:

1987 Napp Photo

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines
- Township/Range Lines



3/03



0 0.25 0.5 0.75 1 Miles

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-02152

1997 DEC 15 AM 10: 53

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: TRIANGLE DAIRY INC
PO BOX 7526
BOISE ID 83707

SOURCE: UNNAMED STREAM TRIBUTARY: SHOOFLY CREEK

QUANTITY: 2.4 CFS

PRIORITY DATE: 04/13/1923

POINT OF DIVERSION: T06S R03E S12 SENENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE IRRIGATION	PERIOD OF USE Irrigation Season	QUANTITY 2.4 CFS
-------------------------------	------------------------------	------------------------------------	---------------------

PLACE OF USE:	IRRIGATION	Within Owyhee County		
	T06S R03E S01	NWSW 5.5	SWSW 40	SESW 24
	S02	NESE 33.5	SESE 32	
	S11	NENE 32	SENE 9	
	S12	NENW 39	NWNW 40	SWNW 40 SENW 40
	335 ACRES TOTAL			

USE OF THIS RIGHT WITH RIGHT NO. 57-001878 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 335 ACRES IN A SINGLE
IRRIGATION SEASON.

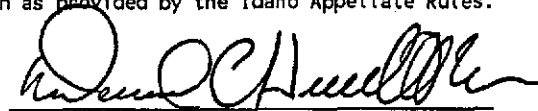
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE
SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE,
WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A
LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT
FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED
ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND
THE BASIN 02 RIGHTS.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

AJ0749NP
No. R57-02152

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/13/97
PAGE: 1

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TRIANGLE DAIRY INC PO BOX 7526 BOISE ID 83707 (208) 345-3130	04/13/1923	IRRIGATION	03-15 11-15	2.40 CFS	
TOTAL DIVERSION:					2.40 CFS	

Water Source: UNNAMED STREAM

Tributary to: SHOOFLY CREEK

Stage: LICENSE

Point(s) of Diversion:

T06S R03E S12

SENEW

OWYHEE 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
06S	03E 1	:				:				:		05	40	24	:			69.5
06S	03E 2	:				:				:					:	33		65.5
06S	03E 11	:	32			:				:					:			41.0
06S	03E 12	:				:	39	40	40	40	:				:			159.0
TOTAL ACRES																	335.0	

POU County: OWYHEE

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: POU

USE OF THIS RIGHT WITH RIGHT NO. 57-00187B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 335 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

GEN

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 02 RIGHTS.

Dates: Exam Made Date: Verified Date: 11/13/1997 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

AJ0749NP
No. R57-02152

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/13/97
PAGE: 2

=====

Comments: Date: 12/10/1991 User-ID: HOWERTON Subject: COPIED FROM REMARKS
WATER IS CO-MINGLED FROM THE UNNAMED STREAM, TRIANGLE DAIRY'S
WELL NO. 9.
THE WATER IS THEN DIRECTED TO THE APPROPRIATE LAND DEPENDING UPON
CROP NEEDS.

Date: 12/10/1991 User-ID: HOWERTON Subject: CHANGE
BILL TATE BOUGHT THE LAND IN 1957, HE THEN STARTED TO RE-DO THE
IRRIGATION.
THE IRRIGATION WAS MOSTLY COMPLETED APPROXIMATELY 1960 AND 1962.
MOST OF HIS SNAKE RIVER WATER RIGHTS WERE ADDED IN 1959 AND EARLY
1960'S.

Audit: 11/13/97 RHOWERTO

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TRIANGLE DAIRY INC PO BOX 7526 BOISE ID 83707 (208) 345-3130	04/13/1923	IRRIGATION	03-15 11-15	2.40 CFS	
TOTAL DIVERSION:					2.40 CFS	

Water Source: UNNAMED STREAM

Tributary to: SHOOFLY CREEK

Stage: LICENSE

Point(s) of Diversion:

T06S R03E S12

SENEW

OWYHEE 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
06S	03E	1	:										05	40	24				69.5
06S	03E	2	:														33	32	65.5
06S	03E	11	:	32				09											41.0
06S	03E	12	:						39	40	40	40							159.0
TOTAL ACRES																			335.0

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: SEE REMARKS

Other Water Rights With Same Point(s) of Diversion with Stage (Includes All Sources):
57-02152

Other Water Rights Listing Overlapping Place(s) of Use:

57-00186	57-00187B	57-00188	57-00189	57-00190	57-00191	57-02135	57-02136	57-02138	57-02142
57-02149	57-02152	57-02180	A02-02153	A02-02154	A02-02308	A02-02423	A57-00185	A57-00186	A57-00187
A57-00187B	A57-00188	A57-00189	A57-00190	A57-00191	A57-02135	A57-02152			

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IRRIGATION SEASON.~~
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POU
E11
GEN #07

Remarks: DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

psu KOS

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Y
Presumption Flag: C

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1960'S.

Audit: 11/10/97 RHOWERTO

 RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: SHOOFLY CREEK

RIGHT NUMBER: 57-02152

NAME AND ADDRESS: TRIANGLE DAIRY INC
 PO BOX 7526
 BOISE ID 83707

SOURCE: UNNAMED STREAM TRIBUTARY: SHOOFLY CREEK

QUANTITY: 2.4 CFS

PRIORITY DATE: 04/13/1923

POINT OF DIVERSION: T06S R03E S12 SENENW Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	2.4 CFS
		03/18 11/18	

PLACE OF USE:	IRRIGATION	Within Owyhee County		
	T06S R03E S01	NWSW 5.5	SWSW 40	SESW 24
	S02	NESE 33.5	SESE 32	
	S11	NENE 32	SENE 9	
	S12	NENW 39	NWNW 40	SWNW 40 SENW 40

335 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 57-00187B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 335 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 120 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTOR'S REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND

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57-02152 (CONT.)

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EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

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

AJ5809NP
No. 57-02152

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/20/93
PAGE: 9

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																													
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POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: SEE REMARKS

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Dates: Exam Made Date: 10/09/1990 Verified Date: 12/14/1991

Misc: Water District Number: Field Inspection Flag: Y
Presumption Flag: C

MICROFILMED
JUL 20 1994

Comments: Date: 12/10/1991 User-ID: HOWERTON Subject: COPIED FROM REMARKS
WATER IS CO-MINGLED FROM THE UNNAMED STREAM, TRIANGLE DAIRY'S
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Audit: 10/17/91 HOWERTON 12/10/91 HOWERTON 12/11/91 HOWERTON 12/14/91 HOWERTON
07/29/92 PR-PRODM 10/13/92 CP SHAW 12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TRIANGLE DAIRY INC PO BOX 7526 BOISE ID 83707 (208) 345-3130	04/13/1923	IRRIGATION	03-15 11-15	2.40 CFS	
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Tributary to: SHOOFLY CREEK

Stage: LICENSE

Point(s) of Diversion:

T06S R03E S12

SENEW

OWYHEE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE					
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																			TOTAL ACRES	335.0

POU County: OWYHEE

Non-Irrigation Uses: NONE

Other Rights: SEE REMARKS

Other Water Rights Listing Overlapping Place(s) of use:

A02-02153	A02-02154	A02-02308	A02-02423	A57-00185	A57-00186	A57-00187	A57-00188	A57-00189	A57-00190
A57-00191	A57-02135	A57-02152	R57-00186	R57-00187B	R57-00188	R57-00189	R57-00190	R57-00191	R57-02135
R57-02136	R57-02138	R57-02142	R57-02149	R57-02180					

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MICROFILMED

OCT 07 1992

Remarks: PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 10/09/1990 Verified Date: 12/14/1991

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 12/10/1991 User-ID: HOWERTON Subject: COPIED FROM REMARKS
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Audit: 00/00/00

MICROFILMED

OCT 07 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-02152

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	N	Rjh 10/19/90	6	N	N		
PT. OF DIV.	Y		2,5	Y			DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE	Y		5	Y			
PL. OF USE	Y		2,4,5	Y			FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF	Y		6	N			
CONSUMPTIVE USE	N		5	Y			
NATURE OF USE	N		6	N			
PERIOD OF USE	N		6	N			
BASIS OF CLAIM	N		6	N			
REMARKS	Y		5	Y			

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER(SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES ____ NO ____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: SAME AS CLAIM

MAP IS IN A57-00185, ACRES WERE DETERMINED FROM
THE MAPS IN A57-00185 AND NAPP.

MICROFILMED
 OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

20:46:43
09/02/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-02152

LAST: TRIANGLE DAIRY, INC.
ADDRESS: P.O. BOX 7526
CITY: BOISE
PHONE NUMBER: 208-345-3130

FIRST:
STATE: ID ZIP: 83707

OWNER CODE: C

LAST: PALMER
ADDRESS:
CITY: GRAND VIEW
PHONE NUMBER: 208-000-0000

FIRST: JAMES M.
STATE: ID ZIP: 83624

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Rdh

CLAIM REMARKS: ~~WATER IS COMINGLED FROM THE WELLS ON THE PROPERTY AND DIRECTED TO THE APPROPRIATE LAND DEPENDING UPON CROP NEEDS. THE WATER MAY BE DIVERTED THROUGH MAINLINES TO SPRINKLERS OR INTO LATERAL DITCHES AND/OR THE SHOOFLE CREEK CHANNEL FOR DISTRIBUTION. THE SURFACE WATER FROM THE SNAKE RIVER IS DIVERTED THROUGH THE MAIN CANAL FOR DISTRIBUTION IN A LIKE MANNER.~~

MICROFILMED
OCT 07 1992

CONTACT PERSON: BILL TATE/KENT FRICH/SHERL CHAPMAN

PHONE NUMBER: () -

DATE OF FIELD EXAM: 10/9/90

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: ABOVE

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: OWNER/FOREMAN/ENGR

DIRECTIONS TO PROPERTY / REMARKS:

SOUTH OF GRAND VIEW

MICROFILMED

OCT 07 1992

A. AJ CLAIM: # A57-02152 PRIORITY DATE: 04-13-1923 STAGE: L
B. WR RECORD: # 57-02152 PRIORITY DATE: 04-13-1923 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER Rbh

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

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
04-13-1923

REVIEWED BY Rbh DATE 12-11-91

=====

MICROFILMED
OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-02152	06S	03E	13		NW	NE		OWYHEE
A57-02152	06S	03E	13		SE	NW		OWYHEE
A57-02152	06S	03E	13		SW	NE		OWYHEE
A57-02152	06S	03E	13		NW	SE		OWYHEE
A57-02152	06S	03E	14		NW	NW		OWYHEE
A57-02152	06S	03E	14		SE	NW		OWYHEE
A57-02152	06S	03E	14		NW	SW		OWYHEE
A57-02152	06S	03E	14		NE	SW		OWYHEE
A57-02152	06S	03E	14		NW	SE		OWYHEE
A57-02152	06S	04E	18		SW	NW		OWYHEE
A57-02152	06S	03E	11	SW	NW	SW		OWYHEE
A57-02152	06S	03E	11		SW	SW		OWYHEE
A57-02152	06S	03E	12		NW	SE		OWYHEE
A57-02152	06S	03E	13		SE	NE		OWYHEE
A57-02152	06S	03E	13		NE	SW		OWYHEE
A57-02152	06S	03E	14		SE	NE		OWYHEE
A57-02152	06S	03E	14		SW	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A57-00186 NONE

WR RECORDS IN SAME 40 ACRE TRACT

57-02142
57-02135
57-02138
57-07008
57-07114
L57-07114
57-02225A
57-02225B
57-02149
57-02180
57-02136

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-02152	06S	03E	12		NE	NW		OWYHEE
57-02152	06S	03E	12		NW	NW		OWYHEE

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NONE

NONE

NONE

SOURCE: UNNAMED STREAMS

TRIB: SHOOFLY CREEK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)DATABASE
Y
YFIELD
EXAMINER
RLH
RLH

REMARKS:

THIS IS A SURFACE SOURCE, NOT GROUNDWATER!
SEE MY COMMENT SHEET.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>6S</u>	<u>3E</u>	<u>12</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>—</u>	<u>Owy</u>

SOURCE: UNNAMED STREAMTRIB: SHOOFLY CREEK

REVIEWED BY:

RLH

DATE:

12-11-91

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A. ROOT WATER RIGHT NUMBERS: A57-02152

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06S	03E	12	NE	NW		TRIANGLE DAIRY, INC.	A57-02152 /40.0	57-02152 /40.0	37.0		
						TRIANGLE DAIRY, INC.	A57-00186 /39.0	57-00186 /			
						TRIANGLE DAIRY INC.	A02-02308 /40.0	02-02308 /40.0			
						TRIANGLE DAIRY, INC.	A57-00185 /39.0	57-00185 /			
						TRIANGLE DAIRY, INC.	A57-00187 /39.0	57-00187 /			
						TRIANGLE DAIRY, INC.	A57-00188 /39.0	57-00188 /			
						TRIANGLE DAIRY, INC.	A57-00189 /39.0	57-00189 /			
						TRIANGLE DAIRY, INC.	A57-00190 /39.0	57-00190 /			
						TRIANGLE DAIRY, INC.	A57-00191 /39.0	57-00191 /			
						TRIANGLE DAIRY, INC.	A57-10783 /	- /			
						TRIANGLE DAIRY INC.		A02-02308 /35.0			
06S	03E	12	NW	NW		TRIANGLE DAIRY, INC.	A57-02152 /40.0	57-02152 /40.0	39.0		
						TRIANGLE DAIRY INC.	A02-02308 /40.0	02-02308 /40.0			
						TRIANGLE DAIRY, INC.	A57-10783 /	- /			
						TATE DAIRY		57-00185 /			
						TATE DAIRY		57-00186 /			
						TATE DAIRY		57-00187 /			
						TATE DAIRY		57-00188 /			
						TATE DAIRY		57-00189 /			
						TATE DAIRY		57-00190 /			
						TATE DAIRY		57-00191 /			
						TRIANGLE DAIRY INC.		A02-02308 /39.0			
06S	03E	11	NE	NE		TRIANGLE DAIRY, INC.	A57-02152 /40.0	57-02152 /40.0	39.0		
						TRIANGLE DAIRY, INC.	A02-02154 /34.0	02-02154 /34.0			
						TRIANGLE DAIRY INC.	A02-02423 / 1.0	02-02423 / 1.0			
						TRIANGLE DAIRY, INC.	A57-10783 /	- /			
						TRIANGLE DAIRY INC.		A02-02154 /34.0			
						TRIANGLE DAIRY INC.		A02-02423 / 1.0			
TOTAL ACRES							A57-02152	120.00	120.00	115.00	

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Rdh

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12/91

FIELD EXAMINER: RON HOWERTON

DATE OF EXAM: 10/09/90

OVERLAP/CFS BREAKDOWN OF TRIANGLE DAIRIES WATER RIGHTS

1ST PERMISSIBLE PLACE OF USE RIGHTS

WELL(S)	"R" FILE	RECOMMENDED CFS	MAX. THEORETICAL CFS & ACRES	CONDITIONS & REMARKS
1&4	R57-02135	3.48	174 AC/59 AC	C03, C05, C09, E01,
	R57-02136	1.18	4.66 CFS	F06, F07, K06.
2&3	R57-02138	0.6	... 30 AC ...	C01, C03, C05, E01,
	R57-00186	3.02	1028.5 AC	F06, F07 & K06.
	R57-00188	1.38	"	NOTE: C01 ONLY ON DECREE RIGHT'S
	R57-00189	1.9	"	
	R57-00190	1.15	"	
	R57-00191	1.23	"	
	R57-02142	1.48	... 74 AC ...	
	R57-02149	1.8	... 90 AC ...	
	R57-02180	1.0	... 50 AC ...	

TOTALS..... 18.22 CFS 1028.5 AC

$$\frac{18.22 \text{ CFS}}{1028.5 \text{ AC}} = 0.018/\text{ACRE}$$

2ND PERMISSIBLE PLACE OF USE RIGHTS

WELL	"R" FILE	RECOMMENDED CFS	MAX. THEORETICAL CFS & ACRES	CONDITIONS & REMARKS
6	R57-00185	0.2	1.16 CFS &	C01, C03, C05, E01,
	R57-00187A	0.96	511 ACRES	F05 & F07.

TOTALS..... 1.16 CFS 511 ACRES

NON- PERMISSIBLE PLACE OF USE

WELL	"R" FILE	REC.'D CFS	NON-THEORETICAL	COND./REMARKS
7	R57-02225B	0.85	0.85 CFS/42.7AC	C09

TOTALS..... 0.85CFS 42.7 ACRES = 0.02/ACRE

This Non-Permissible Place of Use has no supplemental water on Departments records.

3RD PERMISSIBLE PLACE OF USE RIGHTS

WELL	"R" FILE	RECOMMENDED CFS	MAX. THEORETICAL CFS & ACRES	CONDITIONS & REMARKS
9	R57-00187B	0.3	0.3 CFS & 335 AC	C01, C03, C05, C09, E01 & F07.

TOTALS..... 0.3 CFS 335 ACRES

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OVERLAPPING IRRIGATION DAIRY IRRIG. RIGHTS
FOR
PERMISSIBLE PLACE OF USE.

57-00187B & 57-02152

NUMBER ABOVE 71	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
	65	3E	1									55	40	24						69.5	
			2													33.5			32	65.5	
			11	32			9													41	
			12					39	40	40	40									159	335

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

02 - WATER RIGHTS WILL BE LOOKED AT LATER

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PRESUMPTION FLAG: C

REMARKS:

"PERMISSIBLE PLACE OF USE", SEE COMMENT SHEET, SEE MAP.
LIMITED TO 120 ACRES

RECOMMENDATIONS:

TOTAL ACRES: 335 But Limited to 120

REVIEWED BY: Rbh

DATE: 12-11-90

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-02152 IRRIGATION	FROM 03-15 TO 11-15	2.400 CFS 600.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.400 CFS 600.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-02152 IRRIGATION	FROM TO	2.400 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.400 CFS

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

LICENSE DID NOT LIST DATES

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.400 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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

N

Red

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE SEE OVERLAP REVIEW. AND MAP

OTHER RIGHTS LISTED IN CLAIM: 02-2308, 57-0185, 57-0191.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-02152	GROUNDWATER	TRIANGLE DAIRY, INC.	2.400	0.020	600.00	5.00
A57-00186	GROUNDWATER	TRIANGLE DAIRY, INC.	3.020	0.005	1548.00	2.76
A57-00185	GROUNDWATER	TRIANGLE DAIRY, INC.	0.200		97.00	0.17
A57-00187	GROUNDWATER	TRIANGLE DAIRY, INC.	1.330	0.002	644.00	1.15
A57-00188	GROUNDWATER	TRIANGLE DAIRY, INC.	1.384	0.002	670.00	1.19
A57-00189	GROUNDWATER	TRIANGLE DAIRY, INC.	1.900	0.003	920.00	1.64
A57-00190	GROUNDWATER	TRIANGLE DAIRY, INC.	1.150	0.002	557.00	0.99
A57-00191	GROUNDWATER	TRIANGLE DAIRY, INC.	1.230	0.002	595.00	1.06
A02-02154	SNAKE RIVER	TRIANGLE DAIRY, INC.	2.760	0.019	691.00	4.97
A02-02423	SNAKE RIVER	TRIANGLE DAIRY INC.	1.860	0.020	465.00	5.00

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-10783	STOCKWATER	TRIANGLE DAIRY, INC.	FROM 01-01 TO 12-31	1.950 CFS	1412.00 AF/A

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 335 x 0.02 CFS/ACRE = 2.4 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 420.0 AF/A

ACRES 335 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 1,172.5 AF/A

3. IRRIGATION DIVERSION VOLUME NA

CLAIMED DIVERSION VOLUME = 600.00 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

COMBINED ACRES = 335 CU VOL = 1,172.5 LIMIT ACRES = 120

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	03-15 11-15	2.400	600.00	420.0
TOTAL FOR THIS RIGHT		2.400	600.00	420.0

REVIEWED BY: Rch DATE: 12-11-91 COMBINED 1,172.5

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(X)	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-02152

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.400

EXAMINER
Rch

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-02152	2.400	-		57-02152	2.400
	TOTAL CFS	2.400				2.400

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Rch

REMARKS:

SEE COMMENT SHEET AND OVERLAP BREAKDOWN
FOR CONDITIONS AND REMARKS.

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

OCT 07 1992

NOT RECORDED

Ron Howerton

RON HOWERTON

12-11-91

SR. WATER AGENT

PICTURE # 1

This is TRIANGLE DAIRY'S P/D for the Unnamed Stream. This is also the Re-Lift Pond, 57-02152. T6S, R3E, Sec. 12, SESENW.

10/9/90
Rsh



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TRIANGLE DAIRY'S BASIN "57" CLAIMS

December 11, 1991

Comments made by
Field Examiner: Ron Howerton
Date of Exam: 10/9/90

Ref: Triangle Dairy's Irrigation System

1. The claims that were licensed or decreed all listed 17 points of diversion.
2. Claim 57-02152 was a surface water right, but listed 17 wells for the source and points of diversion.
3. During the Field Exam I was told several times by the owner that each well could divert the water on any piece of ground that the others could irrigate.
4. During the field exam I found that only seven wells were being used. Well No. 7 I found, was the only source for its place of use.
5. The system was a mixture of sprinklers, underground pipelines furrows, and flood irrigation.
6. The remaining wells were inconclusive as to whether they could divert to any place that the others could irrigate, however the owner still insisted that they could.
7. I went with that statement and started figuring up the claims for permissible place of use.
8. I started by making a map that showed what lands they claimed. In some cases the licenses overlapped each other. The decrees were claimed for separate lands, and their own place of use with little or no exceptions to the licenses.
9. I added up the CFS of both the licenses and decrees, this amount was more than an inch per acre.
10. Then, after my research I only found that six wells may possibly irrigate 1 big PERMISSIBLE PLACE OF USE. I did theoretical calculations for each well, for the maximum rate of flow with the exception of the artesian well, it was an open flow, open casing, with no logical way of measuring it, as waste water from Triangle Dairy's fields were comingling with it. The only possible way that I knew to measure it, was in the ditch after the irrigation season was over. This was later obtained with an affidavit for 15 inches.

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11. I finished all of the calculations based from upon what I saw and what I could obtain from Mr. Tate and his foreman, Kent and Sherl Chapman, and put it all together.
12. After much time spent to show that the land was 1 permissible place of use, I could tell that wasn't going to work.
13. I called Sherl Chapman, as he helped Mr. Tate file his claims and accompanied me on this field exam too. My request was to have Sherl contact Mr. Tate, and set up another field examination date to show proof of the system by plotting the underground lines etc., that the wells could be diverted as such, and that all were somehow tied in together.
14. Sherl, went ahead and got with Bill Tate and by using the map that I drew, plotted in the system, then we met to go over what he found. From this I then drew up a master copy, based upon what I seen and what Sherl had drawn.
15. After studying and putting the master copy together, I found that 3 separate area's would well work as permissible places of use. Not 1 large PPOU...

SUMMARY:

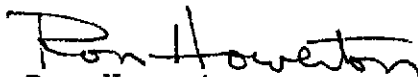
The places of use and points of diversion that were claimed had to be totally re-drawn from the beginning.

Of the 17 wells that were originally claimed, only 7 remain, the rest do not exist for irrigation.

The entire system was re-worked as Mr. Tate stated from the time he bought it in 1957, and had it completed by 1960 and 1962.

The system works ONLY because of the overlapping Snake River Water Rights, without it, the 3 systems would not work as a "PERMISSIBLE PLACE OF USE."

See the CVR and Map of the System, for additional information:


Ron Howerton
Senior Water Agent

cc: Irrigation Files

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