

Township 3 North, Range 4 West, B. M., Owyhee County, Idaho

18

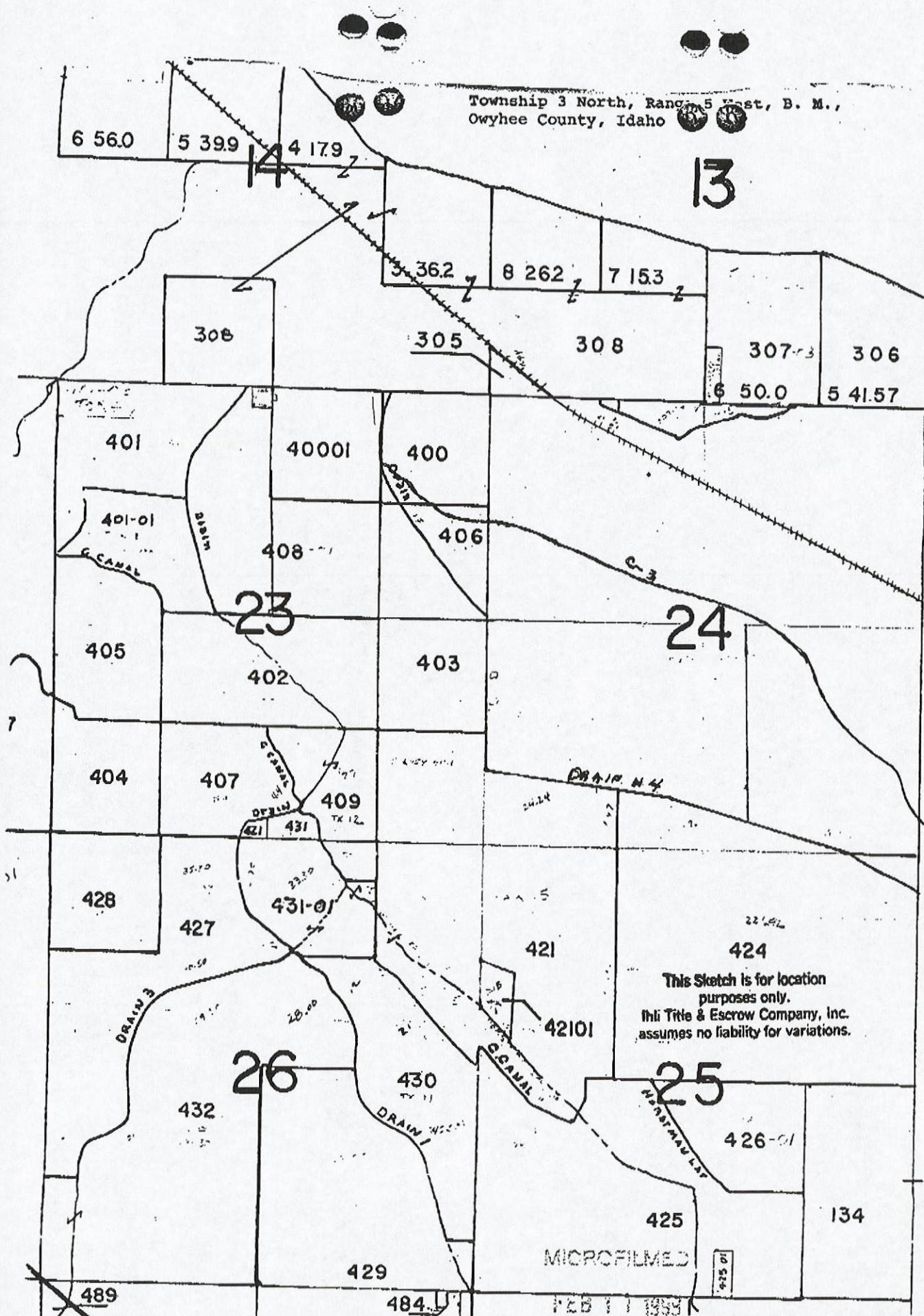
Snake River

This Sketch is for location purposes only.
Phil Title & Escrow Company, Inc.
assumes no liability for variations.

OWNERSHIP PARCEL No
THREE DIGITS)

MICROFILMED

APR 11 1969

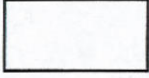


Idaho Department of Water Resources

Claim Number: 57-02335

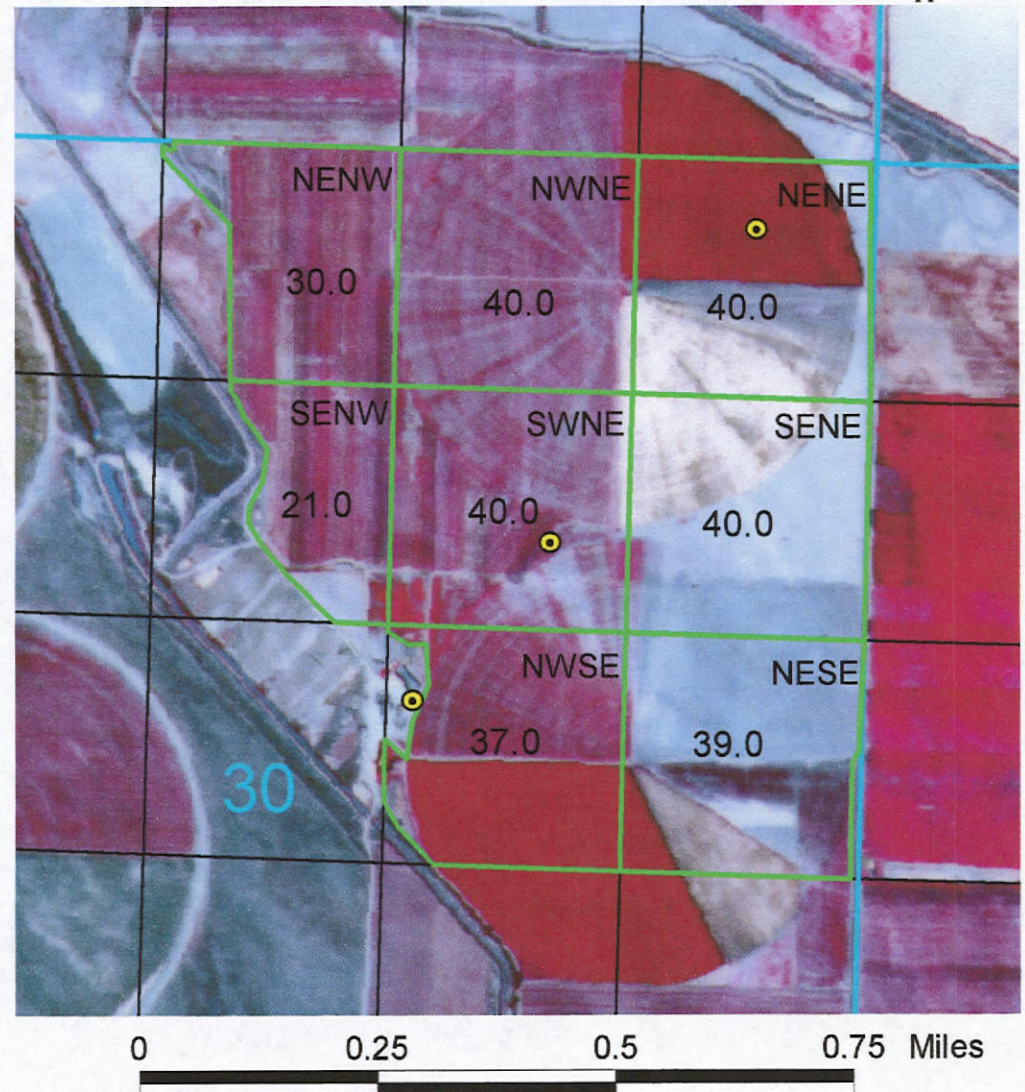
Legal: T03N, R04W, S30

Reviewed By:

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



1987 Napp Photo



(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A5702335	T03N R04W S30																	
	:	39	40	40	39	:	30			28	:			:	39	37	:	292
NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
A0200064	SNAKE RIVE :						40			23	12	:			01	:	31	40 : 147
A0200064	SNAKE RIVE :																I	I : 147
A0200065	SNAKE RIVE :						40			23	12	:			01	:	31	40 : 147
A0200065	SNAKE RIVE :																I	I : 147
0202276	SNAKE RIVE :														01	:	27	38 : 66
5702335	GROUNDWATE :	39	40	40	27	:	30			28	:	12			:	39	37	: 292
R5702335	GROUNDWATE :	39	40	40	39	:	30			28	:				:	39	37	: 292
5707045	GROUNDWATE :												03-33 04-32		:			: 65
A5707045	GROUNDWATE :												03-33 04-32		:			: 65
R5707045	GROUNDWATE :												03-33 04-32		:			: 65
5707047	GROUNDWATE :	38	40	40	38	:	40			40	:	40			:	38	40	: 354
A5707047	GROUNDWATE :	39	40	40	39	:	30			28	:				:	39	37	: 292
R5707047	GROUNDWATE :	39	40	40	39	:	30			28	:				:	39	37	: 292
--86 MAP--	C27Q-X 54 :	27	13	34	34	:	37			24	:	06			11	:	42	38 34 : 338
NO QTRS	MAPPING	Lot01-20	Lot02-09	Lot03-32	Lot04-28													
--86 MAP--	C73Q-X 54 :	40	40	42	36	:	42			36	:	23			09	:	40	42 39 36 : 425
NO QTRS	MAPPING	Lot01-29	Lot02-16	Lot03-27	Lot04-30													

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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: A57-02335
Date Received: 11/10/1988
Receipt No: W002111
Received By: DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LODGE LAND & LIVESTOCK, CO. 208-459-6107
Address: BOX 128
CALDWELL, ID 83605

2. Date of Priority: JAN 25, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	04W	30	NE	NE	NE		OWYHEE
			SE	SW	NE		OWYHEE
			NW	NW	SE		OWYHEE

5. Description of diverting works:
ALL WELLS ARE AVG. DEPTH OF 300', 25, 40, AND 50 HP MOTORS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.870		1330.00

7. Total Quantity Appropriated is:
3.870 C.F.S. (and/or) 1330.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	04W	30	NE	NE		IRR	39.0
			NW	NE		IRR	40.0

A57-02335

Page 1

Date: 02/10/89

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
03N	04W	30	SW		NE		IRR	40.0
			SE		NE		IRR	39.0
			NE		NW		IRR	30.0
			SE		NW		IRR	28.0
			NE		SE		IRR	39.0
			NW		SE		IRR	37.0

Section Acres 292.0

Total Acres 292.0

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:
57-07047

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 29374

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: 39356

Ident. Number

57-02335

Date Received

11-10-88

Receipt Number

W002111

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 10 1988

No. 1 etc.

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Lodge Land And Livestock Co. Phone (1459-6107
Mailing Address Box 128 Caldwell, Ida. Zip 83605

2. Date of Priority (Only one (1) per claim) 1/25/1961

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

4. a. Location of existing point of diversion is: Township 3 N Range 4 W Section 30,
NW 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Owyhee

Additional points of diversion if any: SE SW NE & NE NE NE Sec. 30 T3N R4W

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

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. All wells have 12 inch

Casings - Ave. depth 300 ft. Bowls set 110-130 ft.
NW SE 2 wells - 25 HP and 40 HP Motors
SW NE - 25 HP Motors NE NE - 50 HP
All Wells service land on the license.

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Copies: White - State, Yellow - Claimant

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.

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 3.87 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.87 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	
3 N	4 W	30	39	40	40	39	30			28					39	40			295 KN
																379 KN			

Total number of acres irrigated 295 292 KN

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.
57-07047 or None ()

14. Remarks:

Last Name lodge hand & co Ident No. 57-02335

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

[illegible]

Last Name Lodgehandt co. Ident No. 57-02375 Copies: White-Red-Yellow-Green

OCT 07 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 57-02315

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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 Secretary

of Lodge House & Livestock Inc. , that I have signed the foregoing

Organization

document in the space below as Secretary of Lodge House & Livestock Inc.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization Sec. - Lodge House & Livestock Inc. Date 11-7-88

State of Idaho/or Idaho)

County of canyon) SS.

Subscribed and sworn (or affirmed) before me this 7th day of November 19 88

SEAL

Notary Public John K. Hoyle

15470 Hornedale Rd.

Residing at Caldwell, Idaho

My Commission Expires Sept 21, 1994

Please Print Name

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 _____ Ident. Number _____

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Copies White State, Yellow-Claimant

OCT 07 1992

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS REPORT

WR-NUMBER: 57-02292 CURRENT OWNER: LODGE LAND & LIVESTOCK INC. PRIORITY DATE: 04-14-1966 STAGE: LICENSE

COUNTY: OWYHEE
SOURCE: GROUNDWATER
WATER USE: IRRIGATION DIVERSION RATE: 0.890 DIVERSION VOLUME: 432.00 PERIOD FROM: 03/15 PERIOD TO: 11/05
TOTAL: 0.890 432.00

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot	Acres
	03N	04W	19	SW SE		25.0
PLACE OF USE:	Twp	Rge	Sec	Tract	Lot	Acres
	03N	04W	19	SW SW		30.0
	03N	04W	19	SE SW		1.0
	03N	04W	19	NW SE		32.0
	03N	04W	19	SW SE		16.0
	03N	04W	19	SE SE		104.0
TOTAL ACRES:						104.0

WR-NUMBER: 57-07047 CURRENT OWNER: LODGE LAND & LIVESTOCK INC. PRIORITY DATE: 03-01-1971 STAGE: LICENSE

COUNTY: OWYHEE
SOURCE: GROUNDWATER
WATER USE: IRRIGATION DIVERSION RATE: 0.560 DIVERSION VOLUME: 289.00 PERIOD FROM: 03/15 PERIOD TO: 11/30
STOCKWATER 0.140 8.00 01/01 12/31
TOTAL: 0.560 297.00

REMARKS: SUBJECT TO THE CONDITION THAT THE MAX. VOLUME PER YEAR SHALL NOT EXCEED 4.5 AF/AC. WHEN COMBINED WITH LICENSES 57-2292 & 57-2335.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot	Acres
	03N	04W	30	NE NW		
PLACE OF USE:	Twp	Rge	Sec	Tract	Lot	Acres
	03N	04W	30	NE NW		20.0
	03N	04W	30	NW NW		30.0
	03N	04W	30	SW NW		40.0
	03N	04W	30	SE NW		38.0
	03N	04W	30	NE SW		40.0
	03N	04W	19	SE SW		40.0
	03N	04W	19	SW SE		40.0
	03N	04W	19	SE SE		40.0
	03N	04W	30	NE NE		40.0
	03N	04W	30	NW NE		40.0
	03N	04W	30	SW NE		40.0
	03N	04W	30	SE NE		40.0
	03N	04W	30	NE NW		40.0
	03N	04W	30	SE NW		40.0
	03N	04W	30	NE SW		40.0

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67
—
22
95

56
51
51
10

1/2

20-OCT-1988

PAGE: 2

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WR-NUMBER: 57-07047 (cont'd)

PLACE OF USE:	Twp	Rge	Sec	Tract	Lot	Acres
	03N	04W	30	NE SE		38.0
	03N	04W	30	NW SE		40.0
				TOTAL ACRES:		434.0

WR-NUMBER:
57-02335CURRENT OWNER:
N. C. LODGEPRIORITY DATE:
01-25-1961STAGE:
LICENSE

COUNTY: OWYHEE

SOURCE: GROUNDWATER

WATER USE:

IRRIGATION

TOTAL:

DIVERSION RATE:	TRIBUTARY:	DIVERSION VOLUME:
3.870		1330.00
3.870		1330.00

PERIOD FROM: 04/01
PERIOD TO: 10/31

3/15 11/15

POINT OF DIVERSION:

Twp	Rge	Sec	Tract	Lot
03N	04W	30	NW SE	
03N	04W	30	SW NE	
03N	04W	30	NE NE	

PLACE OF USE:

Twp	Rge	Sec	Tract	Lot	Acres
03N	04W	30	NE NE		39.0
03N	04W	30	NW NE		40.0
03N	04W	30	SW NE		40.0
03N	04W	30	SE NE		27.0
03N	04W	30	NE NW		30.0
03N	04W	30	SE NW		28.0
03N	04W	30	NE SW		12.0
03N	04W	30	NE SE		39.0
03N	04W	30	NW SE		37.0
			TOTAL ACRES:		292.0

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END OF REPORT

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12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Lodge Land & Livestock CLAIM IDENT. NO. A57-02335
DATE RECEIVED 11-10-88 CK # 539 AMOUNT \$ 539.00

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☐	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☐	☐	*
3. (a) Is a source entered?	☐	☐	*
(b) Is a tributary to entered? (if required)	☐	☐	N/A
4. Is the legal description of the p.d. sufficient?	☐	☐	*
5. Is there a description of the diverting works?	☐	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	☐	☐	
Is the period of use included?	☐	☐	
Is a quantity claimed for each use?	☐	☐	*
7. Is a total quantity claimed entered?	☐	☐	
8. If required is a consumptive use entered?	☐	☐	N/A
Is the consumptive use correct?	☐	☐	N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	☐	☐	N/A
10. Is (are) the place(s) of use and purpose(s) indicated?	☐	☐	*
11. Is (are) the county(ies) entered?	☐	☐	
12. Is the ownership of p.u. checked?	☐	☐	
13. Are other water rights listed or "none" indicated?	☐	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☐	☐	N/A
15. Is the basis of the claim indicated?	☐	☐	
16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.)	☐	☐	
17. Is the claim signed by the claimant, and is the signature appropriate?	☐	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☐	☐	*
19. Was this claim filed on time, or was an extension granted?	☐	☐	*
20. Is the fee enclosed correct?	☐	☐	Exempt
21. If this claim is based on an existing water right, has the identification number been entered?	☐	☐	N/A
22. Should this claim be receipted and data entered?	☒	☐	

Claim checked by: **VERIFIED RDH** Date: 1-26-89
Claim must be returned to claimant: ☐ (Yes) ☒ (No)
Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☐ (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: EXPER 1/4'S FROM Team 50.00

A. \$3.00 REWARD WILL BE PUE.

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OCT 07 1992

State Reclamation Engineer

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 57-2335 V2

WATER RIGHT NUMBER: 57-2335 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	<u>NICOLAAS J DE RUYTER</u> <u>PO BOX 580</u> <u>MARSING, ID 836390580</u> <u>(208)896-5402</u>
Original Owner	N C LODGE 703 E LOGAN ST CALDWELL, ID 83605
Directors Report Owner	LODGE LAND & LIVESTOCK CO PO BOX 128 CALDWELL, ID 83605 (208)459-6107
Current Owner	<u>DE RUYTER DAIRY</u> <u>PO BOX 580</u> <u>MARSING, ID 836390580</u> <u>(208)896-5402</u>
Current Owner	<u>SUZANNE M DE RUYTER</u> <u>PO BOX 580</u> <u>MARSING, ID 836390580</u> <u>(208)896-5402</u>

Priority Date: 01/25/1961

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	<u>03/15 to 11/15</u>	3.870 CFS	<u>1,314.00 AF</u>
	<u>Total Diversion:</u>	3.870 CFS	<u>1,314.00 AF</u>

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 30, Twp 03N, Rge 04W, B.M.
OWYHEE County		
GROUND WATER	NE1/4NE1/4	Sec. 30, Twp 03N, Rge 04W, B.M.
OWYHEE County		
GROUND WATER	<u>NE1/4NW1/4</u>	<u>Sec. 30, Twp 03N, Rge 04W, B.M.</u>
OWYHEE County		
GROUND WATER	<u>SW1/4SE1/4</u>	<u>Sec. 19, Twp 03N, Rge 04W, B.M.</u>
OWYHEE County		
GROUND WATER	SW1/4NE1/4	Sec. 30, Twp 03N, Rge 04W, B.M.
OWYHEE County		

Place of UseIRRIGATION Within OWYHEE County

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 57-2335 V2

T03N R04W S19	SWSW	15.0	T03N R04W S19	SESW	26.0
T03N R04W S19	SWSE	27.0	T03N R04W S19	SESE	16.0
T03N R04W S30	SWNE	40.0	T03N R04W S30	SENE	39.0
T03N R04W S30	NENW	19.0	T03N R04W S30	NWNW	13.0
T03N R04W S30	SWNW	7.0	T03N R04W S30	SENW	23.0
T03N R04W S30	NESE	39.0	T03N R04W S30	NWSE	37.0

Total Acres: 301

Conditions of Approval:

1. W01 USE OF THIS RIGHT IS COMBINED WITH WATER FROM GEM IRRIGATION DISTRICT.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. General THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANSFER 5007 SHALL NOT EXCEED 5.32 CFS, NOR A TOTAL COMBINED ANNUAL VOLUME OF 1632.0 AF.
3. Quantity RIGHTS 57-2335 AND 57-7047 SHALL NOT EXCEED A TOTAL COMBINED DIVERSION RATE OF 4.43 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1362.5 AF, AND THE IRRIGATION OF 301 ACRES.
4. Place of Use - Irrigation RIGHT 57-2335 SHALL NOT EXCEED THE IRRIGATION OF 292 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

FROM : DERUYTER DAIRY

PHONE NO. : 2088965302

Sep. 17 1998 10:11AM P2

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Water Right Number(s) 57-02292, 57-02335, 57-07047, 57-10669

Adjudication Claim Number(s) _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Lodge Land & Livestock Co.

P. O. Box 128Caldwell, ID 83605-0128

4. New Owner/Claimant(s) Deruyter Dairy - Nicolaas & Suzanne M.

Name corrector (Check one) ☒ AND ☐ OR ☐ AND/ORNew Mailing Address P. O. Box 580City, State and ZIP Code Marsing, ID 83639-0580New Telephone Number (208) 896-5242

5. Date you acquired the property May 1, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated N/A Number and type of stock N/A

Diversion rate in CFS N/A cubic feet per second Number of homes N/A Other uses N/A

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Nicolaas B. Deruyter

Date 3-24-98

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED

FEB 11 1999

Exhibit "A" Land Description
File No. 2564
Policy No. SV 2509448

IN TOWNSHIP 3 NORTH, RANGE 4 WEST, B. M., OWYHEE COUNTY,
IDAHO

Section 19: That part of the SE $\frac{1}{4}$ lying South of the
Union Pacific Railroad Right of Way:
All that part of the SW $\frac{1}{4}$ lying East and South
of the Right of Way of the Diversion canal to
the C-2 $\frac{1}{2}$ siphon and South of the C Canal of the
Gem Irrigation District.

Section 30: NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ and those parts of
Lots 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$
and SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying North and East of the Gem
Irrigation District Drain and C-2 $\frac{1}{2}$ Lateral
rights of way, as now constructed.

IN TOWNSHIP 3 NORTH, RANGE 5 WEST, B. M., OWYHEE COUNTY,
IDAHO

Section 24: All that part of the SE $\frac{1}{4}$, lying North of Drain
No. 4 and South of the Diversion Lateral from
Drain No. 4 and "C-3" Lateral,
EXCEPTING THEREFROM the following described
land: That part of the SE $\frac{1}{4}$ of Section 24, T3N,
R5W, B. M., described as follows: Commencing at the
Northwest corner of said SE $\frac{1}{4}$ of said Section, Township and
Range; thence East along the North line of the said SE $\frac{1}{4}$ 535
feet; thence South to a point on the North line of Drain No.
4, which said point is 560 feet East of the West line of
said SE $\frac{1}{4}$; thence meandering Northwesterly along the North
line of Drain No. 4 to a point where said line bisects the
West side of the SE $\frac{1}{4}$; thence North along the West line of
said SE $\frac{1}{4}$ to the Point of Beginning.

MICROFILMED

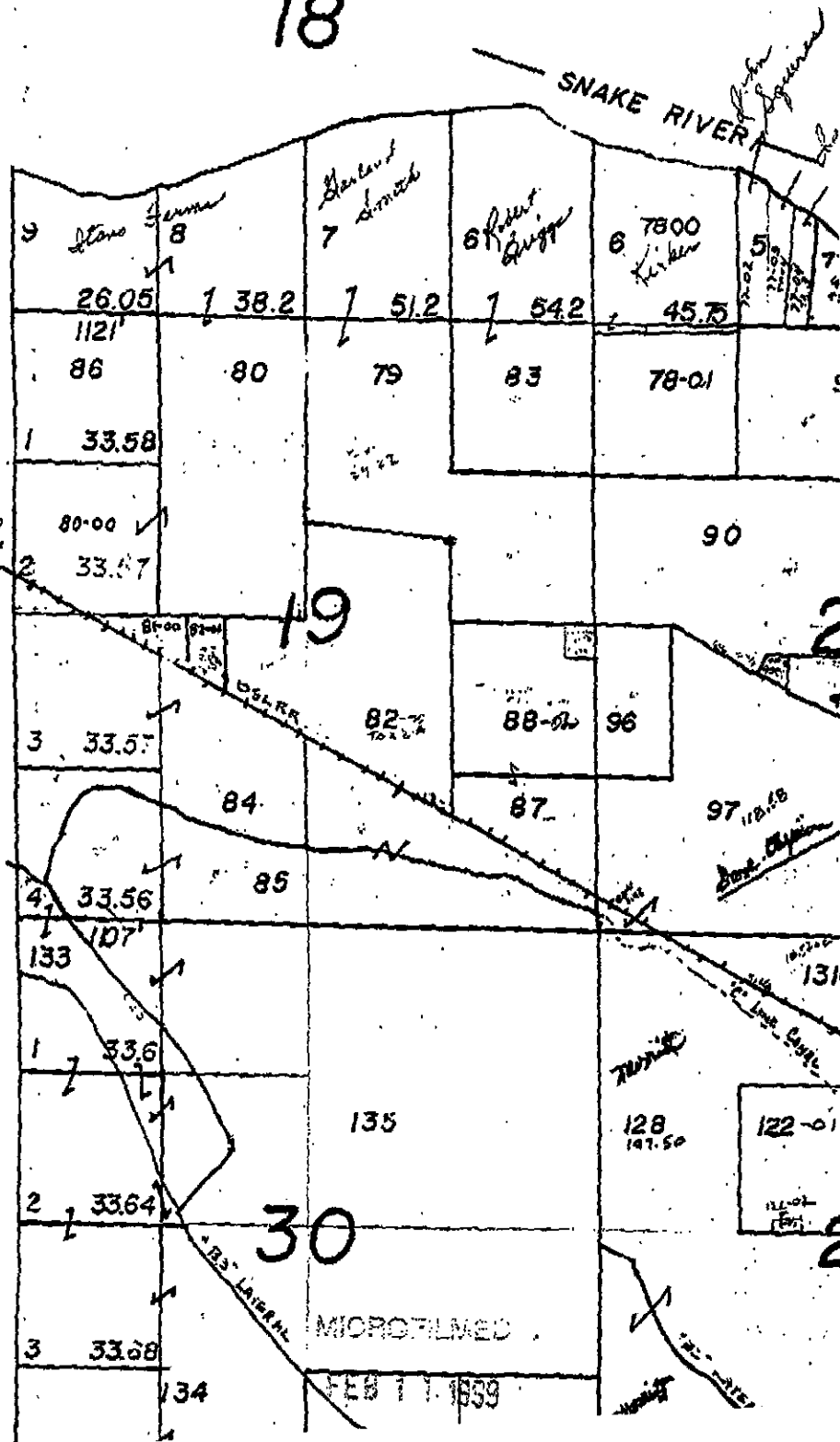
FEB 11 1959

SEP-04-01 TUE 11:17 AM

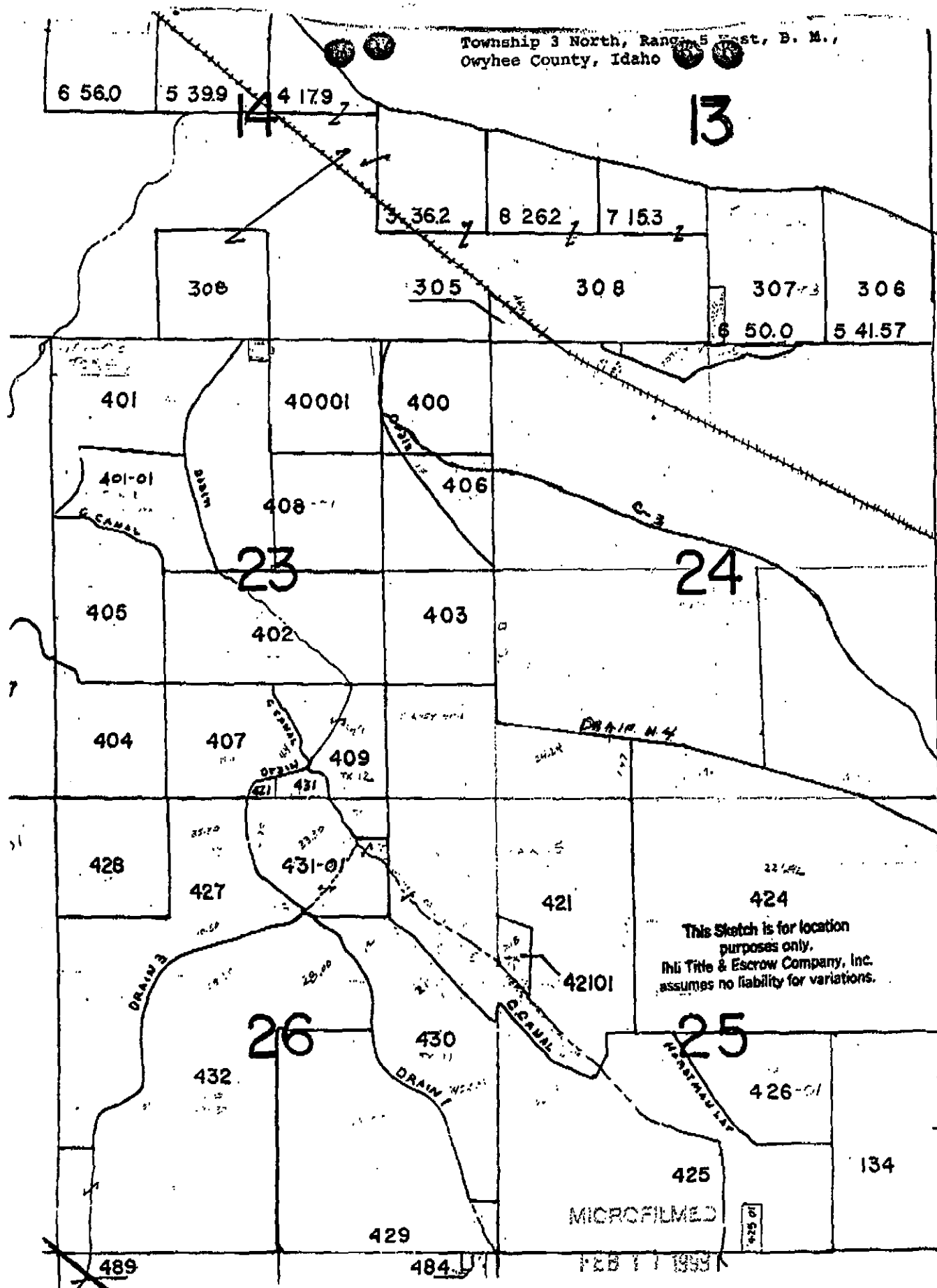
Township 3 North, Range 4 West, B. M., Owyhee County, Idaho

18

This sketch is for location purposes only.
Full Title & Escrow Company, Inc.
assumes no liability for variations.



OWNERSHIP PARCEL NO
THREE DIGITS



Owner's Policy

American Land Title Association Owner's Policy 10-17-92

Policy Number **SV 2509448**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS,

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Minnesota corporation, herein called the Company,

insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, the said Old Republic National Title Insurance Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers as of the date shown in Schedule A, the policy to be valid when countersigned by an authorized officer or agent of the Company.

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including, but not limited to, building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or creating subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (i) to timely record the instrument of transfer; or
 - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

Issued through the Office of:

IHLI TITLE & ESCROW COMPANY, INC.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

A Stock Company

400 Second Avenue South, Minneapolis, Minnesota 55401

(612) 371-1111

MICROFILMED

By
FEB 1

Attest

President

Secretary

Authorized Signatory

President

Schedule A

File Number 2564 Policy Number SV 2509448 Amount \$ 1,175,000.00
1. Policy Date May 1, 1997 at 5:00 P.M.



2. Name of Insured:

NICOLAAS J. DeRUYTER and SUZANNE M. DeRUYTER

3. The estate or interest in the land described herein and which is covered by this policy is:

Fee Simple

4. Title to the estate or interest covered by this policy at the date hereof is vested in:

NICOLAAS J. DeRUYTER and SUZANNE M. DeRUYTER, husband and wife

5. The land referred to in this policy is situated in the County of OwyheeState of Idaho and is described as follows:

Exhibit "A" attached hereto and made a part hereof

MICROFILMED

FEB 11 1995

RECEIVED
DEC 09 1998
DEPARTMENT OF WATER RESOURCES

DeRuyter Dairy

P. O. Box 580
Marsing, ID 83639-0580

Phone 208.896.5402

Fax 208.896.5302

December 7, 1998

TO: Kari Lynn Townsend - Idaho Dept. of Water Resources
208-327-7866

FROM: Suzanne DeRuyter
DeRuyter Dairy

RE: Change of Ownership - 57-02292, 57-02335, 57-07047, 57-10669

Finally, please find attached a copy of our title, land description, and aerial map of the property so we can transfer water rights. If you should need anything else, please contact me at the above number.

Thank you,

DERUYTER DAIRY

Suzanne

Suzanne DeRuyter

6 pages total

MICROFILMED

FEB 11 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 5007
WATER RIGHT NO(S). 57-02292/57-02335/57-07047

This is to certify that: **LODGE LAND & LIVESTOCK INC**
PO BOX 128
CALDWELL ID 83605

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 57-02292 :			
Priority: 04/14/1966			
STOCKWATER	01/01 to 12/31	0.89 CFS	117.6 AF
* COMMERCIAL	01/01 to 12/31	0.89 CFS	151.9 AF
		<u>0.89 CFS</u>	<u>269.5 AF</u>
Right No. 57-02335 :			
Priority: 01/25/1961			
IRRIGATION	03/15 to 11/15	3.87 CFS	1314.0 AF
Right No. 57-07047 :			
Priority: 03/01/1971			
IRRIGATION	03/15 to 11/15	0.56 CFS	272.1 AF
STOCKWATER	01/01 to 12/31	0.14 CFS	8.0 AF
		<u>0.56 CFS</u>	<u>280.1 AF</u>
SUBTOTAL:		* 4.43 CFS	* 1362.5 AF
TOTAL:		** 5.32 CFS	** 1632.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 19, Township 03N, Range 04W
NENE , Sec. 30, Township 03N, Range 04W
SWNE , Sec. 30, Township 03N, Range 04W
NENW , Sec. 30, Township 03N, Range 04W
NWSE , Sec. 30, Township 03N, Range 04W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N	04W	19	SWSW 15	SESW 26	SWSE 27	84
			SESE 16			
		30	SWNE 40	SENE 39	NENW 19	217
			NWNW 13	SWNW 7	SENW 23	
			NESE 39	NWSE 37		

Total number of acres irrigated: **301** **MICROFILMED**

AUG 06 1998

Date 9-4-01	From Kay	Co.	Phone #	Fax #
Post-it Fax Note 7671	To Lori H	Co/Dept.	Phone #	Fax #

PAGE 2

TRANSFER NO. 5007
WATER RIGHT NO(S). 57-02292/57-02335/57-07047

PLACE OF USE: STOCKWATERTWN RGE SEC

03N 04W 30

NENE

NWNE

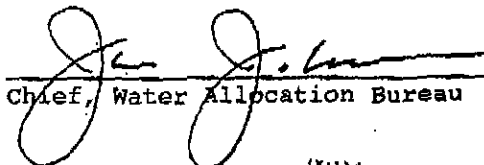
NENW

SENE

PLACE OF USE: COMMERCIAL, same as STOCKWATER useCONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 6. The total instantaneous diversion of water from all points of diversion under Transfer 5007 shall not exceed 5.32 cfs, nor a total combined annual volume of 1632.0 af.
7. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
8. Right 57-02292 shall not exceed a diversion rate of 0.89 cfs and an annual diversion volume of 269.5 af for stockwater and commercial uses at a dairy.
- * 9. Rights 57-02335 and 57-07047 shall not exceed a total combined diversion rate of 4.43 cfs, a total combined annual diversion volume of 1362.5 af, and the irrigation of 301.0 acres.
- *** 10. Right 57-02335 shall not exceed the irrigation of 292.0 acres in the place of use described above in a single irrigation season.
11. Water used for irrigation under Rights 57-02335 and 57-07047 is combined with water from Gem Irrigation District.

Dated this 19TH day of June, 1988.

for 
 Chief, Water Allocation Bureau

AUG 06 1998

SRBA

SUBCASE SUMMARY REPORT 57-02335

[Return to SRBA Home Page](#)

SRBA
08-31-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 57-02335 FILE#: 00000
CLAIMANT: LODGE LAND & LIVESTOCK CO
STATUS: PD ISSUED
WATER SOURCE: GROUNDWATER,

****** PARTIES INVOLVED ******

LODGE LAND & LIVESTOCK CO C PRO SE

****** ROA ENTRIES ******

12-24-1994	42-1416/1416A CLAIM PER IDWR	
02-09-1998	PARTIAL DECREE FILED	02-09-1998
02-09-1998	CERTIFICATE OF MAILING - PARTIAL DECREE	
08-05-1999	SUPPLEMENTAL DIRECTOR'S REPORTS, RP 1, BASIN	
	57 PERIOD OF USE & CONJUNCTIVE MANAGEMENT	

[Return to SRBA Home Page](#)

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 57-02335

1998 FEB -9 PM 1:05
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: LODGE LAND & LIVESTOCK CO
PO BOX 128
CALDWELL ID 83605

SOURCE: GROUNDWATER

QUANTITY: 3.87 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-02292 & 57-07047 IS
LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1624.5 AF.

PRIORITY DATE: 01/25/1961

POINT OF DIVERSION: T03N R04W S30 NENENE Within OWYHEE County
SESWE
NWNWE

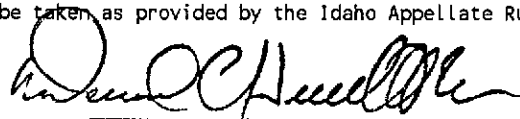
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.87 CFS

PLACE OF USE:	IRRIGATION	Within OWYHEE County			
	T03N R04W S30	NENE 39	NWNE 40	SWNE 40	SENE 39
		NENW 30	SENW 28	NESE 39	NWSE 37
	292 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 361 ACRES IN A SINGLE
IRRIGATION SEASON.

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

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-02335

Date: 2-21-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	3N	4W	30	39	40	40	39	30			28					39	37			292
GIS				40	40	40	40	30			21					39	37			287
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 3

Total Claimed Acres: 292

Overlapping FOU Claim #'s:

57-07047

Total GIS Acres: 287

COMMENTS:

County data indicates claimant doesn't own these parcels.
Per overlapping claim.

Idaho Department of Water Resources

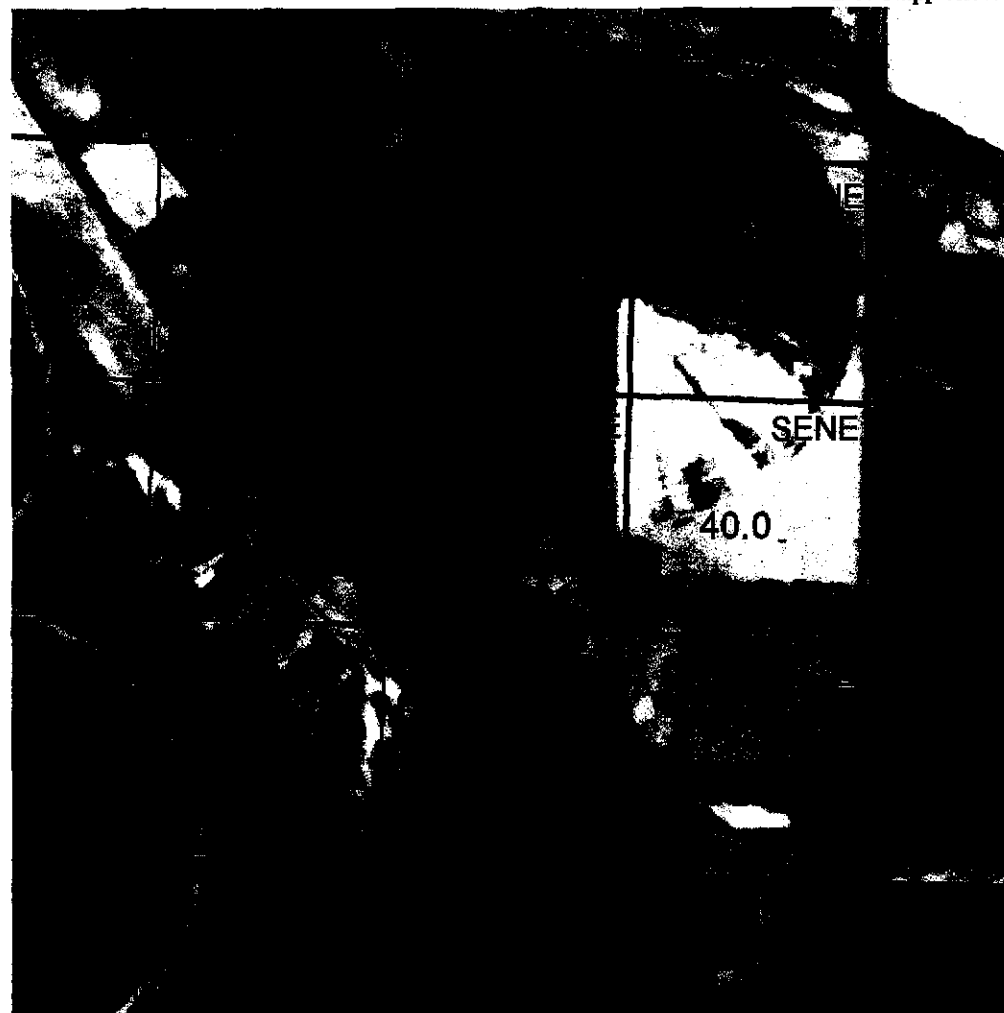
Claim Number: 57-02335

Legal: T03N, R04W, S30

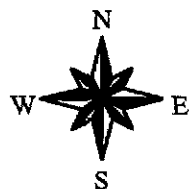
Reviewed By:

1987 Napp Photo

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



0 0.25 0.5 0.75 Miles



District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

January 24, 2003

Lodge Land & Livestock Co
PO Box 128
Caldwell, Idaho 83605

RECEIVED

JAN 27 2003

Department of Water Resources

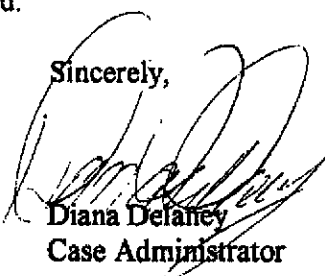
Dear Water Right Claimant(s):

This letter accompanies copies of an *Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc* (hereinafter "*Order*") for water right numbers 57-2335 and 57-7047. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of these water rights. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for each of these water rights. As stated in the face of each *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). The *Order* also incorporates into the *Partial Decrees* an express statement that each *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). These *Orders*, in combination with the *Partial Decrees* that were issued for these water rights on February 9, 1998, set forth all of the elements of your water rights. The Snake River Basin Adjudication (SRBA) Court suggests that you keep these documents in a safe location together with a copy of each *Partial Decree* to show evidence of these water rights. The original of these *Orders* and the original of each *Partial Decree* for these water rights are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Orders* are entered *Nunc Pro Tunc*, meaning that the *Orders* will be treated as if they were issued on the same date that the *Partial Decrees* were originally issued.

Sincerely,



Diana Delaney

Case Administrator

RECEIVED

JAN 27 2003

Department of Water Resources

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 JAN 24 PM 4 19

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	)	Water Right 57-2335
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on February 9, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on July 26, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 2, IDWR Basin 57, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 to 10-31
The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

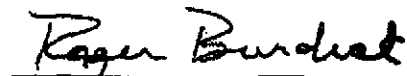
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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.

Dated January 24, 2003



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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 57-02335

1998 FEB -9 PM 1:05

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: LODGE LAND & LIVESTOCK CO
PO BOX 128
CALDWELL ID 83605

SOURCE: GROUNDWATER

QUANTITY: 3.87 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 57-02292 & 57-07047 IS
LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1624.5 AF.

PRIORITY DATE: 01/25/1961

POINT OF DIVERSION: T03N R04W S30

NENENE
SESWNE
NWNWSE

Within Owyhee County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
3.87 CFS

PLACE OF USE: IRRIGATION
T03N R04W S30
292 ACRES TOTAL

Within Owyhee County
NENE 39
NENW 30

NWNE 40
SENE 28

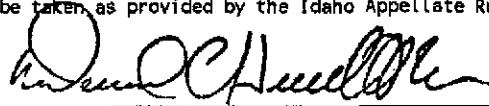
SWNE 40
NESE 39

SENE 39
NWSE 37

USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 361 ACRES IN A SINGLE
IRRIGATION SEASON.

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. R57-02335

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

DATE: 12/08/97
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LODGE LAND & LIVESTOCK CO PO BOX 128 CALDWELL ID 83605 (208) 459-6107	01/25/1961	IRRIGATION	03-15 11-15	3.87 CFS	
TOTAL DIVERSION:					3.87 CFS	
Water Source: GROUNDWATER		Tributary to:			Stage: LICENSE	
Point(s) of Diversion:		T03N R04W S30	NENENE	SESWNE	NWNWSE	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	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
03N	04W	30	: 39 40 40 39	: 30 28	: 39 37	: 292.0
TOTAL ACRES						292.0

POU County: OWYHEE

Other Rights: 57-07047

Conditions of Approval:

- W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NOS. 57-02292 & 57-07047 IS
LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1624.5 AF.

POU1 USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 361 ACRES IN A SINGLE
IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: 12/08/1997 Objection Filed Date:

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

Audit: 12/08/97 KWALKER

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: DEC-08-1997

PAGE: A-1

 RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 57-02335

NAME AND ADDRESS: LODGE LAND & LIVESTOCK CO
 PO BOX 128
 CALDWELL ID 83605

SOURCE: GROUNDWATER

QUANTITY: 3.87 CFS
USE OF THIS RIGHT WITH RIGHT NOS. 57-02292 & 57-07047 IS
LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1624.5 AF.

PRIORITY DATE: 01/25/1961

POINT OF DIVERSION: T03N R04W S30 NENENE Within Owyhee County
 SESWNE
 NWNWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	3.87 CFS
		03/15 11/15	

PLACE OF USE:	IRRIGATION	Within Owyhee County			
	T03N R04W S30	NENE 39	NWNE 40	SWNE 40	SENE 39
		NENW 30	SENE 28	NESE 39	NWSE 37
	292 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 361 ACRES IN A SINGLE
IRRIGATION SEASON.

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

*USE OF THIS RIGHT WITH RIGHT NOS. 57-02292 AND 57-07047 IS
 LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1624.5 AF,
 A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1263.5 AF, AND
 TO THE IRRIGATION OF A COMBINED TOTAL OF 361 ACRES IN A SINGLE
 IRRIGATION SEASON.*

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
 USE OF THIS RIGHT IS COMBINED WITH WATER FROM
 GEM IRRIGATION DISTRICT.
 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: DEC-08-1997

PAGE: A-2

57-02335 (CONT.)

SECTION 42-1425, IDAHO CODE.

AJ5809NP
No. 57-02335

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/20/93
PAGE: 26

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																												
C	LODGE LAND & LIVESTOCK CO PO BOX 128 CALDWELL ID 83605 (208) 459-6107	01/25/1961	IRRIGATION	03-15 11-15	3.87 CFS																																																																													
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Water Source: GROUNDWATER		Tributary to:			Stage: LICENSE																																																																													
Point(s) of Diversion:		T03N R04W S30	NENENE	SESWNE	NWNWSE	OWYHEE County																																																																												
Place of use Legal Description for: IRRIGATION																																																																																		
<table><thead><tr><th colspan="4">NE</th><th colspan="4">NW</th><th colspan="4">SW</th><th colspan="4">SE</th><th></th></tr><tr><th>T</th><th>R</th><th>S</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th>SUM</th></tr></thead><tbody><tr><td>03N</td><td>04W</td><td>30</td><td>:</td><td>39</td><td></td><td>40</td><td></td><td>40</td><td></td><td>39</td><td></td><td>30</td><td></td><td>28</td><td></td><td>39</td><td></td><td>37</td><td></td></tr><tr><td colspan="18">TOTAL ACRES</td><td>292.0</td></tr></tbody></table>							NE				NW				SW				SE					T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	03N	04W	30	:	39		40		40		39		30		28		39		37		TOTAL ACRES																		292.0
NE				NW				SW				SE																																																																						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM																																																															
03N	04W	30	:	39		40		40		39		30		28		39		37																																																																
TOTAL ACRES																		292.0																																																																

POU County: OWYHEE

Other Rights: 57-07047

Conditions of Approval:

- W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 57-02292 AND 57-07047 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1624.5 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1263.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 361 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: 02/19/1992

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

Audit: 07/31/91 WALKER 08/19/91 WALKER 11/05/91 WALKER 01/08/92 WALKER
02/19/92 HARRIS 07/29/92 PR-PRODM 10/13/92 CPSHAW 12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LODGE LAND & LIVESTOCK CO PO BOX 128 CALDWELL ID 83605 (208) 459-6107	01/25/1961	IRRIGATION	03-15 11-15	3.87 CFS	
					TOTAL DIVERSION:	3.87 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03N R04W S30 NENENE SESWNE NWNWSE OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
03N	04W	30	:	39	40	40	39	:	30			28	:					:	39	37				:	292.0	
																							TOTAL ACRES	292.0		

POU County: OWYHEE

Other Rights: 57-07047

Conditions of Approval:

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Audit: 07/31/91 WALKER 08/19/91 WALKER 11/05/91 WALKER 01/08/92 WALKER
02/19/92 HARRIS 07/29/92 PR-PROD

MICROFILMED
OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:30:28
06/05/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A57-02335

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE <i>N</i>	<i>N</i>		<i>kw</i> <i>1-11-91</i>	<i>N</i>	<i>6</i>		<i>kw</i> <i>11-5-91</i>	
POINT OF DIV <i>added 10-ac.</i> <i>tract descrip.</i> SOURCE	<i>N</i>		<i>[Handwritten squiggle]</i>	<i>N</i>	<i>4-1987</i>		<i>[Handwritten vertical line]</i>	
<i>N</i>	<i>N</i>			<i>N</i>	<i>6</i>			
PLACE OF USE <i>changed</i>	<i>N</i>			<i>N</i>	<i>1-1979</i> <i>4-1987</i>			
DIV. AMOUNT CFS/VOLUME				<i>N</i>	<i>6</i>			
CONSUMPTIVE USE	<i>-</i>			<i>Y</i>	<i>6</i>			
PURPOSES	<i>N</i>			<i>N</i>	<i>6</i>			
PERIOD OF USE <i>increase</i>	<i>needs</i> <i>CCL</i>				<i>6</i>			
BASIS OF CLAIM	<i>Lic.</i>			<i>N</i>	<i>6</i>			
REMARKS	<i>N</i>			<i>N</i>	<i>6</i>			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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OCT 07 1992

6-Same as licensed.

6/26/91
VERSION 1.1

AGENT: Ray Walker DATE: 11-5-91
9-10-91

ACRES OVERLAPPING: ~~69~~ 361

DELIVERY LOSS FACTOR USED:

 = % = %
 (SOURCE) (SOURCE)

_____ = _____ %
(SOURCE)

RANGE OF RECOMMENDABLE DIVERSION RATES & VOLUMES

RANGE OF RECOMMENDABLE DIVERSION RATES & VOLUMES					
SOURCE	ACRES	DIVERSION RATE		DIV VOL	C.U. VOL
		MIN	MAX		
gw	361		7.22		
			↑	18050	12635
			System does not produce this much		

[illegible]

ANALYSIS FOR CLAIM NO.: A57-02292, A57-02335, A57-07047

Standard Conditions: EOI - diversion volume, consumptive use, acres).

Standard Remarks:

No limit on cfs - $361 \overline{) 5.32} \text{ cfs/ac.}$

No limit on C_1
 $V = 361 \text{ ac.} \times \frac{4.5 \text{ as of } \cancel{5.0} \text{ AF}}{\cancel{5.0} \text{ AF}} = \boxed{1624.5 \text{ AFA}}$

$$V_2 = 5.32 \times 1.98 \times 246 = \underline{2591.3 \text{ AFA}}$$

Cons. Use $V = 361 \times 3.5 = 1263.5 \text{ AFA}$

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OCT 07 1992
Standard

Lodge Land & Livestock

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		
A57-02292	3N	4W	19												26			27	16	69	
																					69

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		
A57-07047	3N	4W	19												26			27	16	69	
			30	39	40	40	39	30			28					39	37			292	
																					361

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		
A57-02335	3N	4W	30	39	40	40	39	30			28					39	37			292	
																					292

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		
	3N	4W	19												26			27	16	69	
			30	39	40	40	39	30			28					39	37			292	
																					361

Total
Acres
Irrig.

MICROFILMED

OCT 07 1992

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A5702335	T03N R04W S30																	
	:	39	40	40	39					28						39	37	: 292
NO MATCHES FOR THIS POU IN AJ-POU-TEMP																		
A0200064	SNAKE RIVE :									23	12			01			31	40 : 147
A0200064	SNAKE RIVE :																1	1 : 147
A0200065	SNAKE RIVE :									23	12			01			31	40 : 147
A0200065	SNAKE RIVE :																1	1 : 147
0202276	SNAKE RIVE :													01			27	38 : 66
5702335	GROUNDWATE :											12						: 292
R5702335	GROUNDWATE :																	: 292
5707045	GROUNDWATE :												03-33 04-32					: 65
A5707045	GROUNDWATE :												03-33 04-32					: 65
R5707045	GROUNDWATE :												03-33 04-32					: 65
5707047	GROUNDWATE :											40						: 354
A5707047	GROUNDWATE :	39	40	40	39	30				28						39	37	: 292
R5707047	GROUNDWATE :	39	40	40	39	30				28						39	37	: 292
--86 MAP--	C27Q-X 54 :											06		11			38	34 : 338
NO QTRS	MAPPING	Lot01-20	Lot02-09	Lot03-32	Lot04-28													
--86 MAP--	C73Q-X 54 :	40	40	42	36	42				36	23			09		40	42	39 36 : 425
NO QTRS	MAPPING	Lot01-29	Lot02-16	Lot03-27	Lot04-30													

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OCT 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:30:28
06/05/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A57-02335

LAST: LODGE
ADDRESS: 703 E. LOGAN ST.
CITY: CALDWELL
PHONE NUMBER: 208-000-0000

FIRST: N. C.
STATE: ID ZIP: 83605

OWNER CODE: O

LAST: LODGE LAND & LIVESTOCK, CO.
ADDRESS: BOX 128
CITY: CALDWELL
PHONE NUMBER: 208-459-6107

FIRST:
STATE: ID ZIP: 83605

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

kw

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OCT 07 1992

A. AJ CLAIM: # A57-02335 PRIORITY DATE: 01-25-1961 STAGE: L

B. WR RECORD: # 57-02335 PRIORITY DATE: 01-25-1961 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

kw

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
01-25-1961

REVIEWED BY

kw

DATE

1-11-91

MICROFILMED

OCT 07 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A57-02335	03N	04W	30	NE	NE	NE		OWYHEE
A57-02335	03N	04W	30	SE	SW	NE		OWYHEE
A57-02335	03N	04W	30	NW	NW	SE		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

A57-10669 NONE

NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
57-02335	03N	04W	30		NW	SE		OWYHEE
57-02335	03N	04W	30		SW	NE		OWYHEE
57-02335	03N	04W	30		NE	NE		OWYHEE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

NONE

A57-10669

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)

DATABASE

FIELD EXAMINER

DUE TO SOURCE DISCREPANCY? (Y/N)

N

kw
kw

REMARKS:

Added 10 ac. tract description to pld's.

MICROFILMED

OCT 07 1992

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
3N	4W	30	NE	NE	NE	N/A	Owyhee
3N	4W	30	SE	SW	NE		"
3N	4W	30	NW	NW	SE		"

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

KW

DATE:

1-11-91

MICROFILMED

OCT 07 1992

A. ROOT WATER RIGHT NUMBERS: A57-02335

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
03N	04W	30	NE	NE		LODGE LAND & LIVESTOCK, CO.	A57-02335 /39.0	57-02335 /39.0	27.0		39 *
						LODGE LAND & LIVESTOCK CO.	A57-07047 /39.0	57-07047 /38.0			
03N	04W	30	NW	NE		LODGE LAND & LIVESTOCK, CO.	A57-02335 /40.0	57-02335 /40.0	13.0		40
						LODGE LAND & LIVESTOCK CO.	A57-07047 /40.0	57-07047 /40.0			
03N	04W	30	SW	NE		LODGE LAND & LIVESTOCK, CO.	A57-02335 /40.0	57-02335 /40.0	34.0		40
						LODGE LAND & LIVESTOCK CO.	A57-07047 /40.0	57-07047 /40.0			
03N	04W	30	SE	NE		LODGE LAND & LIVESTOCK, CO.	A57-02335 /39.0	57-02335 /27.0	34.0		39
						LODGE LAND & LIVESTOCK CO.	A57-07047 /39.0	57-07047 /38.0			
03N	04W	30	NE	NW		LODGE LAND & LIVESTOCK, CO.	A57-02335 /30.0	57-02335 /30.0	37.0		30
						LODGE LAND & LIVESTOCK CO.	A57-07047 /30.0	57-07047 /			
03N	04W	30	SE	NW		LODGE LAND & LIVESTOCK, CO.	A57-02335 /28.0	57-02335 /28.0	24.0		28
						LODGE LAND & LIVESTOCK CO.	A57-10669 /	- /			
						LODGE LAND & LIVESTOCK CO.	A57-07047 /28.0	57-07047 /			
03N	04W	30	NE	SE		LODGE LAND & LIVESTOCK, CO.	A57-02335 /39.0	57-02335 /39.0	42.0		39
						LODGE LAND & LIVESTOCK CO.	A57-07047 /39.0	57-07047 /38.0			
03N	04W	30	NW	SE		LODGE LAND & LIVESTOCK, CO.	A57-02335 /37.0	57-02335 /37.0	38.0		37
						LODGE LAND & LIVESTOCK CO.	A57-10669 /	- /			
						LODGE LAND & LIVESTOCK CO.	A57-07047 /37.0	57-07047 /40.0			
TOTAL ACRES							A57-02335	292.00	280.00	249.00	292

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE

FIELD

EXAMINER

N

Red

OCT 07 1992

MICROFILMED

* per 1971 ortho-photo quad
1987 NAPP
aerial photo-unknown date

PRESUMPTION FLAG: C

REMARKS:

Right A57-07047 overlaps this P/U.

Deleted 12 ac. in the NESW and added 12 ac. to the SENE, S30, T3N, R4W.

RECOMMENDATIONS:

TOTAL ACRES:

292

REVIEWED BY:

kw

DATE:

1-14-91

MICROFILMED

OCT 07 1992

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A57-02335 IRRIGATION	FROM 03-15 TO 11-15	3.870 CFS 1330.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.870 CFS 1330.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
57-02335 IRRIGATION	FROM 04-01 TO 10-31	3.870 CFS 1330.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.870 CFS 1330.00 AF/A

PRESUMPTION FLAG: *C - Expanded irrig. season.*

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<i>KW</i>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<i>KW</i>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<i>KW</i>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() Explain in remarks, below.

REMARKS:

Need evidence regarding expansion of season of use prior to recommendation.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 3.870 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.870 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?

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

FIELD
DATABASE EXAMINER
N *kw*

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 57-07047

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A57-02335	GROUNDWATER	LODGE LAND & LIVESTOCK, CO.	3.870	0.013	1330.00	4.55
A57-07047	GROUNDWATER	LODGE LAND & LIVESTOCK CO.	0.560	0.001		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A57-10669	DOMESTIC	LODGE LAND & LIVESTOCK CO.	FROM 01-01 TO 12-31	.040 CFS	
A57-10669	STOCKWATER	LODGE LAND & LIVESTOCK CO.	FROM 01-01 TO 12-31	.230 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 292 x 0.02 CFS/ACRE = 5.84 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 292 x CONSUMPTIVE VOL. AF/A FOR AREA 3.5 =

TOTAL CONSUMPTIVE USE 1022.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1330.00 AF/A

ACRES 292 x DIVERSION VOL. AF/A FOR AREA 4.5 =

TOTAL DIVERSION VOLUME 1314.0 AF/A

VS. $3.87 \times 1.9835 \times 246 = 1888.3$
Allow 1330, as previously licensed

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

Previous license issued for 4.55 AF/AC which exceeds the
amount now allowable. Cannot reduce this amount until
legal staff reviews matter.

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 3.870 <u>kw</u>	DATABASE EXAMINER 1330.00 <u>kw</u>	DATABASE EXAMINER ~~0.0~~ 1022.0 <u>kw</u> 0.0
TOTAL FOR THIS RIGHT		3.870	1330.00	

REVIEWED BY:

kw

DATE:

1-14-91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(✓)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 57-02335

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 3.870	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A57-02335	3.870	-		57-02335	3.870
TOTAL CFS		3.870				3.870

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 <u>KW</u>
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REMARKS:

AUTHENTICATION:

SIGNATURE: Kay Walker
NAME OF FIELD EXAMINER: KAY WALKER

DATE: 1-14-91
TITLE: Water Resource Agent

OCT 07 1992

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