

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: A36-02080
Date Received: 10/26/1988
Receipt No: _____
Received By: _____

RECEIVED
NOV 07 1988
COPY
FOR YOUR FILES
DO NOT RETURN

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1165
Address: REGIONAL DIRECTOR, P.N. REGION
BUREAU OF RECLAMATION
BOX 043-550 WEST FORT STREET
BOISE, ID 83724

- 2. Date of Priority: SEP 09, 1948
- 3. Source: GROUNDWATER Trib. to:
- 4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County | |
|----------|-------|---------|--------|--------|-----|-----|----------|----------|
| 07S | 23E | 34 | SE | SW | | | MINIDOKA | |
| | | | SW | SW | | | MINIDOKA | |
| | 24E | 22 | NW | SE | | | MINIDOKA | |
| | | | SE | SE | | | MINIDOKA | |
| | | | 23 | SW | NE | | | MINIDOKA |
| | | | | SE | NE | | | MINIDOKA |
| | | | 26 | NW | SW | | | MINIDOKA |
| | | | | SE | SE | | | MINIDOKA |
| | | | 28 | SW | NE | | | MINIDOKA |
| | | | | NW | SE | | | MINIDOKA |
| | | | 30 | SW | NE | | | MINIDOKA |
| | | | | NW | SE | | | MINIDOKA |
| | | | 31 | SW | NE | | | MINIDOKA |
| | | | | SE | NE | | | MINIDOKA |
| | | | 32 | SE | NE | | | MINIDOKA |
| | | | | NW | SE | | | MINIDOKA |
| | | | 33 | SE | NW | | | MINIDOKA |
| | | | | SW | SE | | | MINIDOKA |
| | | 25E | 27 | SE | SW | | | MINIDOKA |
| | | | | NE | SW | | | MINIDOKA |
| | | | 29 | NE | SE | | | MINIDOKA |
| | | | | NE | SW | | | MINIDOKA |
| | | | 30 | NE | SE | | | MINIDOKA |
| | | | | NE | SW | | | MINIDOKA |
| | | | 31 | NE | SW | | | MINIDOKA |
| | | | | NE | SW | | | MINIDOKA |
| | | | 32 | NE | SW | | | MINIDOKA |
| | | | | SW | NW | | | MINIDOKA |
| | | | 33 | SW | NW | | | MINIDOKA |
| | | | | NE | SW | | | MINIDOKA |
| | | | 34 | NE | SW | | | MINIDOKA |
| | | | | NE | SW | | | MINIDOKA |

Date: 05/03
MICROFILMED
NOV 02 1994

4. Point of Diversion: Continued

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County | |
|----------|-------|---------|--------|--------|-----|-----|----------|----------|
| 08S | 21E | 22 | NE | SE | | | MINIDOKA | |
| | | 24 | SE | NW | | | JEROME | |
| | | 26 | SE | NE | | | JEROME | |
| | | 35 | NE | NE | | | JEROME | |
| | | | | SW | SW | | | JEROME |
| | | | | SE | SE | | | JEROME |
| | | 22E | 30 | NW | SW | | | MINIDOKA |
| | | | 35 | NW | NE | | | MINIDOKA |
| | | | | SW | SE | | | MINIDOKA |
| | | 23E | 1 | NW | NE | | | MINIDOKA |
| | | | 2 | SW | SW | | | MINIDOKA |
| | | | 4 | NE | SW | | | MINIDOKA |
| | | | 5 | SW | SW | | | MINIDOKA |
| | | | 8 | SE | NE | | | MINIDOKA |
| | | | 10 | NE | SE | | | MINIDOKA |
| | | | | SE | NE | | | MINIDOKA |
| | | | | SW | SW | | | MINIDOKA |
| | | | 12 | SW | NE | | | MINIDOKA |
| | | | | SE | SW | | | MINIDOKA |
| | | | 14 | NW | NW | | | MINIDOKA |
| | | | 15 | NE | NW | | | MINIDOKA |
| | | | | SE | SE | | | MINIDOKA |
| | | | 17 | NE | NW | | | MINIDOKA |
| | | | | SE | SE | | | MINIDOKA |
| | | | 19 | SW | SE | | | MINIDOKA |
| | | | 21 | SE | NE | | | MINIDOKA |
| | | | 22 | SE | SW | | | MINIDOKA |
| | | | 23 | NW | SW | | | MINIDOKA |
| | | | 24 | NW | NW | | | MINIDOKA |
| | | | | SE | SW | | | MINIDOKA |
| | | | 25 | SE | NW | | | MINIDOKA |
| | | | 26 | NW | SE | | | MINIDOKA |
| | | | 27 | NE | NE | | | MINIDOKA |
| | | | | SE | NW | | | MINIDOKA |
| | | | | SE | SW | | | MINIDOKA |
| | | 28 | NE | SW | | | MINIDOKA | |
| | | | SW | SW | | | MINIDOKA | |
| | | 29 | SE | NE | | | MINIDOKA | |
| | | 31 | NE | SE | | | MINIDOKA | |
| | | 34 | SE | SW | | | MINIDOKA | |
| | | 35 | NW | NW | | | MINIDOKA | |
| | | | SW | SW | | | MINIDOKA | |
| | | | NW | SE | | | MINIDOKA | |
| | | | SE | SE | | | MINIDOKA | |
| | 24E | 1 | SE | NE | | | MINIDOKA | |

Date: 05/03/89
MICROFILMED
 NOV 02 1994

4. Point of Diversion: Continued

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County | | |
|----------|-------|---------|--------|--------|--------|----------|----------|----------|----------|
| 08S | 24E | 2 | NE | SE | | | MINIDOKA | | |
| | | 3 | SE | NE | | | MINIDOKA | | |
| | | 4 | SW | NE | | | MINIDOKA | | |
| | | 6 | SW | SW | | | | MINIDOKA | |
| | | | NE | NW | | | | MINIDOKA | |
| | | | NW | SW | | | | MINIDOKA | |
| | | | NE | SE | | | | MINIDOKA | |
| | | | 7 | NE | SE | | | MINIDOKA | |
| | | | 8 | SE | NE | | | MINIDOKA | |
| | | | 10 | SW | NE | | | | MINIDOKA |
| | | | | SW | NW | | | | MINIDOKA |
| | | | | SE | SW | | | | MINIDOKA |
| | | | 11 | NE | NW | | | | MINIDOKA |
| | | | | NW | SE | | | | MINIDOKA |
| | | | 12 | NW | NE | | | | MINIDOKA |
| | | 13 | NW | NE | | | | MINIDOKA | |
| | | 14 | SE | SW | | | | MINIDOKA | |
| | | 15 | SW | NW | | | | MINIDOKA | |
| | | 18 | SW | NW | | | | MINIDOKA | |
| | | 21 | NW | NE | | | | MINIDOKA | |
| | | | SW | SW | | | | MINIDOKA | |
| | | 22 | NE | SE | | | | MINIDOKA | |
| | | 23 | SE | SW | | | | MINIDOKA | |
| | | 26 | SW | NE | | | | MINIDOKA | |
| | | 29 | NW | SE | | | | MINIDOKA | |
| | | 30 | NE | NW | | | | MINIDOKA | |
| | | | NW | SE | | | | MINIDOKA | |
| | | 31 | SE | SW | | | | MINIDOKA | |
| | | 25E | 3 | NE | NW | | | | MINIDOKA |
| | | | | NW | NW | | | | MINIDOKA |
| NE | SE | | | | | | MINIDOKA | | |
| 5 | NE | | NE | | | | MINIDOKA | | |
| 6 | NE | | SE | | | | MINIDOKA | | |
| 11 | SW | | SE | | | | MINIDOKA | | |
| 12 | NW | | NW | | | | MINIDOKA | | |
| 13 | SW | | SW | | | | MINIDOKA | | |
| 14 | NE | | SW | | | | MINIDOKA | | |
| 15 | SW | | SW | | | | MINIDOKA | | |
| 17 | NE | | NE | | | | MINIDOKA | | |
| 19 | NW | | NE | | | | MINIDOKA | | |
| | SW | | NW | | | | MINIDOKA | | |
| 21 | SE | | SW | | | | MINIDOKA | | |
| 23 | NW | | NW | | | | MINIDOKA | | |
| 24 | NW | NW | | | | MINIDOKA | | | |
| 09S | 21E | 1 | NE | SW | | | JEROME | | |

4. Point of Diversion: Continued

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County | | | |
|----------|-------|---------|--------|--------|--------|-----|----------|----------|----------|----------|
| 09S | 21E | 3 | NW | SW | | | JEROME | | | |
| | | | SE | SW | | | JEROME | | | |
| | | | NE | SE | | | JEROME | | | |
| | 22E | 7 | | SE | SE | | | MINIDOKA | | |
| | | | | NE | NE | | | MINIDOKA | | |
| | | | | SE | NE | | | MINIDOKA | | |
| | | 9 | | | SW | NW | | | MINIDOKA | |
| | | | | | NE | SW | | | MINIDOKA | |
| | | | 10 | | | SW | NE | | | MINIDOKA |
| | | | | | | NW | NE | | | MINIDOKA |
| | | | 11 | | | NE | NW | | | MINIDOKA |
| | | | | | | SW | NE | | | MINIDOKA |
| | | | 15 | | | SW | SE | | | MINIDOKA |
| | | | | | | SW | NW | | | MINIDOKA |
| | | | 18 | | | SW | SE | | | MINIDOKA |
| | | | | | | SW | NW | | | MINIDOKA |
| | | | 19 | | | SW | NE | | | MINIDOKA |
| | | | | | | NE | NE | | | MINIDOKA |
| | | | 20 | | | NE | NE | | | MINIDOKA |
| | | | | | | SW | NE | | | MINIDOKA |
| 22 | | | SW | NE | | | MINIDOKA | | | |
| | | | SE | SE | | | MINIDOKA | | | |
| 28 | | | SE | SE | | | MINIDOKA | | | |
| | | | NE | NE | | | MINIDOKA | | | |
| 30 | | | NE | SE | | | MINIDOKA | | | |
| | | | NE | SE | | | MINIDOKA | | | |
| 33 | | | NE | SE | | | MINIDOKA | | | |
| | | | SE | NE | | | MINIDOKA | | | |
| 23E | | 2 | SE | NE | | | MINIDOKA | | | |
| | | | SE | NE | | | MINIDOKA | | | |
| | | 3 | NW | SW | | | MINIDOKA | | | |
| | | | SE | NE | | | MINIDOKA | | | |
| | | 6 | SW | SE | | | MINIDOKA | | | |
| | | | NW | SW | | | MINIDOKA | | | |
| 10S | 21E | 2 | NW | SW | | | JEROME | | | |
| | 22E | 3 | NW | SW | | | MINIDOKA | | | |

5. Description of diverting works:

WELLS, PUMPS, MOTORS- A&B IRRIGATION DISTRICT (UNIT B)

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|----------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1100.000 | | |

7. Total Quantity Appropriated is:

1100.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 160993.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC - DE MINIMUS DOMESTIC USE

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|-----|-------|
|----------|-------|---------|------------|-----|-----|-------|

11. Place of use in counties:

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

13. Other Water Rights Used:

36-04265, 01-04049

14. Remarks:

ACRES IRRIGATED 62,159.2

P/D & P/U IN MINIDOKA AND JEROME COUNTIES

P/U WITHIN LANDS OF A & B IRRIGATION DISTRICT, WELLS UNIT B

CONSUMPTIVE USE 2.59 ACRE FEET/ACRE

RELIFT WELLS AND DRAIN PUMPS USED WITHIN BOUNDARIES OF THE DISTRICT.

THE FOLLOWING POINTS OF DIVERSION INCLUDE MORE THAN ONE WELL:

T07S, R23E, SEC 34, SESW - MINIDOKA
T07S, R24E, SEC 26, SESE - MINIDOKA
T07S, R24E, SEC 28, SWNE - MINIDOKA
T07S, R24E, SEC 30, NWSE - MINIDOKA
T07S, R24E, SEC 32, SENE - MINIDOKA
T07S, R24E, SEC 33, NWSE - MINIDOKA
T07S, R24E, SEC 35, SWSE - MINIDOKA
T08S, R21E, SEC 26, SENE - JEROME
T08S, R21E, SEC 35, SESE - JEROME
T08S, R22E, SEC 35, SWSE - MINIDOKA
T08S, R23E, SEC 02, NWNW - MINIDOKA
T08S, R23E, SEC 04, SWSW - MINIDOKA
T08S, R23E, SEC 05, SENE - MINIDOKA
T08S, R23E, SEC 12, SWNE - MINIDOKA
T08S, R23E, SEC 12, SESW - MINIDOKA
T08S, R23E, SEC 14, NWNW - MINIDOKA
T08S, R23E, SEC 15, NENW - MINIDOKA
T08S, R23E, SEC 17, SESE - MINIDOKA
T08S, R23E, SEC 19, SWSE - MINIDOKA
T08S, R23E, SEC 23, NWSW - MINIDOKA
T08S, R23E, SEC 24, SESW - MINIDOKA
T08S, R23E, SEC 28, SWSW - MINIDOKA
T08S, R23E, SEC 29, SENE - MINIDOKA
T08S, R24E, SEC 03, SENE - MINIDOKA
T08S, R24E, SEC 04, SWSW - MINIDOKA
T08S, R24E, SEC 11, NENW - MINIDOKA
T08S, R24E, SEC 13, NWNW - MINIDOKA
T08S, R24E, SEC 31, SESW - MINIDOKA
T08S, R25E, SEC 03, NENW - MINIDOKA
T08S, R25E, SEC 03, NWNW - MINIDOKA

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14. Remarks: Continued

T08S, R25E, SEC 05, NENE - MINIDOKA
T08S, R25E, SEC 06, NESE - MINIDOKA
T08S, R25E, SEC 12, NWNW - MINIDOKA
T08S, R25E, SEC 15, SWSW - MINIDOKA
T08S, R25E, SEC 19, NWNE - MINIDOKA
T08S, R25E, SEC 19, SWNW - MINIDOKA
T08S, R25E, SEC 23, NWNW - MINIDOKA
T09S, R22E, SEC 03, SESE - MINIDOKA
T09S, R22E, SEC 15, SWNE - MINIDOKA
T09S, R22E, SEC 18, SWSE - MINIDOKA
T09S, R22E, SEC 33, NESE - MINIDOKA

15. Basis of Claim: LICENSE
Water Right Number: 20736

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ORIGINAL

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AUG 31 1992

Department of Water Resources

Verification of Bureau of Reclamation Claims:

As the Water Rights Coordinator for the Pacific Northwest Region of the United States Bureau of Reclamation, I verify under penalty of perjury under the laws of the United States of America that, to the best of my knowledge and belief, the statements made in the claims filed herewith on behalf of the United States Department of the Interior--Bureau of Reclamation for Reporting Area 03 (Idaho Department of Water Resources administrative sub-basin 36) are true and correct.

Executed on 8-31-92.


Ed Thomas
Water Rights Coordinator
Pacific Northwest Region
U. S. Bureau of
Reclamation
U.S. Department of the
Interior
550 West Fort Street
Boise, Idaho 83724

Attachments:

A36-04265
A36-02080
A36-11114
A36-11115
A36-11118

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NOV 02 1994

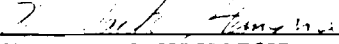
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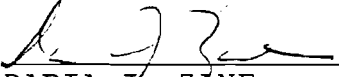
AUG 31 1992

Department of Water Resources

Notice of Appearance:

Notice is hereby given that K. Jack Haugrud, Daria J. Zane, and Geoffrey Garver will be acting as attorneys of record 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 them at the address listed below.

Signature 
K. JACK HAUGRUD

Signature 
DARIA J. ZANE

Signature 
GEOFFREY GARVER

Address: U.S. Department of Justice
Environment Div., General Litigation Section
P.O. Box 663
Washington, D.C. 20004-0663

Date: August 31, 1992

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NOV 02 1994

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)
_____)

RECEIVED

AUG 31 1992

Case No. 39576 Department of Water Resources

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as director)
of the Idaho Department of)
Water Resources,)

GENERAL NOTICE OF UNITED
STATES' CLAIMS TO WATER
ACQUIRED UNDER STATE AND
FEDERAL LAW IN REPORTING
AREA 03 (IDWR ADMININSTRATIVE
BASIN 36)

Plaintiff,)

v.)

the United States;)
the State of Idaho;)
and all claimants to the use)
of water from the Snake River)
Basin Water System,)

Defendants.)

General Remarks for All United States Claims

1. The claims filed with this notice are submitted by the United States on behalf of the United States Department of Interior--Fish and Wildlife Service (FWS), the United States Department of the Interior--Bureau of Reclamation, the United States Department of the Interior--Bureau of Land Management (BLM), and the United States Department of the Army--Corps of Engineers for Reporting Area 03.

2. The claims filed on behalf of the U.S. Bureau of Reclamation are minor revisions to claims filed earlier with the Idaho Department of Water Resources. These revised claims amend and supplement the claims filed earlier.

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NOV 02 1994

3. The claims filed on behalf of the U.S. Army Corps of Engineers involve state water rights acquired through purchase. To avoid any future misunderstanding, it should be noted that the use and control of water in connection with projects operated by the U.S. Army Corps of Engineers do not in general involve water rights or water rights claims. Because these projects were authorized through an assertion of the federal government's Commerce Clause power under the United States Constitution, they do not ordinarily involve water rights that are subject to this adjudication. By filing these state-law claims in Reporting Area 03, the United States does not intend to waive any right, power or authority it may have under federal law or the United States Constitution.

4. By filing these claims, the United States does not waive its right to defer adjudication of de minimus claims as authorized by Court Order dated January 17, 1989.

5. By filing these claims, the United States does not waive its rights to file additional federal claims based on the reserved rights doctrine as authorized by the Court or to file information on the use of water as a matter of comity and policy.

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NOV 7 1994

U.S. Department of Justice

WMC:KJHaugrud
90-6-2-63C
(202) 272-4134

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AUG 31 1992

Department of Water Resources

Washington, D.C. 20530

August 31, 1992

David Shaw, Chief
Adjudications Bureau
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: In re: General Adjudication of Rights to the Use
of Water from the Snake River Basin Water System,
Civil No. 39576.

Dear Mr. Shaw:

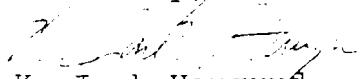
Pursuant to the Court's Order Establishing Adjudication Reporting Areas, General Sequence and Test Reporting Areas, dated May 19, 1992, enclosed are the United States' consumptive use claims for Reporting Area 03 (IDWR Administrative Basin 36). A general Notice of Claims is provided which gives an overview of the claims as well as providing the required verification and notice of appearance.

These claims, along with any other claims that may have been previously lodged with you, constitute the United States' consumptive use claims for Reporting Area 03.

The enclosed documents constitute the actual claims of the United States. To the extent that agencies provide you with computer tapes of the claims, they are provided solely for your convenience and if there is any discrepancy between the contents of the tape and the actual claims, the actual claims control.

Your cooperation in this matter is appreciated. Should you have any questions, please contact me at (202) 272-4134.

Sincerely,


K. Jack Haugrud
Attorney, Environment Division
U.S. Department of Justice

Enclosure

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NOV 02 1994

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: A36-02080
 Date Received: 8/11/1989
 Receipt No: X111111
 Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
 ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1165
 Address: REGIONAL DIRECTOR, P.N. REGION
 BUREAU OF RECLAMATION
 BOX 043-550 WEST FORT STREET
 BOISE, ID 83724
2. Date of Priority: SEP 09, 1948
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County | | |
|----------|-------|---------|--------|--------|-----|----------|----------|----------|----------|
| 07S | 23E | 34 | SE | SW | | MINIDOKA | | | |
| | | | SW | SW | | MINIDOKA | | | |
| | 24E | | | NW | SE | | MINIDOKA | | |
| | | | | SE | SE | | MINIDOKA | | |
| | | 23 | | | SW | NE | | MINIDOKA | |
| | | | | | SE | NE | | MINIDOKA | |
| | | 26 | | | NW | SW | | MINIDOKA | |
| | | | | | SE | SE | | MINIDOKA | |
| | | 25E | | 28 | SW | NE | | MINIDOKA | |
| | | | | | NW | SE | | MINIDOKA | |
| | | | 30 | | | SW | NE | | MINIDOKA |
| | | | | | | SE | NE | | MINIDOKA |
| | 31 | | | | SE | NE | | MINIDOKA | |
| | | | | | NW | SE | | MINIDOKA | |
| | 32 | | | | SE | SW | | MINIDOKA | |
| | | | | | NE | SW | | MINIDOKA | |
| 33 | | | NE | SE | | MINIDOKA | | | |
| | | | NE | SW | | MINIDOKA | | | |
| 34 | | | SW | NW | | MINIDOKA | | | |
| | | | NE | SW | | MINIDOKA | | | |
| 08S | 21E | 22 | NE | SE | | MINIDOKA | | | |

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 NOV 07 1994

4. Point of Diversion: Continued

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|----------|--------|----------|----------|
| 08S | 21E | 24 | SE | NW | | | JEROME |
| | | 26 | SE | NE | | | JEROME |
| | | 35 | NE | NE | | | JEROME |
| | | | SW | SW | | | JEROME |
| | | | SE | SE | | | JEROME |
| | 22E | 30 | NW | SW | | | MINIDOKA |
| | | 35 | NW | NE | | | MINIDOKA |
| | 23E | 1 | | SW | SE | | MINIDOKA |
| | | | | NW | NE | | MINIDOKA |
| | | | | SW | SW | | MINIDOKA |
| | | | 2 | NE | SW | | MINIDOKA |
| | | | 4 | SW | SW | | MINIDOKA |
| | | | 5 | SE | NE | | MINIDOKA |
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| | | | | SE | SE | | MINIDOKA |
| | | | 19 | SW | SE | | MINIDOKA |
| | | | 21 | SE | NE | | MINIDOKA |
| | | | 22 | SE | SW | | MINIDOKA |
| | | | 23 | NW | SW | | MINIDOKA |
| | | | 24 | NW | NW | | MINIDOKA |
| | | | | SE | SW | | MINIDOKA |
| | | | 25 | SE | NW | | MINIDOKA |
| | | | 26 | NW | SE | | MINIDOKA |
| | | | 27 | NE | NE | | MINIDOKA |
| | | | | SE | NW | | MINIDOKA |
| | | | 28 | SE | SW | | MINIDOKA |
| | | | | NE | SW | | MINIDOKA |
| 29 | SW | SW | | MINIDOKA | | | |
| | SE | NE | | MINIDOKA | | | |
| 31 | NE | SE | | MINIDOKA | | | |
| 34 | SE | SW | | MINIDOKA | | | |
| 35 | NW | NW | | MINIDOKA | | | |
| | SW | SW | | MINIDOKA | | | |
| 24E | 1 | | NW | SE | | MINIDOKA | |
| | | | SE | SE | | MINIDOKA | |
| | | | SE | NE | | MINIDOKA | |
| | | 2 | NE | SE | | MINIDOKA | |
| | | 3 | SE | NE | | MINIDOKA | |
| | | 4 | SW | NE | | MINIDOKA | |
| | | | SW | SW | | MINIDOKA | |

MICROFILMED
8/31/92
NOV 7 1994

4. Point of Diversion: Continued

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County | |
|----------|-------|---------|--------|--------|----------|----------|----------|----------|
| 08S | 24E | 6 | | NE | NW | | MINIDOKA | |
| | | | | NW | SW | | MINIDOKA | |
| | | 7 | | NE | SE | | MINIDOKA | |
| | | | | NE | SE | | MINIDOKA | |
| | | 8 | | SE | NE | | MINIDOKA | |
| | | | 10 | | SW | NE | | MINIDOKA |
| | | | | SW | NW | | MINIDOKA | |
| | | | SE | SW | | MINIDOKA | | |
| | | 11 | | NE | NW | | MINIDOKA | |
| | | | | NW | SE | | MINIDOKA | |
| | | 12 | | NW | NE | | MINIDOKA | |
| | | | 13 | | NW | NE | | MINIDOKA |
| | | 14 | | | SE | SW | | MINIDOKA |
| | | | 15 | | SW | NW | | MINIDOKA |
| | | 18 | | | SW | NW | | MINIDOKA |
| | | | 21 | | NW | NE | | MINIDOKA |
| | | | | SW | SW | | MINIDOKA | |
| | | 22 | | NE | SE | | MINIDOKA | |
| | | | 23 | | SE | SW | | MINIDOKA |
| | | 26 | | | SW | NE | | MINIDOKA |
| | | | 29 | | NW | SE | | MINIDOKA |
| | | 30 | | | NE | NW | | MINIDOKA |
| | | | | NW | SE | | MINIDOKA | |
| | | 31 | | SE | SW | | MINIDOKA | |
| | | | 25E | 3 | | NE | NW | |
| | | | | | NW | NW | | MINIDOKA |
| | | | | NE | SE | | MINIDOKA | |
| | | 5 | | NE | NE | | MINIDOKA | |
| | | | 6 | | NE | SE | | MINIDOKA |
| | | 11 | | | SW | SE | | MINIDOKA |
| 12 | | | NW | NW | | MINIDOKA | | |
| | 13 | | SW | SW | | MINIDOKA | | |
| 14 | | | NE | SW | | MINIDOKA | | |
| | 15 | | SW | SW | | MINIDOKA | | |
| 17 | | | NE | NE | | MINIDOKA | | |
| | 19 | | NW | NE | | MINIDOKA | | |
| | | SW | NW | | MINIDOKA | | | |
| 21 | | SE | SW | | MINIDOKA | | | |
| | 23 | | NW | NW | | MINIDOKA | | |
| 24 | | | NW | NW | | MINIDOKA | | |
| | 09S | 21E | 1 | | NE | SW | JEROME | |
| | | | | NW | SW | JEROME | | |
| | | 3 | | SE | SW | JEROME | | |
| | | | | NE | SE | JEROME | | |
| | 22E | 7 | | SE | SE | MINIDOKA | | |
| | | | | NE | NE | MINIDOKA | | |
| | | 9 | | SE | NE | MINIDOKA | | |
| | | | | SW | NW | MINIDOKA | | |

MICROFILMED
 Date 8/31/94
 NOV 7 1994

14. Remarks:

ACRES IRRIGATED 62,159.2
P/D & P/U IN MINIDOKA AND JEROME COUNTIES
P/U WITHIN LANDS OF A & B IRRIGATION DISTRICT, WELLS UNIT B
CONSUMPTIVE USE 2.59 ACRE FEET/ACRE
RELIFT DRAIN PUMPS USED WITHIN THE BOUNDARIES OF THE DISTRICT FOR
REUSE OF RETURN FLOWS.

THE FOLLOWING POINTS OF DIVERSION INCLUDE MORE THAN ONE WELL:

T07S, R23E, SEC 34, SESW - MINIDOKA -
T07S, R24E, SEC 26, SESE - MINIDOKA -
T07S, R24E, SEC 28, SWNE - MINIDOKA -
T07S, R24E, SEC 30, NWSE - MINIDOKA -
T07S, R24E, SEC 32, SENE - MINIDOKA -
T07S, R24E, SEC 33, NWSE - MINIDOKA -
T07S, R24E, SEC 35, SWSE - MINIDOKA
T08S, R21E, SEC 26, SENE - JEROME
T08S, R21E, SEC 35, SESE - JEROME
T08S, R22E, SEC 35, SWSE - MINIDOKA
T08S, R23E, SEC 02, NWNE - MINIDOKA
T08S, R23E, SEC 04, SWSW - MINIDOKA
T08S, R23E, SEC 05, SENE - MINIDOKA
T08S, R23E, SEC 12, SWNE - MINIDOKA
T08S, R23E, SEC 12, SESW - MINIDOKA
T08S, R23E, SEC 14, NWNW - MINIDOKA
T08S, R23E, SEC 15, NENW - MINIDOKA
T08S, R23E, SEC 17, SESE - MINIDOKA
T08S, R23E, SEC 19, SWSE - MINIDOKA
T08S, R23E, SEC 23, NWSW - MINIDOKA
T08S, R23E, SEC 24, SESW - MINIDOKA
T08S, R23E, SEC 28, SWSW - MINIDOKA
T08S, R23E, SEC 29, SENE - MINIDOKA
T08S, R24E, SEC 03, SENE - MINIDOKA
T08S, R24E, SEC 04, SWSW - MINIDOKA
T08S, R24E, SEC 11, NENW - MINIDOKA
T08S, R24E, SEC 13, NWNE - MINIDOKA
T08S, R24E, SEC 31, SESW - MINIDOKA
T08S, R25E, SEC 03, NENW - MINIDOKA
T08S, R25E, SEC 03, NWNW - MINIDOKA
T08S, R25E, SEC 05, NENE - MINIDOKA
T08S, R25E, SEC 06, NESE - MINIDOKA
T08S, R25E, SEC 12, NWNW - MINIDOKA
T08S, R25E, SEC 15, SWSW - MINIDOKA
T08S, R25E, SEC 19, NWNE - MINIDOKA
T08S, R25E, SEC 19, SWNW - MINIDOKA
T08S, R25E, SEC 23, NWNW - MINIDOKA
T09S, R22E, SEC 03, SESE - MINIDOKA
T09S, R22E, SEC 15, SWNE - MINIDOKA
T09S, R22E, SEC 18, SWSE - MINIDOKA
T09S, R22E, SEC 33, NESE - MINIDOKA

15. Basis of Claim: LICENSE
Water Right Number: 20736

MICROFILMED
NOV 02 1994

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

RECEIVED
JUL 07 1989

Ident. Number: A36-02080
Date Received: 10/26/1988
Receipt No:
Received By:

Department of Water Resources

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1165
Address: REGIONAL DIRECTOR, P.N. REGION
BUREAU OF RECLAMATION
BOX 043-550 WEST FORT STREET
BOISE, ID 83724

2. Date of Priority: SEP 09, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County | | |
|----------|-------|---------|--------|--------|-----|-----|----------|----------|----------|
| 07S | 23E | 34 | SE | SW | | | MINIDOKA | | |
| | | 22 | SW | SW | | | MINIDOKA | | |
| | 24E | | | NW | SE | | | MINIDOKA | |
| | | | | SE | SE | | | MINIDOKA | |
| | | | 23 | SW | NE | | | MINIDOKA | |
| | | | 26 | SE | NE | | | MINIDOKA | |
| | | | | NW | SW | | | MINIDOKA | |
| | | | | SE | SE | | | MINIDOKA | |
| | | | 28 | SW | NE | | | MINIDOKA | |
| | | | 30 | NW | SE | | | MINIDOKA | |
| | | | 31 | SW | NE | | | MINIDOKA | |
| | | | 32 | SE | NE | | | MINIDOKA | |
| | | | 33 | NW | SE | | | MINIDOKA | |
| | | | 34 | SE | NW | | | MINIDOKA | |
| | | 25E | | 35 | SW | SE | | | MINIDOKA |
| | | | | 27 | SE | SW | | | MINIDOKA |
| | | | 29 | NE | SW | | | MINIDOKA | |
| | | | 30 | NE | SE | | | MINIDOKA | |
| | | | 31 | NE | SW | | | MINIDOKA | |
| | | | 32 | NE | SW | | | MINIDOKA | |
| | | | 33 | SW | NW | | | MINIDOKA | |
| | | | 34 | NE | SW | | | MINIDOKA | |

MICROFILMED
NOV 07 1994

4. Point of Diversion: Continued

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County | |
|----------|-------|---------|--------|--------|--------|----------|----------|----------|
| 08S | 21E | 22 | NE | SE | | | MINIDOKA | |
| | | 24 | SE | NW | | | JEROME | |
| | | 26 | SE | NE | | | JEROME | |
| | | 35 | NE | NE | | | JEROME | |
| | | | | | SW | SW | | JEROME |
| | | | | | SE | SE | | JEROME |
| | | 22E | 30 | NW | SW | | | MINIDOKA |
| | | | 35 | NW | NE | | | MINIDOKA |
| | | | | | SW | SE | | MINIDOKA |
| | | 23E | 1 | NW | NE | | | MINIDOKA |
| | | | | | SW | SW | | MINIDOKA |
| | | | 2 | | NE | SW | | MINIDOKA |
| | | 4 | | SW | SW | | MINIDOKA | |
| | | 5 | | SE | NE | | MINIDOKA | |
| | | 8 | | NE | SE | | MINIDOKA | |
| | | 10 | | SE | NE | | MINIDOKA | |
| | | | | SW | SW | | MINIDOKA | |
| | | 12 | | SW | NE | | MINIDOKA | |
| | | | | SE | SW | | MINIDOKA | |
| | | 14 | | NW | NW | | MINIDOKA | |
| | | 15 | | NE | NW | | MINIDOKA | |
| | | | | SE | SE | | MINIDOKA | |
| | | 17 | | NE | NW | | MINIDOKA | |
| | | | | SE | SE | | MINIDOKA | |
| | | 19 | | SW | SE | | MINIDOKA | |
| | | 21 | | SE | NE | | MINIDOKA | |
| | | 22 | | SE | SW | | MINIDOKA | |
| | | 23 | | NW | SW | | MINIDOKA | |
| | | 24 | | NW | NW | | MINIDOKA | |
| | | | | SE | SW | | MINIDOKA | |
| | | 25 | | SE | NW | | MINIDOKA | |
| | | 26 | | NW | SE | | MINIDOKA | |
| | | 27 | | NE | NE | | MINIDOKA | |
| | | | | SE | NW | | MINIDOKA | |
| | | | | SE | SW | | MINIDOKA | |
| | | 28 | | NE | SW | | MINIDOKA | |
| | | | | SW | SW | | MINIDOKA | |
| | | 29 | | SE | NE | | MINIDOKA | |
| | | 31 | | NE | SE | | MINIDOKA | |
| | | 34 | | SE | SW | | MINIDOKA | |
| | | 35 | | NW | NW | | MINIDOKA | |
| | | | | SW | SW | | MINIDOKA | |
| | | | NW | SE | | MINIDOKA | | |
| | | | SE | SE | | MINIDOKA | | |
| | 24E | 1 | SE | NE | | MINIDOKA | | |

MICROFILMED
NOV 17 1994

4. Point of Diversion: Continued

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County | |
|----------|-------|---------|--------|--------|--------|----------|----------|----------|
| 08S | 24E | 2 | NE | SE | | | MINIDOKA | |
| | | 3 | SE | NE | | | MINIDOKA | |
| | | 4 | SW | NE | | | MINIDOKA | |
| | | | SW | SW | | | MINIDOKA | |
| | | 6 | NE | NW | | | MINIDOKA | |
| | | | NW | SW | | | MINIDOKA | |
| | | | NE | SE | | | MINIDOKA | |
| | | 7 | NE | SE | | | MINIDOKA | |
| | | 8 | SE | NE | | | MINIDOKA | |
| | | 10 | SW | NE | | | MINIDOKA | |
| | | | SW | NW | | | MINIDOKA | |
| | | | SE | SW | | | MINIDOKA | |
| | | 11 | NE | NW | | | MINIDOKA | |
| | | | NW | SE | | | MINIDOKA | |
| | | 12 | NW | NE | | | MINIDOKA | |
| | | 13 | NW | NE | | | MINIDOKA | |
| | | 14 | SE | SW | | | MINIDOKA | |
| | | 15 | SW | NW | | | MINIDOKA | |
| | | 18 | SW | NW | | | MINIDOKA | |
| | | 21 | NW | NE | | | MINIDOKA | |
| | | | SW | SW | | | MINIDOKA | |
| | | 22 | NE | SE | | | MINIDOKA | |
| | | 23 | SE | SW | | | MINIDOKA | |
| | | 26 | SW | NE | | | MINIDOKA | |
| | | 29 | NW | SE | | | MINIDOKA | |
| | | 30 | NE | NW | | | MINIDOKA | |
| | | | NW | SE | | | MINIDOKA | |
| | | 31 | SE | SW | | | MINIDOKA | |
| | | | 25E | 3 | NE | NW | | MINIDOKA |
| | | | | NW | NW | | | MINIDOKA |
| | | NE | | SE | | | MINIDOKA | |
| 5 | NE | NE | | | | MINIDOKA | | |
| 6 | NE | SE | | | | MINIDOKA | | |
| 11 | SW | SE | | | | MINIDOKA | | |
| 12 | NW | NW | | | | MINIDOKA | | |
| 13 | SW | SW | | | | MINIDOKA | | |
| 14 | NE | SW | | | | MINIDOKA | | |
| 15 | SW | SW | | | | MINIDOKA | | |
| 17 | NE | NE | | | | MINIDOKA | | |
| 19 | NW | NE | | | | MINIDOKA | | |
| | SW | NW | | | | MINIDOKA | | |
| 21 | SE | SW | | | | MINIDOKA | | |
| 23 | NW | NW | | | | MINIDOKA | | |
| 24 | NW | NW | | | | MINIDOKA | | |
| 09S | 21E | 1 | | NE | SW | | JEROME | |

Date 05/03/89
MICROFILMED
 NOV 7 1994

4. Point of Diversion: Continued

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County | |
|----------|-------|---------|--------|--------|--------|-----|----------|----------|
| 09S | 21E | 3 | NW | SW | | | JEROME | |
| | | | SE | SW | | | JEROME | |
| | | | NE | SE | | | JEROME | |
| | 22E | 7 | 9 | SE | SE | | | MINIDOKA |
| | | | | NE | NE | | | MINIDOKA |
| | | | | SE | NE | | | MINIDOKA |
| | | | | SW | NW | | | MINIDOKA |
| | | | | NE | SW | | | MINIDOKA |
| | | | | SW | NE | | | MINIDOKA |
| | | | | NW | NE | | | MINIDOKA |
| | | | | NE | NW | | | MINIDOKA |
| | | | | SW | NE | | | MINIDOKA |
| | | | | SW | SE | | | MINIDOKA |
| | | | | SW | NW | | | MINIDOKA |
| | | | | NE | NE | | | MINIDOKA |
| | | | | SW | NE | | | MINIDOKA |
| | | | | SE | SE | | | MINIDOKA |
| | | | | NE | NE | | | MINIDOKA |
| | 23E | 2 | 3 | NE | SE | | | MINIDOKA |
| | | | | SE | NE | | | MINIDOKA |
| SE | | | | NE | | | MINIDOKA | |
| NW | | | | SW | | | MINIDOKA | |
| SE | | | | NE | | | MINIDOKA | |
| SW | | | | SE | | | MINIDOKA | |
| 10S | 21E | 2 | NW | SW | | | JEROME | |
| | | | 22E | 3 | NW | SW | | |

5. Description of diverting works:

WELLS, PUMPS, MOTORS- A&B IRRIGATION DISTRICT (UNIT B)

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|----------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 1100.000 | | |

7. Total Quantity Appropriated is:

1100.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 160993.0 Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC - DE MINIMUS DOMESTIC USE

MICROFILMED
NOV 02 1994

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|-----|-------|
|----------|-------|---------|------------|-----|-----|-------|

11. Place of use in counties:

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

13. Other Water Rights Used:

36-04265, 01-04049

14. Remarks:

ACRES IRRIGATED 62,159.2
P/D & P/U IN MINIDOKA AND JEROME COUNTIES
P/U WITHIN LANDS OF A & B IRRIGATION DISTRICT, WELLS UNIT B
CONSUMPTIVE USE 2.59 ACRE FEET/ACRE
RELIFT WELLS AND DRAIN PUMPS USED WITHIN BOUNDARIES OF THE DISTRICT.

THE FOLLOWING POINTS OF DIVERSION INCLUDE MORE THAN ONE WELL:

- T07S, R23E, SEC 34, SESW - MINIDOKA
- T07S, R24E, SEC 26, SESE - MINIDOKA
- T07S, R24E, SEC 28, SWNE - MINIDOKA
- T07S, R24E, SEC 30, NWSE - MINIDOKA
- T07S, R24E, SEC 32, SENE - MINIDOKA
- T07S, R24E, SEC 33, NWSE - MINIDOKA
- T07S, R24E, SEC 35, SWSE - MINIDOKA
- T08S, R21E, SEC 26, SENE - JEROME
- T08S, R21E, SEC 35, SESE - JEROME
- T08S, R22E, SEC 35, SWSE - MINIDOKA
- T08S, R23E, SEC 02, NWNE - MINIDOKA
- T08S, R23E, SEC 04, SWSW - MINIDOKA
- T08S, R23E, SEC 05, SENE - MINIDOKA
- T08S, R23E, SEC 12, SWNE - MINIDOKA
- T08S, R23E, SEC 12, SESW - MINIDOKA
- T08S, R23E, SEC 14, NWNW - MINIDOKA
- T08S, R23E, SEC 15, NENW - MINIDOKA
- T08S, R23E, SEC 17, SESE - MINIDOKA
- T08S, R23E, SEC 19, SWSE - MINIDOKA
- T08S, R23E, SEC 23, NWSW - MINIDOKA
- T08S, R23E, SEC 24, SESW - MINIDOKA
- T08S, R23E, SEC 28, SWSW - MINIDOKA
- T08S, R23E, SEC 29, SENE - MINIDOKA
- T08S, R24E, SEC 03, SENE - MINIDOKA
- T08S, R24E, SEC 04, SWSW - MINIDOKA
- T08S, R24E, SEC 11, NENW - MINIDOKA
- T08S, R24E, SEC 13, NWNE - MINIDOKA
- T08S, R24E, SEC 31, SESW - MINIDOKA
- T08S, R25E, SEC 03, NENW - MINIDOKA
- T08S, R25E, SEC 03, NWNW - MINIDOKA

MICROFILMED
NOV 07 1984

14. Remarks: Continued

T08S, R25E, SEC 05, NENE - MINIDOKA
T08S, R25E, SEC 06, NESE - MINIDOKA
T08S, R25E, SEC 12, NWNW - MINIDOKA
T08S, R25E, SEC 15, SWSW - MINIDOKA
T08S, R25E, SEC 19, NWNE - MINIDOKA
T08S, R25E, SEC 19, SWNW - MINIDOKA
T08S, R25E, SEC 23, NWNW - MINIDOKA
T09S, R22E, SEC 03, SESE - MINIDOKA
T09S, R22E, SEC 15, SWNE - MINIDOKA
T09S, R22E, SEC 18, SWSE - MINIDOKA
T09S, R22E, SEC 33, NESE - MINIDOKA

15. Basis of Claim: LICENSE
Water Right Number: 20736

Date: 11/03/89
MICROFILMED
NOV 02 1994

MEMORANDUM

TO: Nick Spencer
FROM: Douglas Jones
DATE: August 29, 1996

RE: A & B Irrigation District claim, ~~16-0208020~~...

Nick,

I met with Virgil Temple and his staff about wells which are part of his system, but not included on the Director's Report. In summary the issues which I addressed and the recommended resolution are:

1) 8S 24E S2: Well was omitted from the recommendation. I obtained a well log of the construction and observed his system map which supports the claimed well location and use. Recommendation: Stipulate to the inclusion of this well location (NWNESE) in an Amended Dir Rpt.

2) 9S 22E S3: Director's Report included only one well at this location, there are three. I obtained well logs of the second and third wells constructed at this site. The second well constructed at the site was developed in 1956, during initial development of Group 5 systems (first used in 1958). The third well was developed in 1992 and subsequently authorized by approval of transfer #4036 (filed in 1992 and approved in 1994). Approved transfer #4036 has not been data entered into an "R"-record yet, but does exist in the AJ-database as an "X"-record (replaces "A"-records). Recommendation: Include second and third wells at this site (NWSESE) in an Amended Dir Rpt per stipulation and specify that the stipulation and Amended Dir Rpt satisfies the A.O.#11 requirements of the Notice of Completed Administrative Proceeding (NCAP).

3) 9S 22E S9: Second well is not on Dir Rpt. The second well at this location was constructed in 1994 to replace the original well. Poor aquifer characteristics resulted in the inability of the second well to produce the design flow rate. Both wells are used and it was stated that in combination the two do not produce the design flow rate. A & B has been informed that a Transfer of Water Right (42-222) is required and that upon approval IDWR would complete an NCAP and forward an Amended Dir Rpt to the court identifying the additional well at this site. **This transfer has now been filed.** Recommendation: Do **not** stipulate to the presence of two points of diversion at this site.

4) 9S 22E S20: Well is no longer used and has been abandoned, remove it from well location list. This well site was specifically identified to be abandoned in the approved transfer #4036. I have checked the AJ-database "X"-record list of wells and confirm that it has been removed. Recommendation: IDWR could stipulate to the removal of this well and include statements related to A.O.#11, as mention above.

BB28

2

3269 III NW
(BURLEY NW)

T. 8 S.
T. 9 S.

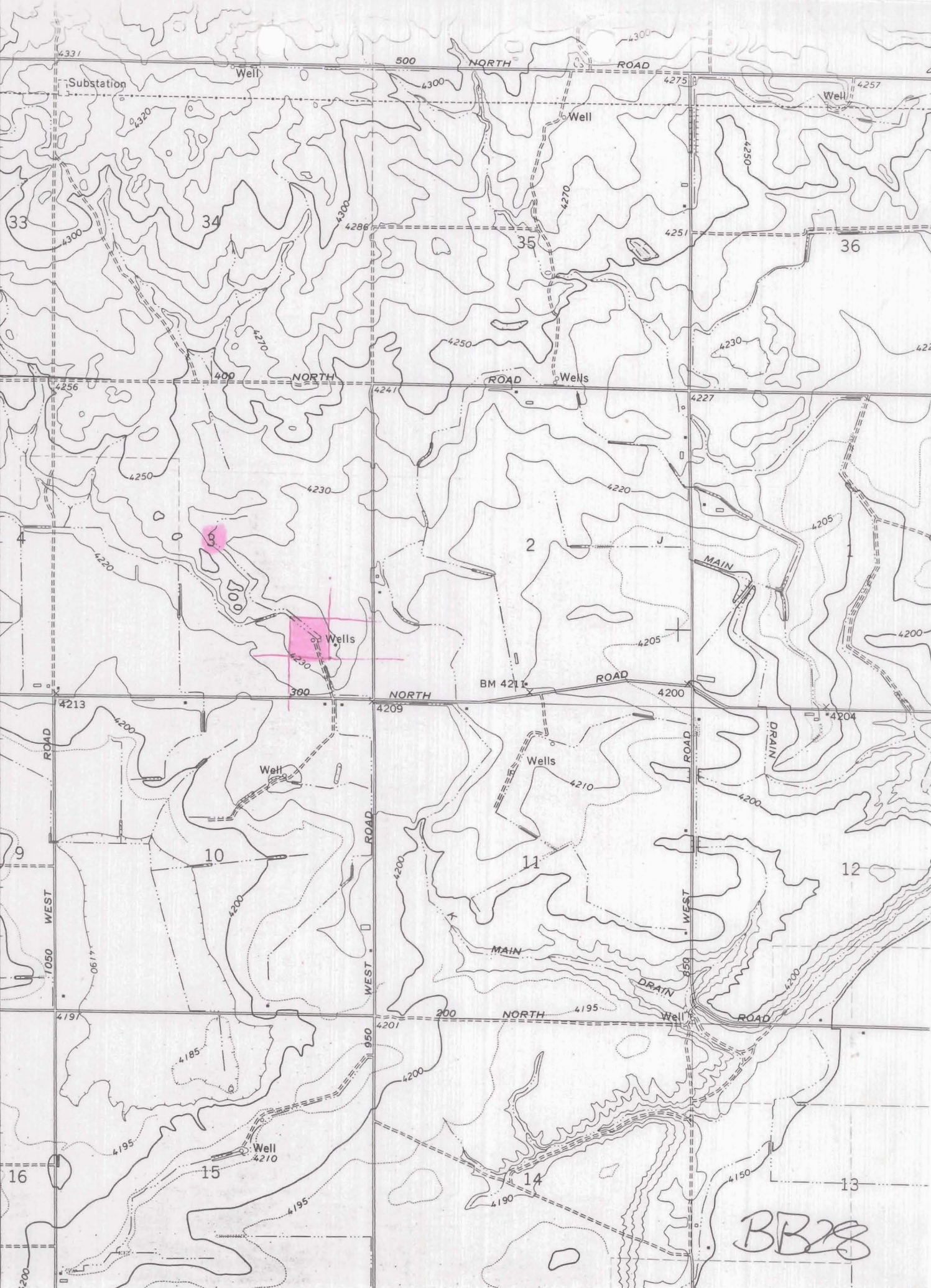
4728

40'

4727

4726

4725



BB28

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
MINIDOKA PROJECT-IDAHO
NORTH SIDE PUMPING DIVISION
RUPERT, IDAHO

511/11

Specifications:
Group 5

Log of Well No. 3B922
 Location SE¹/₄ of SE¹/₄ Sec. 3 T. 9S; R. 22E BM.
 Contractor Eaton's Sons Date Started _____
 Date Completed Aug. 26, 1956 Dia. 16"
 Depth from ground surface 263.7
 Length Casing 16' B Dia. Casing 19" Thickness 3/16
 Eleve. Ground Surface 4286.18 Eleve. Bottom 4022.48
 Ground Surface to Water 221.5 Date June 27, 1955
 Name of Pump Layne & Bowler Capacity 4.4 s.f. Horsepower 150
 Drawdown at 4.4 s.f. = 0.5 ft. on Sept. 1, 1956
 Elev. B.M. _____, or concrete base 4286.65

LOG

| Depth | | Remarks |
|---|-------|--|
| From | To | |
| 0 | 4 | Top soil |
| 4 | 48 | Lava rock |
| 48 | 54 | Reddish lava "lost cuttings" |
| 54 | 70 | Broken rock "won't hold water" |
| 70 | 89 | Grey lava |
| 89 | 94 | Orange chalk |
| 94 | 104 | Brown clay |
| 104 | 111 | Grey rock |
| 111 | 128 | Brownish lava |
| 128 | 134 | Loose rock "won't hold water" |
| 134 | 152 | Grey lava |
| 152 | 167 | Red lava |
| 167 | 178 | Grey lava |
| 178 | 189 | Brown lava |
| 189 | 197 | Grey lava |
| 197 | 207 | Grey lava |
| 207 | 212 | Yellow clay |
| 212 | 246 | Grey lava |
| 246 | 251 | Black cinders S. W. L. 222 Lost cuttings |
| 251 | 261 | Red cinders S. W. L. 224 Lost cuttings when 256' |
| 261 | 267 | Cinders caving bad |
| Additional drilling by Kesteer under Specs. 100C-646 from 12/9/63 to 12/16/63 | | |
| Drilled from 267 to 327.3 using 16" bit. Going fairly slow when stopped. | | |
| 267 | 275 | Black cinders and lava-- cavey |
| 275 | 304 | Gray lava and cinders--soft |
| 304 | 307 | Brown cinders and tan water talc--lost 95% of cuttings |
| 307 | 316 | Black cinders-- lost 95% of cuttings |
| 316 | 327.3 | Black and brown cinders- cavey |

file

well 3C 922

Drilling Permit No. 36-92-S-0309
Water Right Permit No. 36-0208020
Injection Permit No. _____

RECEIVED

RECEIVED

DEC 01 1992

NOV 17 1992

State of Idaho
Department of Water Resources

Department of Water Resources
Southern Region Office

APPLICATION FOR DRILLING PERMIT

Department of Water Resources
Southern Region Office

Applicant (please print) A&B Irrigation District

Mailing Address P.O. Box 675, Rupert, ID 83350

Telephone 436-3152

Well Owner () Well Operator () Other, specify _____

Proposed well location SE 1/4 SE 1/4, or Gov't Lot No. _____

Sec. 3, Twp. 9S, Rge. 22 E, County Minidoka

Street Address of Well Site 960W 325 N Rupert, ID

Lot, block and subdivision _____

Proposed use of well:

() Domestic: The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Non-Domestic: Any beneficial use not included within the definition of domestic.

() Injection

() Monitoring - A well bore schematic and map is required for each well.

No. of proposed wells: _____

Well construction information:

A. New well () Deepen Replace - See Condition 9

B. Proposed Surface Diameter 20" Proposed Maximum Depth 330

C. Anticipated bottom hole temperature:

- 85°F or less (Cold water well)
- () 85°F to 212°F (Low temp. geothermal well)
- () 212° or more (Geothermal well)

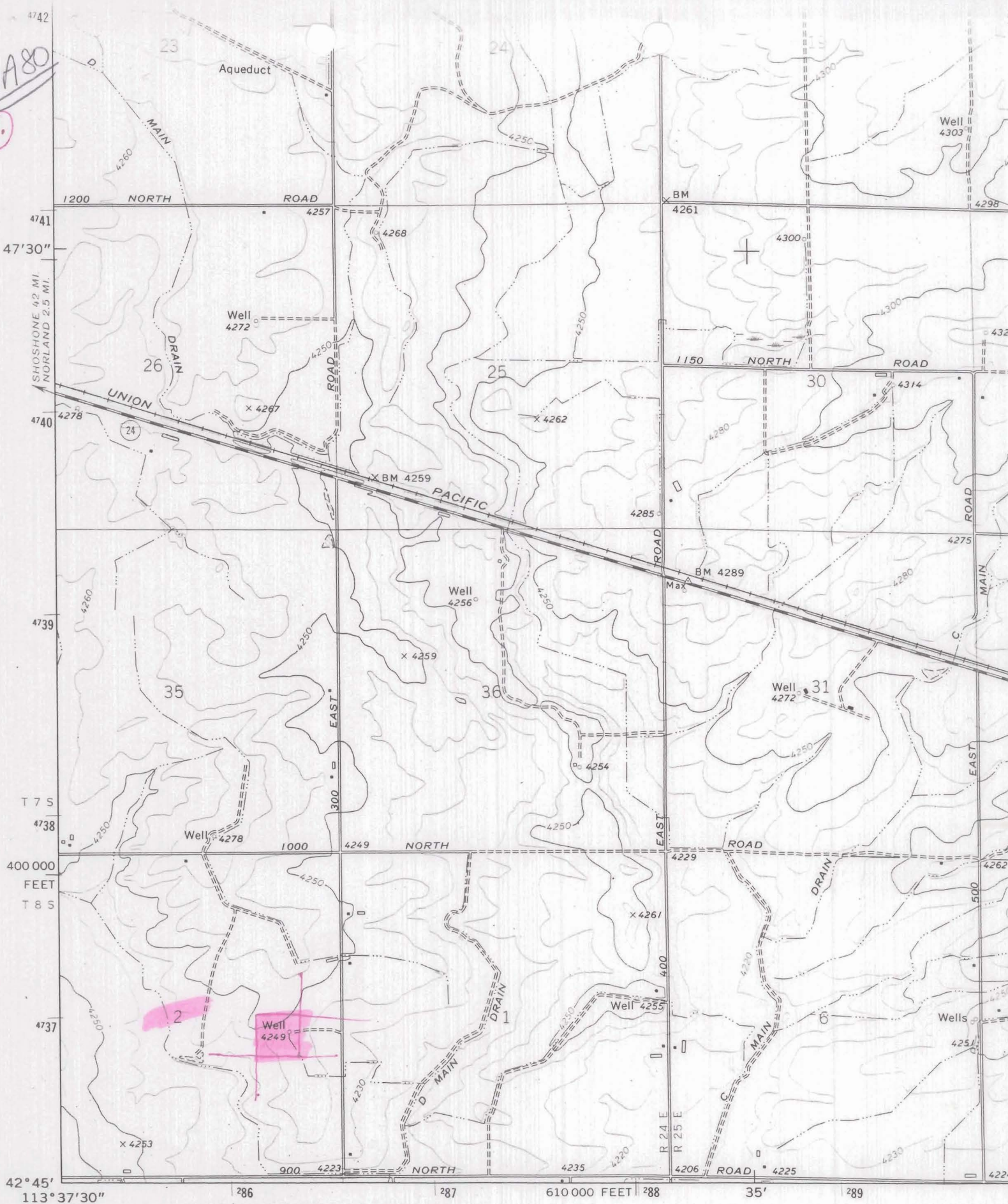
Construction Start Date 12-1-92

Anticipated Well Driller Phillip W. ... 210

NOTE: The actual well name must be identified prior to drilling.

12-1-92

AA80
①



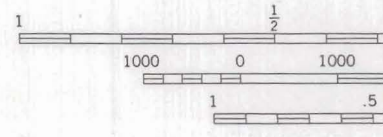
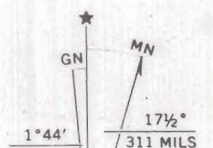
Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs taken 1971. Field checked 1972

Projection and 10,000-foot grid ticks: Idaho coordinate system, central zone (transverse Mercator)

11 NW
11 NW



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
MINIDOKA PROJECT-IDAHO
NORTH SIDE PUMPING DIVISION
RUPERT, IDAHO

Specifications:
Group 5

Log of Well No. 2A824
 Location N₂S₂E₄ Sec. 2 T. 8 S.; R. 24 E. BM.
 Contractor C. E. Eaton's Sons Date Started June 21, 1956
 Date Completed July 18, 1956 Dia. 16"
 Depth from ground surface 204.0
 Length Casing Total depth 186' * Dia. Casing 16" * Thickness *
 Eleve. Ground Surface 4298.31 Eleve. Bottom 4094.31
 Ground Surface to Water 165.3 Date July 18, 1956
 Name of Pump Layne & Bowler Capacity 2.0 s.f. Horsepower 50
 Drawdown at 1.9 s.f. = 0.0 ft. on March 15, 1957
 Elev. B.M. 4298.67, or concrete base

LOG
 * 186' of 12" ID, 5/16", 37' of 17" OD 3/16"

| Depth | | Remarks |
|---|-----|--|
| From | To | |
| 0 | 2 | overburden |
| 2 | 33 | yellow clay |
| 33 | 57 | gray lava |
| 57 | 63 | broken burnt gray lava |
| 63 | 75 | gray lava firm |
| 75 | 79 | broken gray lava |
| 79 | 87 | broken gray and red cinders |
| 87 | 91 | gray lava firm red cinder streaks |
| 91 | 96 | broken gray cemented brown clay - lake bottom |
| 96 | 110 | gray lava |
| 110 | 117 | black cinders |
| 117 | 138 | gray lava with red cinder streaks |
| 138 | 155 | gray lava |
| 155 | 162 | broken brown and gray lava firm |
| 162 | 166 | gray lava firm |
| 166 | 173 | red cinders and broken red and gray lava cavey and water |
| 173 | 200 | black cinders and broken grey lava cavey |
| 201 | 204 | gray lava firm |
| 204 | 222 | Grey Lava |
| 222 | 230 | Lost Cuttings |
| 230 | 236 | Grey Lava |
| | | } Additional drilling by George Gailey 1961 |
| NOTE: Casing is perforated form 159.5' to 189', | | |
| | | |
| | | |
| | | |

WELL DRILLER: PLEASE COMPLETE FOR VERBALS
WR Employee Issuing Verbal: _____
Verbal Issued Date: _____ Time: _____

5 5 5 0 V

State of Idaho
Department of Water Resources

DEC 12 1994

APPLICATION FOR DRILLING PERMIT
(For the Construction of a Well)

Department of Water Resources
Southern Region Office

Applicant (please print): A & B Irrigation

Mailing Address: P.O. Box 675

City & State Rupert, ID Zip Code 83350 Telephone 436-3152

Well Owner Well Operator Contractor or Other, specify SW

Proposed Well Location: Twp. 9 S, Rge. 22 E, Sec. 9, NE 1/4 SE 1/4

Gov't Lot No. _____ County Minidoka

Street Address of Well Site _____

Lot, block and subdivision _____

Proposed Use of Well:

DOMESTIC: The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) or for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC: Irrigation Municipal Industrial
 Stock Test Other _____
(Over 1,000 Head) (Describe)

INJECTION

MONITORING: A well bore schematic and map is required for each blanket permit.
No. of proposed wells: _____

5. Well Construction Information:

A. New well Modify Replace 9A922

B. Proposed Casing Diameter 20" Proposed Maximum Depth 600 ft.

C. Anticipated bottom hole temperature:
 85°F or less (Cold Water Well) 85°F to 212°F (Low Temp. Geo. Well) 212° F. or more (Geothermal Well)

6. Construction Start Date: December 12, 1994

7. Anticipated Well Driller: Elsing Drilling Driller's Lic. No. 31

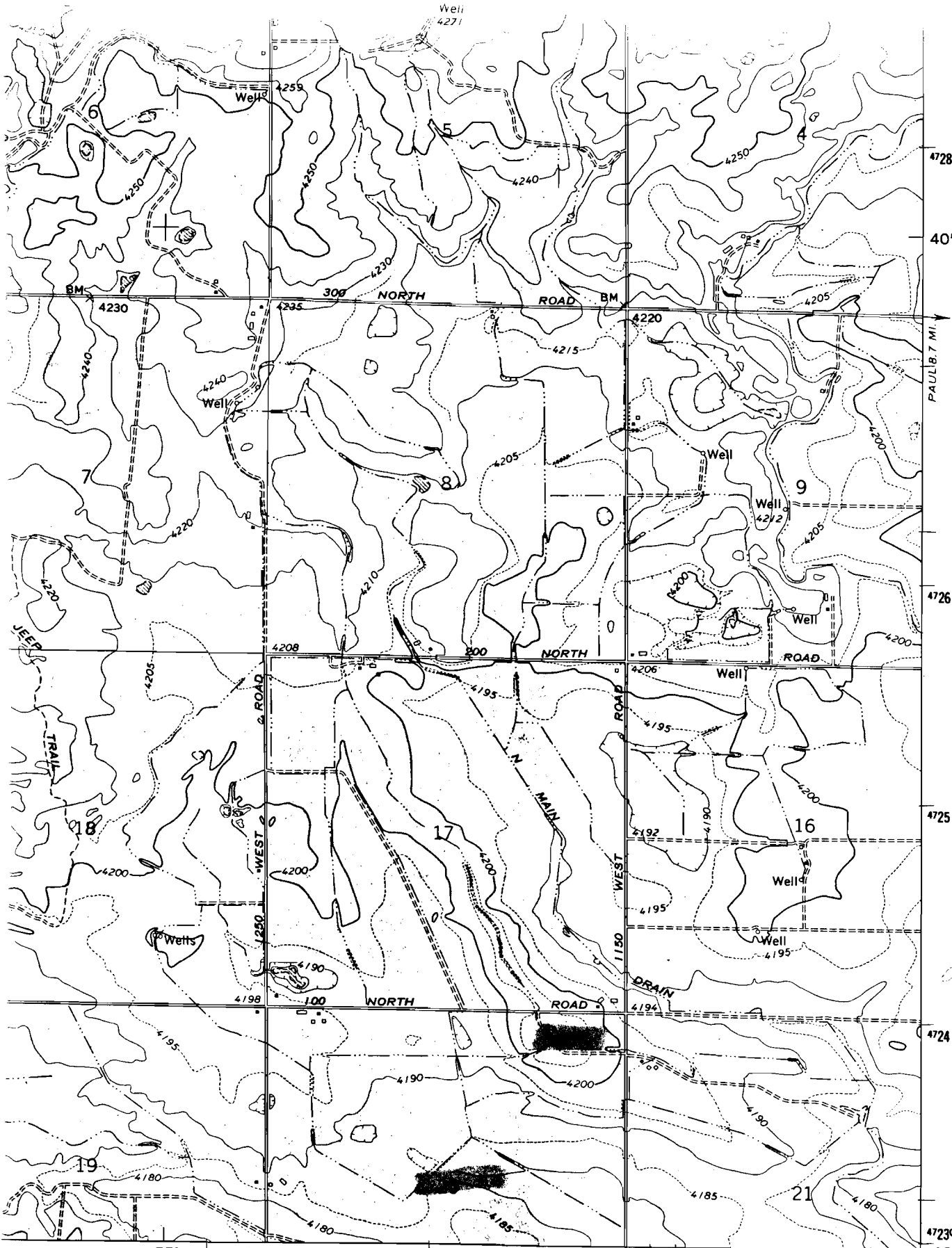
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature *Norma Elsing* Date December 11, 1994

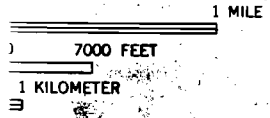
Title Firm Representative

26-74-3-0292-000

BB27
4



Abandoned well?



Abandoned
4036

INTERIOR GEOLOGICAL SURVEY, WASHINGTON, D. C. - 1965
1.5 MI. TO IDAHO 25
PAUL 7.1 MI.

ROAD CLASSIFICATION

Light-duty ————— Unimproved dirt - - - - -

(BURLEY SE)
3269 1/2 SE

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE August 19, 1996 1:48pm CUSTOMER A & B IRRIGATION 36-02080

SUBJECT: WELL P/D RECOMMENDATIONS AND DISCREPANCIES???
phone call (X) walk-in (.)

Carter Fritschle from the State Office called regarding some questions he had on some wells claimed under A & B Irrigation. They are working on a settlement conference and need to get the P/D's of these wells confirmed.

- 1.) T08S, R24E, Sec 2 NWNESE
One well was claimed but not recommended in the Director's Report? I looked at the maps supplied by A & B that Bob Worstell, who did the recommendations on the A & B claims, used in identifying Points of Diversion. There was no well shown in this legal description. Diana from A & B told me on the phone that that well was mistakenly left off of the map they provided to Bob...
- 2.) T09S, R22E, Sec 3 NWSESE
There is supposed to be three wells in this legal, two previously claimed and one added by transfer. We show only two? The map does show that there are two wells located very close together which we recommended as one...
- 3.) T09S, R22E, Sec 9 NENESW
We recommended one well here but they say it should be two? Diana said they intended to abandon the old well and drill a new one nearby. The new one never has produced as hoped, so they are still using both wells. No transfer for this new P/D...

Carter will check with legal to see if this information needs verification in the field and let me know...

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed.

VIRGIL TEMPLE, MGR.

USA ACTING THROUGH -
BOR Box 043-550 W. Foot
BOISE, ID. 83724
436-3152

2. SUBJECT OF INQUIRY:

TELEPHONE CALL FROM -

Want to add a diversion point (well) they missed in preparing their claim for this right.

How to list relief pumps within the season of use that serve tract? These wells pump return flows 80-90% of the time but 10% of season they divert into ponds and 16 of them serve a specific land.

3. RESPONSE TO INQUIRY:

told him the court's admin order doesn't cover anything after submitting a claim report to the court. So I would ask for direction and call him back.

He suggested Friday A.M., 01-06-95.

Met w ADM & Mel to review and prepare a response.

Reviewed court's ORDERS and AOT.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

F. Hitchcock

F. HITCHCOCK (F)

36-02080 pg. A-1024 to A-1053

8.06/8.10

01-05-1995

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

VIRGIL TEMPLE, MGR.

USA ACTING THROUGH-
BOX BOX 043-550 W. FORT
BOISE, ID. 83724
436-3152

2. SUBJECT OF INQUIRY:

follow-up phone call, as promised, in
original contact 01-05-1995.

3. RESPONSE TO INQUIRY:

reviewed results of discussion with
ADM & MEL:

period for claimant participation in
the court process having passed any suggestions
by us could be legal advice - subject contact
claimant.

Mr. Temple said he already has as of
yesterday afternoon.

reviewed the pumping of returns and con-
cluded, without any additional facts, that usage
sounds as if it is covered under the claimed usage.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

F. Hitchcock 8:05/8:08
01-06-1995
F. HITCHCOCK (F)
36-02080 pg A-1024 to A-1053.

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

—

—

—

DIRECTOR'S REPORT CONVERSATION MEMO

POOR ORIGINAL

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed.

CINDY 04-15-93 10¹⁰ AM

LAND AND WATER FUND of ROCKS

BOISE, ID.

2. SUBJECT OF INQUIRY:

copy of:

1) 36-15127

2) 36-02080

permit # - 20736

2) also: fax an original license

1) expansion

3. RESPONSE TO INQUIRY:

04-15-93 2⁵⁵ PM TT hr - license data conflict - orig v. on-line. TT Vault for fill v

04-16-93 1⁴⁰ PM TT hr - IV. msg.

1⁵⁵ PM TF - review and update

2⁵³ TT - IV. msg.

3⁰⁷ TF - review msg - send FAX

4. IDWR STAFF AND DATE:

F. Hitchcock 04-15-1993

Print name and initial

F. Hitchcock (F) MICROFILMED

WATER RIGHT CLAIM (Nos.):

36-15127, - 02080 NOV 02 1994

POOR ORIGINAL

COMMUNICATION DOCUMENTATION

Claim No. 36-02080

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent ADM Date 9/8/94

Contact Person(s) Margaret King (Legal Assistant on Attorney)

Nature of Contact Reviewed A&D File

Substance of Communication

1. Asked if response date of Sept. 16 is in office or postmarked. (I talked with Norm & he thought in office) 2. Asked if parties just IDWR & Ling. (I told her yes.) 3. Asked about GW studies in ~~A&D~~ B222. (She talked with P. Costello by phone) She obtained copies of various documents in file as well as old map from drawer.

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NOV 07 1994

POOR ORIGINAL

Copy faxed to Shaw 3/3/93
for response by attorneys

File in legal file for
36-02080.

AD

MICROFILMED

NOV 07 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

POOR ORIGINAL

A36-02080

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 16, 1993

Post-It® brand fax transmittal memo 7871 # of pages *

| | | | |
|-------|---------------|---------|--------------|
| To | ALLEN MERRITT | From | NICK SPENCER |
| Co. | SOUTHERN | Co. | |
| Dept. | | Phone # | |
| Fax # | | Fax # | |

VIA FACSIMILE TRANSMISSION

M. L. Misner
Acting Regional Supervisor
of Water, Power, and Lands
Bureau of Reclamation
Pacific Northwest Region
1150 N. Curtis Road
Boise, Idaho 83706
FAX NO. 378-5129

ATTN: PN-424

Re: Snake River Basin Adjudication

Dear Mr. Misner:

This letter is in response to your letter of March 2nd to Mr. Allen Merritt, Water Rights Supervisor of this department's Southern Region office in Twin Falls, regarding certain water rights recommended in the Director's Report for Reporting Area 3 (Basin 36), and to follow up on my telephone conversation with Mr. Phil Graf of your office.

The initial concern expressed in your letter was with regard to the distinction between "current" owner and "present" owner as those terms are used in this department's data management system. Please be assured that the department's use of these designations is only for internal record keeping purposes.

In reviewing how the director has recommended the water rights in question, including number 36-02080, as to which you are inquiring in particular, you will note that each right is recommended in the name of the "United States of America" through Regional Director PN Region Bureau of Reclamation. On the department's electronic database that name is designated as the "current" owner of the water rights in question. However, as you are aware, A & B Irrigation District also filed claims for the same rights. On the department's database A & B is listed as

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NOV 11, 1994

POOR ORIGINAL

Mr. M. L. Misner
April 16, 1993
Page 2

the "present" owner. The department uses this particular data field for purpose of keeping track of competing or fractional ownership interests of uncertain type or nature.

As you may be aware the concept of "ownership" per se often becomes complex and confused when applied to water rights-- especially with regard to water rights in federal reclamation projects. If one analogizes the various rights and duties which comprise "ownership" to a bundle of sticks it is reasonably clear that, as to water rights for and within the Minidoka Project, the United States and A & B each can assert claims to certain of the sticks. One legal treatise describes the situation as follows:

The federal government's interest in the water itself has been described as legal title, and the individual irrigator's interest has been described as equitable title. In most federal projects, however, title to the water rights appears to be held by either the state, the irrigation district, or individual irrigators. And even where the federal government holds legal title to the water rights, once project repayment obligations are made in accordance with federal law, legal title appears to pass to the irrigation district or individual users. Where title, either legal or equitable, actually lies is uncertain.

2 BECK, WATERS AND WATER RIGHTS, § 16.03(e), at 354-355 (Michie 1991). (Footnotes omitted.) (Citing, among others, Nevada v. United States, 462 U.S. 110, 126 (1983); Ickes v. Fox, 300 U.S. 82 (1937).)

In the present case the director has made the determination to recommend the rights in question in the name of the United States as the holder of the legal title; yet for record keeping purposes the department has made note that A & B also has asserted claims based upon an interest in the water rights, the exact nature of which is not yet clear.

Moreover, the department views the present uncertainty regarding the nature of the ownership interest as being primarily a matter between the bureau and the irrigation district. Both of them are entitled to object to the director's recommendations; and, therefore, each of them must determine for itself whether the present adjudication is an appropriate forum for raising ownership questions.

Finally, please note that I am aware of your concerns regarding why you were not notified of A & B's transfer application. Transfers are handled by the allocations bureau this department, and, accordingly, are outside of the purview of a legal counsel for the adjudication bureau. However, I am

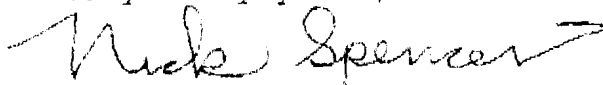
MICROFILMED
NOV 02 1994

POOR ORIGINAL

Mr. M. L. Misner
April 16, 1993
Page 3

presently looking into the matter for you, and will respond in a separate letter.

Very truly yours,



NICHOLAS B. SPENCER
Deputy Attorney General

cc: K. Jack Haugrud, Esq.
Allen Merritt

MICROFILMED**NOV 02 1994**



United States Department of the Interior



BUREAU OF RECLAMATION
Pacific Northwest Region
Federal Building & U.S. Courthouse
Box 043-550 West Fort Street
Boise, Idaho 83724-0043

IN REPLY REFER TO:
PN-420

MAR 2 - 1993

RECEIVED

MAR 03 1993

Department of Water Resources
Southern Region Office

Mr. Allen Merritt, P.E.
Water Rights Supervisor
State of Idaho
Department of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls ID 83301

Subject: Snake River Basin Adjudication Water Right Claim
Nos. 36-15127, 36-15192, 36-15193, 36-15194, 36-15195,
and 36-15196 (Your Letter Dated October 5, 1992)
(Water Rights)

Dear Mr. Merritt:

During the Notice of Error process for Basin 36, you notified us that our claim No. 36-04265 had been disallowed and the Director recommended the subject claims in the name of the United States instead of the A&B Irrigation District. You stated since both entities appeared to have ownership in these rights they were recommended in the name of the United States as well as the A&B Irrigation District. The United States would be the "current" owner and the A&B Irrigation District the "present" owner (see enclosed letter).

We are writing for clarification of "current" and "present" owner definitions. What exactly does this mean? What responsibilities and privileges come with these titles? The Director's Report appears to recommend only the United States as the owner. Does the fact that you have this dual ownership on your computer record have any effect on the decreed water right? We need a clear understanding of your recommendation and how it affects our ownership of this right.

Also, we have noted on the pending applications for transfer attached to the monthly Status Report that the A&B Irrigation District has requested a change in Point of Division on the United States Claim No. 36-02080 without any notification to Reclamation. Was this claim also recommended by the Director in a similar dual ownership and allows changes to the claim by either party? If so, how will we be aware that our claims have this status if the Director's Report does not mention them?

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NOV 17 1994

Your assistance in this matter is appreciated.

Sincerely,



ACTING Regional Supervisor of
Water, Power, and Lands

Enclosure

cc: K. Jack Haugrud and Daria J. Zane
U. S. Department of Justice
Environment and Natural Resources Division
General Litigation Section - Room 852
PO Box 663
Washington DC 20044-0663
(w/cy of enclosure)

MICROFILMED

NOV 02 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
 Southern Region, 222 Shoshone Sr. East, Twin Falls, Idaho 83301 (208) 736-3033

GF
(Water Rights)

CECIL D. ANDRUS
Governor

05-Oct-1992 15:48

CONTROL NO. 92-20711

FOLDER ID 7157

POOR ORIGINAL

Regional Director, P.N. Region
Bureau of Reclamation
Box 043-550 West Fort Street
Boise, ID 83724

Attn: Ed Thomas

BUREAU OF RECLAMATION
OFFICIAL FILE COPY
OCT 6 - 1992

| TO | INIT | DATE |
|------|------|------|
| 424 | | |
| 424 | | |
| | | |
| | | |
| | | |
| FILE | | |

KEITH HIGGINSON
Director

100 *D*
 400 *[Signature]*
 609 *[Signature]*
 609 *[Signature]*
 LAST

RE: Notice of Error in the Snake River (Basin) Adjudication for the Recommendations for rights 36-04265, 36-11114 & 36-11115

Dear Mr. Thomas:

This letter is in response to the issues you identified on the notices of error you recently filed with the Department for the above referenced recommendations.

The issue you identified for 36-04265 was that the Department should not award this water in another claimant's name. In response to this matter the Department has in fact disallowed the claim for 36-04265 which was filed by the USA for expanded acres within the A & B Irrigation District service area and instead recommended rights 36-15127, 36-15192, 36-15193, 36-15194, 36-15195 & 36-15196 which were claimed by the A & B Irrigation District essentially for the same acres. Since both entities appear to have ownership in these rights they are being recommended in the name of the USA, Acting thru the Bureau of Reclamation as well as the A & B Irrigation District. We list the USA as the "current" owner and the A & B Irrigation District as the "present" owner in our computer record. It does not appear we have erred with regards to this issue so the recommendation is not being changed.

The issue you identified for 36-11114 & 36-11115 was the remark which limited both rights to a combined total diversion of 2500 gallons per day. This limit was originally imposed since it appeared that the total use met definition B of Section 42-111 of the IDAHO CODE. I have re-evaluated these rights with regard to the definition and have made an adjustment to the recommendation. Please find enclosed new proof reports for these rights. It appears that since 36-11114 is not groundwater and has a priority of earlier than 1971 and assuming the fee of \$54 will be collected for this claim that the volume of water for this right would not be limited to 2500 gallons per day. The limit would be what ever has been historically used. The limit for 36-11115 still applies since the use fits within definition B and

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NOV 02 1994

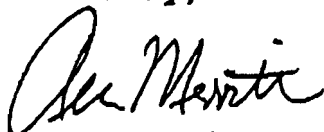
PAGE 2

Oct. 5, 1992

established without obtaining a water right permit. Since it appears that the spring use under 36-11114 was discontinued in 1990 you may wish to pursue filing a transfer of this right to the well or make application for permit to cover the use of the well beyond 2500 gallons per day.

If you still disagree with IDWR'S recommendations, you will have the opportunity to file an objection to the Director's Report with the court. you will be mailed a notice that will contain more information about the objection process.

Sincerely,



Allen Merritt, P.E.
Water Rights Supervisor

Enc:

CC: Jack Haugrud, Attorney for USA

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NOV 17 1994

POOR ORIGINAL

TRANSMITTAL COVER SHEET

OMNIFAX G66
Phone No.: (208) 736-3037

TO: Dave Shaw

FROM: Allen Merritt

DOCUMENT DESCRIPTION: _____

TOTAL PAGES SENT: 4

CONTACT: _____
(NAME OF SENDER)

Please consider this document as a billing statement. The charge for your FAX copies is \$ _____. Please remit to the above address.

Charges: One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost \$.25 per page. (\$.50 minimum)

POOR ORIGINAL

MESSAGE
TRANSMISSION

MICROFILMED
NOV 02 1994

NO. DATE ST. TIME 100-112-1000 51
044 01-23 14:36 100-112-1000 50

NO. DATE ST. TIME 100-112-1000 51
044 01-23 14:36 100-112-1000 50



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

Adj-Southern
Dob

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 26, 1990

RECEIVED

JUN 27 1990

Mr. Kenneth R. Pedde
Acting Regional Director
U.S. Dept. of Interior
Bureau of Reclamation
Box 043-550 W. Fort Street
Boise, Idaho 83724-0043

Department of Water Resources
Southern Region Office

SUBJECT: Snake River Basin Adjudication - Adjudication Claims
Within Project Service Areas

Dear Mr. Pedde:

In response to your letter of April 11, 1990 regarding wastewater within project boundaries the Department does not intend to change it's position regarding the status of these waters as a result of the Adjudication. For the purposes of this letter water collected in drainage ditches is not considered to be different from wastewater.

Wastewater that arises on project lands and is redelivered by the project to project lands does not need to be separately filed on in the SRBA. The Department's position is that a recording is not required even if the redelivery of wastewater is made by an individual rather than the project so long as the water is used on project lands.

If wastewater arises on project lands and is not redelivered by the project to project lands the wastewater is assumed to be available for appropriation subject to the limitations for appropriating wastewater within Idaho. Wastewater that is not redelivered by the project but is used by an individual on non-project lands, either inside or outside of the project boundaries must be filed on in the SRBA if the right to continue the use of that water is to be protected as to other wastewater appropriators. If the water is being rediverted by an individual for non-project lands within the project boundary it may be in the project's best interest to file a claim for that water use in the name of the project.

MICROFILMED

NOV 17 1994

Mr. Kenneth R. Pedde
U. S. Dept. of Interior
Bureau of Reclamation
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An additional situation may occur in which wastewater is mixed with water arising outside the project. This situation can occur when wastewater is mixed with a natural water source or with wastewater from water uses not served by the project. In these cases the wastewater from the project becomes indistinguishable from water arising outside the project and if the project depends on this water, then a claim must be filed to protect the right to continue using the water from this source.

I hope this letter clarifies the position of the Department regarding wastewater within project boundaries. If you have questions or need further clarification, please feel free to contact me.

Yours truly,



David B. Shaw
Adjudication Bureau Chief

DBS;dms

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