

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 37-21972
Date Received: 11/21/2006
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID USA 83314

Phone: (208) 948-9104

2. Date of Priority:

3. Source: UNNAMED STREAM Trib. to: CALF CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	12E	27	NE NE SE	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION STORAGE	01/01	12/31		13
IRRIGATION FROM STORAGE	03/15	11/15		13

7. Total Quantity Appropriated is:
13 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses: *Fish Propagation*

10. Place of use:

CC

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	12E	26	NE	SW	IRRIGATION FROM STORAGE	6
			SW	NW	IRRIGATION FROM STORAGE	1
			NW	SW	IRRIGATION FROM STORAGE	18
			SW	SW	IRRIGATION FROM STORAGE	5
Section Acres						30
04S	12E	27	NE	SE	IRRIGATION FROM STORAGE	3
			SW	SE	IRRIGATION FROM STORAGE	9
			SE	SE	IRRIGATION FROM STORAGE	8
			NE	SW	IRRIGATION STORAGE	
Section Acres						20
04S	12E	34	NE	NE	IRRIGATION FROM STORAGE	14
			SW	NE	IRRIGATION FROM STORAGE	10
			SE	NE	IRRIGATION FROM STORAGE	24
			NW	NE	IRRIGATION FROM STORAGE	35
Section Acres						83
Total Acres						133

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

Claim is for pond in NESE Section 27

Pond volume is calculated to be 13 acre feet. Consumptive use for irrigation in this area is 4.0 acre feet per acre. Therefore, Irrigation from Storage is limited to irrigation of 3.25 acres per season.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres of
Title
Faulkner Haybrook Ranches Inc that I have signed the foregoing
Organization
document in the space below as Pres of
Title
Faulkner Haybrook Ranches Inc and that the statements contained in the
Organization
foregoing document are true and correct. James E Faulkner
Signature of Authorized Agent
Faulkner Haybrook Ranches Inc.
Title and Organization
11/28/06
Date

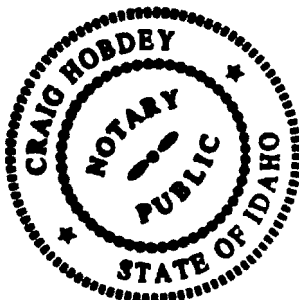
State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this
of November 2006

29th
Craig Hobdey
Notary Public

Residing at Gooding

My commission Expires ~~10-24-12~~ 10-24-12



AFFIDAVIT

STATE OF IDAHO)
) SS.
County of Gooding)

JOHN FAULKNER, upon his oath being first duly sworn, deposes and says:

1. Affiant's name is JOHN FAULKNER, a resident of Gooding County, Idaho.
2. In 1956 RALPH FAULKNER LAND, INC. purchased a portion of Section 27 in Township 4 South, Range 12 EBM in Gooding County, Idaho, north of Bliss.
3. There was a storage pond on the west fork of Calf Creek at the time RALPH FAULKNER LAND, INC. purchased the property.
4. Affiant was twenty four years old when Ralph Faulkner Land, Inc. purchased the above described property, and storage reservoir. The above described reservoir was personally observed by your Affiant as being on the property in 1956.

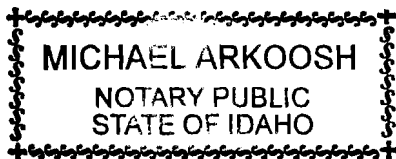
DATED THIS 28th day of November, 2006.


John Faulkner

STATE OF IDAHO)
) SS.
County of Gooding)

On this 28th day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN FAULKNER, known to me to be the person whose name is subscribed to in the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this instrument first above written.




NOTARY PUBLIC FOR IDAHO
Residing at: Gooding
Commission Expires: 08/07/2009

AFFIDAVIT

STATE OF IDAHO)
) SS.
County of Gooding)

WALT HOBDEY, upon his oath being first duly sworn, deposes and says:

1. Affiant's name is WALT HOBDEY, a resident of Gooding County, Idaho.
2. Prior to 1956 Affiant was working for Jay Farmer at his ranch north of Bliss. Part of the ranch included a portion of Section 27, Township 4 South, Range 12 EBM, Gooding County, Idaho.
3. While I was working on the ranch I personally observed a storage reservoir on the West Fork of Calf Creek. I know about the use of the reservoir/storage facility because it existed prior before and after 1956 based upon my personal observation.
4. I was over the age of twenty-five (25) years at the time Affiant worked for Jay Farmer and made these observations.

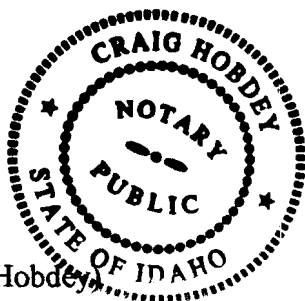
DATED THIS 28 day of November, 2006.

Walt Hobdey
Walt Hobdey

STATE OF IDAHO)
) SS.
County of Gooding)

On this 28 day of November, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared WALT HOBDEY, known to me to be the person whose name is subscribed to in the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this instrument first above written.



Craig Hobdey
NOTARY PUBLIC FOR IDAHO
Residing at: Gooding
Commission Expires: 10-24-12

AFFIDAVIT (Walt Hobdey)

Page 1 of 1

SCANNED
DEC - 4 2006

Christensen, Kelly

From: Christensen, Kelly
Sent: Friday, March 13, 2009 2:39 PM
To: Bromley, Chris
Cc: Kelly, Vicki
Subject: 37-21972 Faulkner Hayhook

Attachments: 37-21972 FAULKNER HAYHOOK v-2 recom.doc

I updated the V-2 recommendation to reference the Part B separate stream language and have generated a ~~strikeout~~ - underline recom.

As far as I can tell this one should be ready to go as an SF-5. Please ck as I don't have much history with this one.

I updated 37-817 recommendation to reflect the amended director's report.



37-21972
LKNER HAYHOOK v-

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

SF-5 filed with
SRBA 4-2-09

03/13/2009

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

RIGHT NUMBER: 37-21972

NAME AND ADDRESS: FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID 83314

VERIFIED BY KKC
3-13-09

SOURCE: UNNAMED STREAM

TRIBUTARY: CALF CREEK

QUANTITY: 13.00 AFY

PRIORITY DATE: 03/15/1956

POINT OF
DIVERSION:

T04S R12E S27 NENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	13.00 AFY
IRRIGATION FROM STORAGE	03/15 11/15	13.00 AFY

PLACE OF USE: IRRIGATION STORAGE in GOODING County

T04S R12E S27 NESE

IRRIGATION FROM STORAGE in GOODING County

T04S R12E S26	NESW	~~6.4~~ 6.00	T04S R12E S26	NWSW	18.00
T04S R12E S26	SWSW	~~4.7~~ 5.00	T04S R12E S26	SWNW	~~SES~~ 1.5 1.00
T04S R12E S27	NESE	~~3.4~~ 3.00	T04S R12E S27	SWSE	~~8.9~~ 9.00
T04S R12E S27	SESE	~~8.1~~ 8.00	T04S R12E S34	NENE	14.00
T04S R12E S34	NWNE	34 35.00	T04S R12E S34	SWNE	10.00
T04S R12E S34	SENE	24.00			

133 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 133 acres in a single irrigation season. Combined Right Nos.: 37-817 and 37-21972.

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

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

This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

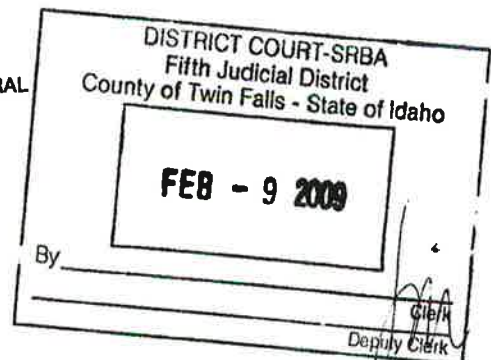
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WASDEN

February 5, 2009

S.M. Brigitte Bilyeu
Snake River Basin Adjudication Court
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707



Re: Basin 37 Part 2 and Part 3 Separate Streams Clerical Error

Dear Special Master:

The Department has recently discovered in reviewing the separate streams list for Basin 37 Part 3 that two water rights that were included in the Part 3 list should have been included in the Basin 37 Part 2 separate streams list. The water right numbers that were included in the Part 3 list that should be included in the Part 2 list are: 37-21955 (1907) and 37-21972 (1956).

As you will recall, the objection to the separate streams list for Basin 37 Part 2 was resolved via a stipulation that was filed with the SRBA on August 21, 2008. The stipulation resolved the objection by agreeing that separate stream protection would extend only to rights senior to March 13, 1940. Therefore, rights junior to March 13, 1940 were not afforded separate stream protection. Rights senior to March 13, 1940 are listed in General Provision No. 1.A. Rights that are junior to March 13, 1940 are listed in General Provision No. 1.B.

Based on the terms of the stipulation, water right no. 37-21955 (1907) should be included in General Provision No. 1.A (Cow Creek tributary to Camas Creek); water right no. 37-21972 (1956) should be included in General Provision No. 1.B (unnamed stream tributary to Calf Creek). Additionally, both water rights should be removed from the Basin 37 Part 3 separate streams list.

If you have any questions, please do not hesitate to contact me.

Very Truly Yours,

Chris M. Bromley
Deputy Attorney General, IDWR

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-817 V1

WATER RIGHT NUMBER: 37-817 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FAULKNER HAYHOOK RANCHES INC C/O JIM FAULKNER 755 US HWY 30 BLISS, ID 83314 (208)948-9104

Priority Date: 04/01/1904

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CALF CREEK	CLOVER CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	3.200 CFS	
	<u>Total Diversion:</u>	3.200 CFS	

Location of Point(s) of Diversion

CALF CREEK	SW1/4SW1/4NE1/4	Sec. 26, Twp 04S, Rge 12E, B.M.
GOODING County		
CALF CREEK	NE1/4NE1/4SE1/4	Sec. 27, Twp 04S, Rge 12E, B.M.
GOODING County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	12E	26									6.0	18.0	5.0	1.0					30.0
04S	12E	27													3.0		9.0	8.0	20.0
04S	12E	34	14.0	35.0	10.0	24.0													83.0

Total Acres: 133

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. C27 This water right shall be administered as being from a separate source pursuant to Basin 37 Part 2 General Provision 1.A or 1.B. If the holder of this right seeks to change the right pursuant to Idaho Code Sec. 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury. Basin 37 Part 2 General Provision 1.A or 1.B, the separate streams general provision, shall only apply to water rights decreed in the Snake River Basin Adjudication.

2-26-09

37-817 ~~FALKNER~~ ~~HAYHOCK~~
needs separate source language added
as a clerical error correction to partial Decree.

C18

C27

37-21972 Faulkner Needs Part B language
issue ^{with} consistent 37-817

WR with Priority date earlier to 1940⁺
gets rmk. (separate stream issue)

already decreed

status Conf Aug 12

817 - separate stream

- Comb right lang

✓ send lang to comb ^{done}
conf is already updating decreed rights re sep. Stream

David.Negre @ DOS.GOV

37-11953

Schedule Conf prior to ~~July 31~~ ^{July 31}

To be combined with HAWATH A canal
Booth to be Sp. Master.

Typo regarding BLM 22664

2-
Feb 26, 1:30 PM

37-21972 Faulkner Hayhook Ranches

obj by BLM on P.O.U.

Rec. includes BLM Sec 26 SWNW 1.5ac

Potential SF-5 prepared by Steve

NOTICE OF ERROR
REPLY

12/19/2006

RECEIVED

DEC 26 2006

DEPARTMENT OF
WATER RESOURCES

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-21872

BARBARA L BOYER
PO BOX 405
BELLEVUE ID 83313
Telephone Number: (208)788-4352

RICHARD J BOYER
PO BOX 405
BELLEVUE ID 83313
Telephone Number: (208)788-4352

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

12/19/06

SIGNATURE:

Richard J. Boyer
RICHARD J. BOYER
Barbara L. Boyer

Please print your name:

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

Barbara L. Boyer

PHONE: (208) 788-4352

RECEIVED
JAN 13 2007
DEPT OF WATER RESOURCES
BOISE REGION

SCANNED
DEC 27 2006

12/18/2006

**NOTICE OF ERROR
REPLY**

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-21972

FAULKNER HAYHOOK RANCHES INC

C/O JIM FAULKNER

755 US HWY 30

BLISS ID 83314

Telephone Number: (208)948-9104

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

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

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

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

DATE:

12/20/06

SIGNATURE:

James E Faulkner

Please print your name:

James E Faulkner

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
JAN 02 2007

12/12/2006

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

RIGHT NUMBER: 37-21972

NAME AND ADDRESS: FAULKNER HAYHOOK RANCHES INC
C/O JIM FAULKNER
755 US HWY 30
BLISS ID 83314

SOURCE: UNNAMED STREAM

TRIBUTARY: CALF CREEK

QUANTITY: 13.000 AFY

PRIORITY DATE: 03/15/1956

POINT OF DIVERSION:

T04S R12E S27 NENESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION STORAGE	01/01 12/31	13.00 AFY
IRRIGATION FROM STORAGE	03/15 11/15	13.00 AFY

PLACE OF USE: IRRIGATION STORAGE in GOODING County

T04S R12E S27 NESE

IRRIGATION FROM STORAGE in GOODING County

T04S R12E S26	SWNW	1.50	T04S R12E S26	NESW	6.40
T04S R12E S26	NWSW	18.00	T04S R12E S26	SWSW	4.70
T04S R12E S27	NESE	3.40	T04S R12E S27	SWSE	8.90
T04S R12E S27	SESE	8.10	T04S R12E S34	NENE	14.00
T04S R12E S34	NWNE	34.00	T04S R12E S34	SWNE	10.00
T04S R12E S34	SENE	24.00			

133 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 133 acres in a single irrigation season. Combined Right Nos.: 37-817 and 37-21972.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

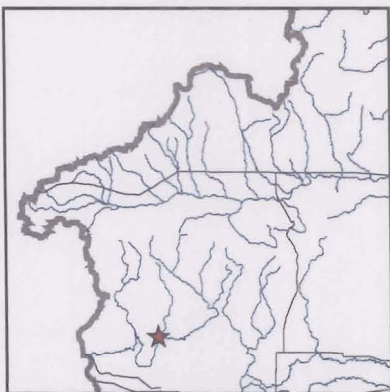


Idaho Department of Water Resources

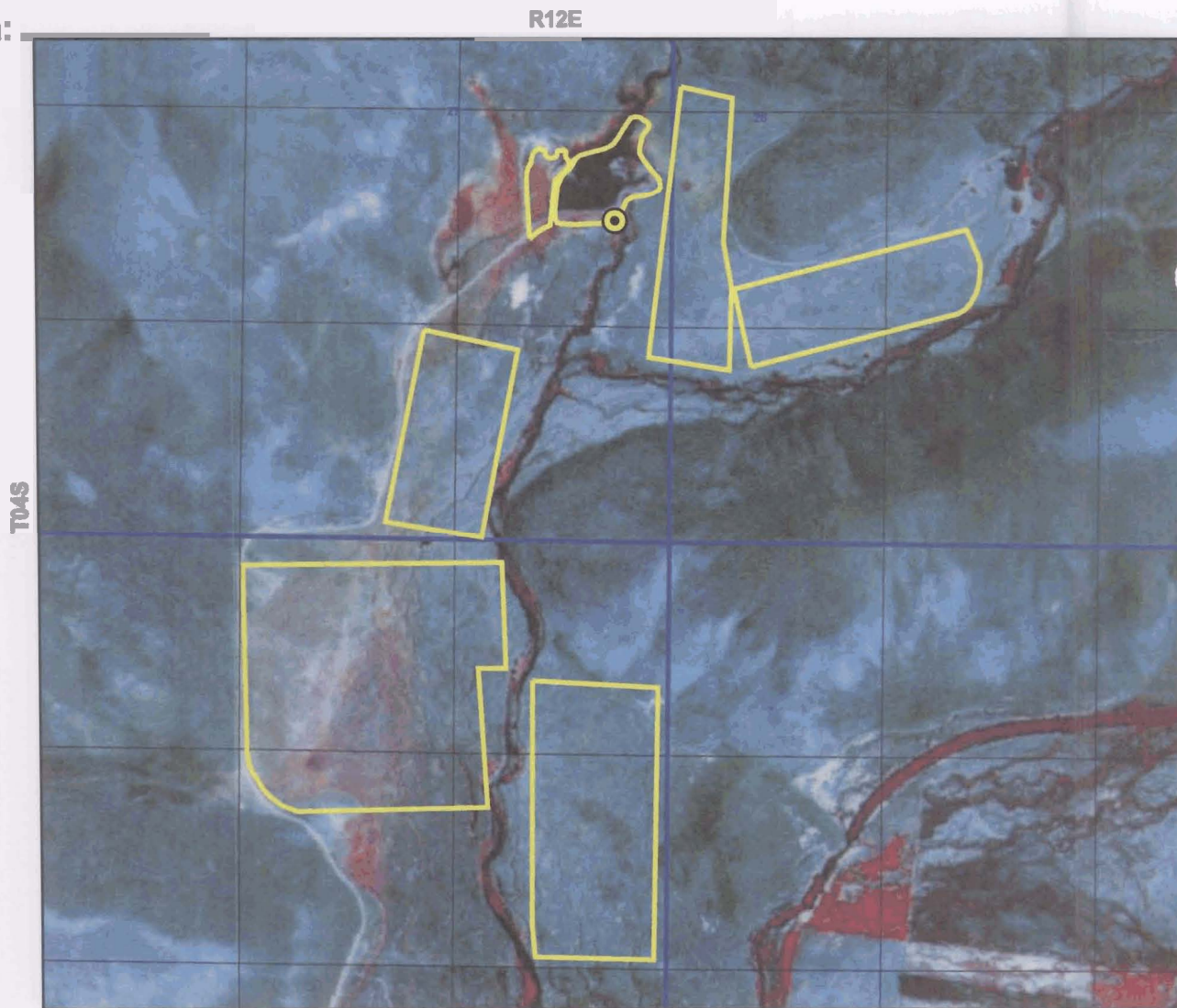
SRBA Recommendation:
37-21972

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Gooding County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Saturday, December 9, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-21972

Background Data

- Beneficial Use Claim
- Source is Unnamed Stream tributary to Calf Creek
- Claimed 13 AF for Irrigation Storage and Irrigation from Storage for 133 acres

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

2004 Aerial Photo



Notes

T4S R12E Sections 26 & 34

- 11/14/06 – Talked with claimant at public meeting in Fairfield. As stated on claim, the claimant said that he was upgrading the distribution system from flood irrigation to sprinklers in 1987, so there was not much irrigation occurring. He gave me a map that indicates what he irrigates since completing the distribution system upgrades. He would like to amend his claim for all the land he irrigates. Claimant would also like to file a new claim for storage water in pond on the north end of his farm.
- Storage pond calculations:
 - Surface area = 5.8 acres
 - Length = 760 ft
 - Width = 380 ft
 - Maximum depth = 6.0 ft
 - Volume (used prism calculation) = 13 acre feet
- 11/21/06 – modified POU and found 133 acres of irrigation. Sent claimant amended claim.
- 12/8/06 – Received signed amended claim and filing fee for 37-817 from claimant. However, the final Director's Report had been submitted to the SRBA Court so the amended claim will have to be resolved through an Objection.
- 12/8/06 – Received signed claim and filing fee for 37-21972 from the claimant. 37-21972 will be issued with the Part 3 claims.
- Assuming 37-817 is amended, 37-817 and 37-21972 will need a combined use limit of 133 acres.
- Recommendation:
 - 133-acre PPU for 37-817 and 37-21972
 - 13 AF for Irrigation Storage
 - 13 AF for Irrigation from Storage for Irrigation of 3.25 acre within 133-acre PPU
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

Volume Calculation for Pond

M. Anders
11/21/06

$$\text{Max Depth} = 6'$$

$$\text{Surface Area} = 3.8 \text{ acres}$$

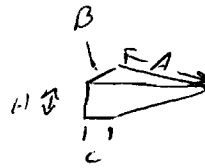
$$\text{Length} = 760'$$

$$\text{Width} = 380$$

Prism

$$\begin{aligned} V_{\text{prism}} &= L \times W \times H \times \frac{1}{3} \\ &= \frac{760' \times 380' \times 6'}{3} \\ &= 577600 \text{ ft}^3 \\ &= 13 \text{ acre ft} \end{aligned}$$

Wedge



$$\begin{aligned} V_{\text{wedge}} &= \frac{2(A+C) \times B \times H}{6} \\ &= \frac{2(760' + 1') \times 380' \times 6'}{6} \\ &= 578,360 \text{ ft}^3 \\ &= 13 \text{ acre ft} \end{aligned}$$



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 21, 2006

Faulkner Hayhook Ranches Inc.
C/o Jim Faulkner
755 US Hwy 30
Bliss, ID 83314

RE: Snake River Basin Adjudication claim 37-817

Dear Mr. Faulkner,

Attached is the amended Snake River Basin Adjudication (SRBA) water right claim for 37-817 that you requested at our meeting last week in Fairfield. The only change I made to the claim is an increase in the place of use from 60 acres to 133 acres. Please review the amended claim and if you feel it is correct, please sign it, have it notarized, and return it to me with \$146 (filing fee for the additional acres). Please note that this amended claim is not valid until I receive it signed and notarized with the filing fee.

Summary of water right 37-817:

- 37-817 originally decreed in 1920 for 3.2 cfs for Irrigation of eight quarter-quarter sections (320 acres).
- If amended claim 37-817 is returned, I plan to recommend that the SRBA Court decree water right claim 37-817 for 3.2 cfs for Irrigation of 133 acres.

Also attached is the new claim (37-21972) you requested for the storage of irrigation water in the pond on the north end of your ranch. Using the information you gave me (listed below), I calculated the volume of the pond to be 13 acre feet. Please note that the consumptive use requirement for irrigation in your area is 4.0 acre feet per acre, so this storage water would be limited to irrigation of 3.25 acres in one irrigation season. Also, I meant to discuss establishment of a priority date for this use during our meeting in Fairfield, but it slipped my mind. To be included the SRBA, you must document that storage of water in the pond for irrigation started before 5/20/1971. I have enclosed a pamphlet titled "Evidence of Priority" that discusses possible types of evidence of priority. If you cannot document that this use started before 5/20/1971, you should contact the IDWR - Twin Falls office (208-736-3033) to inquire about obtaining a license for this use.

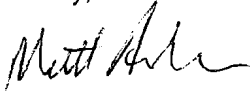
To make this new claim (37-21972) valid, you need to send me all of the following:

- Evidence documenting use started prior to 5/20/1971
- The claim signed and notarized (Please review it first to make sure it represents your water use)
- \$100 filing fee

You requested that I check to see if permit 37-8194 for the hot water well at the north end of your ranch needs to be included in the SRBA. Since the proof of beneficial use was submitted 9/27/1996, after the start of the SRBA in 1987, 37-8194 is not included in the SRBA

If you have questions, feel free to contact me at (208) 287-4937.

Sincerely,

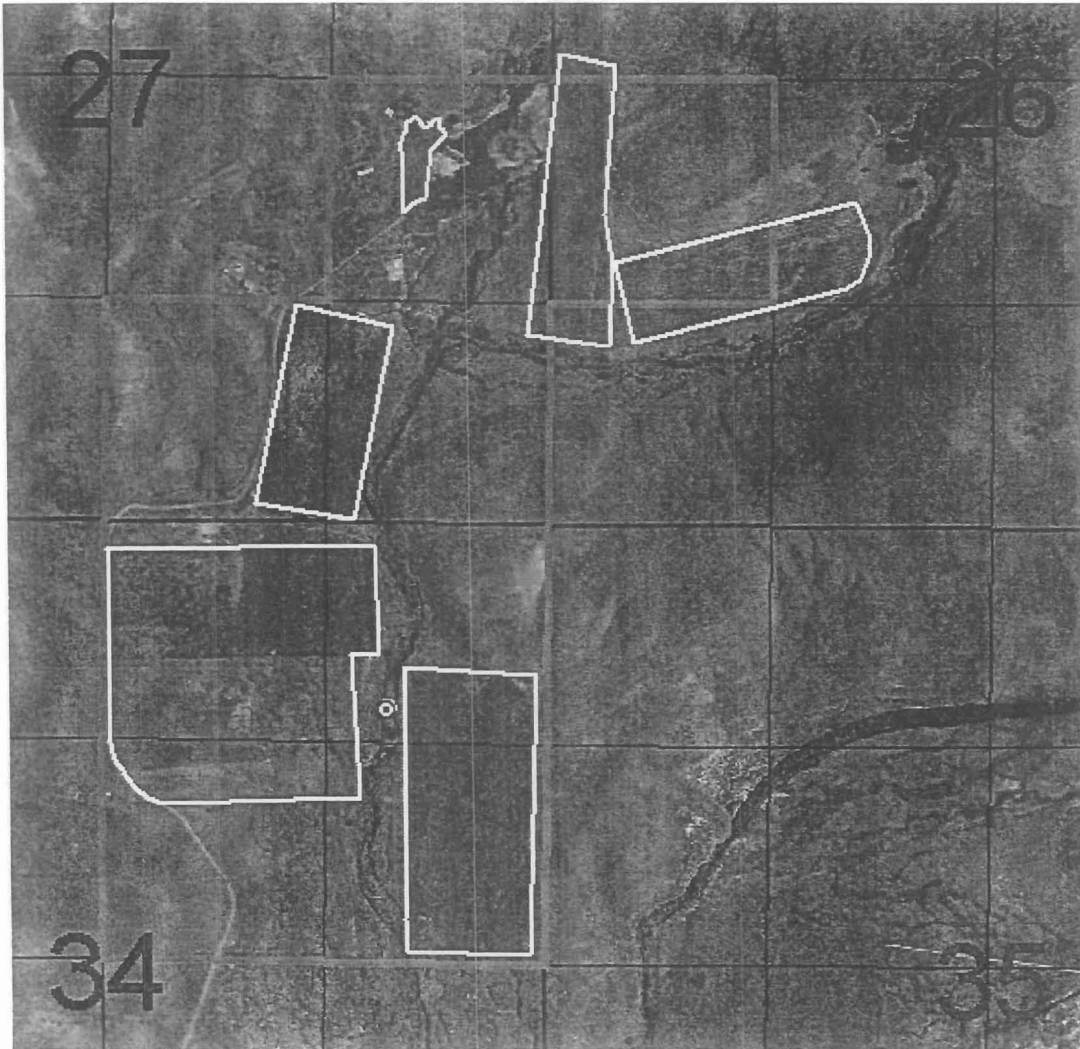
A handwritten signature in cursive script, appearing to read "Matt Anders".

Matt Anders
GIS Specialist – Snake River Basin Adjudication

Place Of Use Data: 37-817

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
Green line is decreed POU (this represents the Quarter-Quarter sections listed in the decree)

2004 Aerial Photo

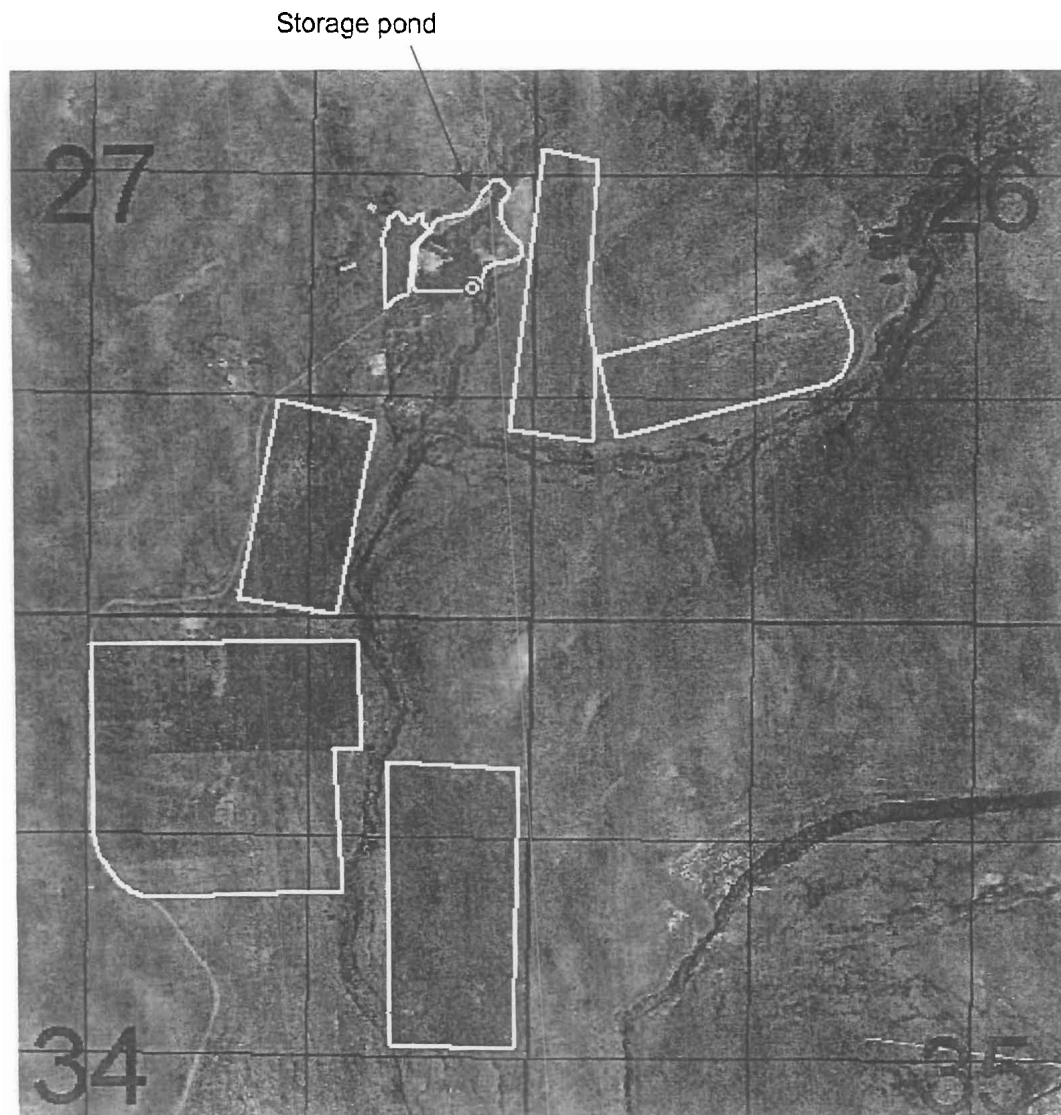


Irrigated Place of Use outlined in yellow is 133 acres.

Place Of Use Data: 37-21972

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
Green line is decreed POU (this represents the Quarter-Quarter sections listed in the decree)

2004 Aerial Photo



Irrigated Place of Use outlined in yellow is 133 acres.

Storage pond calculations:

- Surface area = 5.8 acres
- Length = 760 ft
- Width = 380 ft
- Maximum depth = 6.0 ft
- Volume (used prism calculation) = 13 acre feet