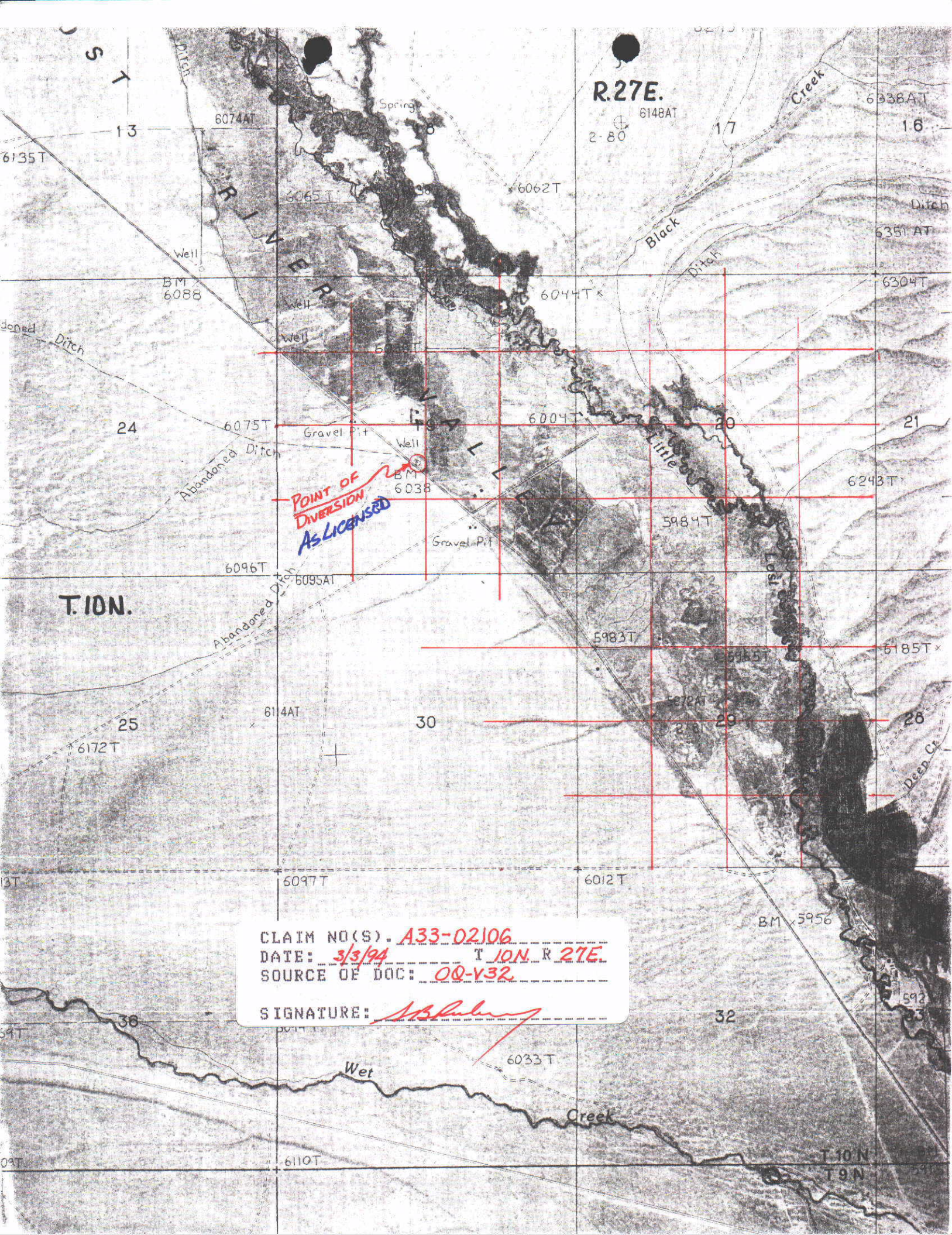


CLAIM NO(S). A33-02106
DATE: 3/3/94 T 10N R 27E.
SOURCE OF DOC: OO-Y32

SIGNATURE: [signature]

PAGE: 4
POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM NUMBER: A33-02106

NOTES: No change to P.O.D. for 02106 only to 10ac. Well is open discharge to ditches for flood irrigation. This well waters can and does commingle with parts (as overlap) of A33-02141. Two points of diversion are claimed only NENESW Sec. 19 applies to this right. 33-02106 can commingle with 02141 but (as claimed) 02141 cannot be commingled with and/or used on 02106 lands. • Recommend only original POD

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
1ON	2?E	19	~~NE~~	~~NE~~	~~SW~~			BUTTE		
1ON	2?E	19		~~SE~~	~~SE~~	02141		BUTTE		
			NE	NE	SW					

SOURCE: GROUNDWATER TRIB:

REVIEWED BY: S B Rubenay DATE: 2 April 1996

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE

Well Data:
Motor: GE 40HP
SN: NHJ6B74504
Pump: Peerless
Tag - No #'s
10" open Disch.

No change to Well Components
Since 20 July 1966 Lic. Exam.

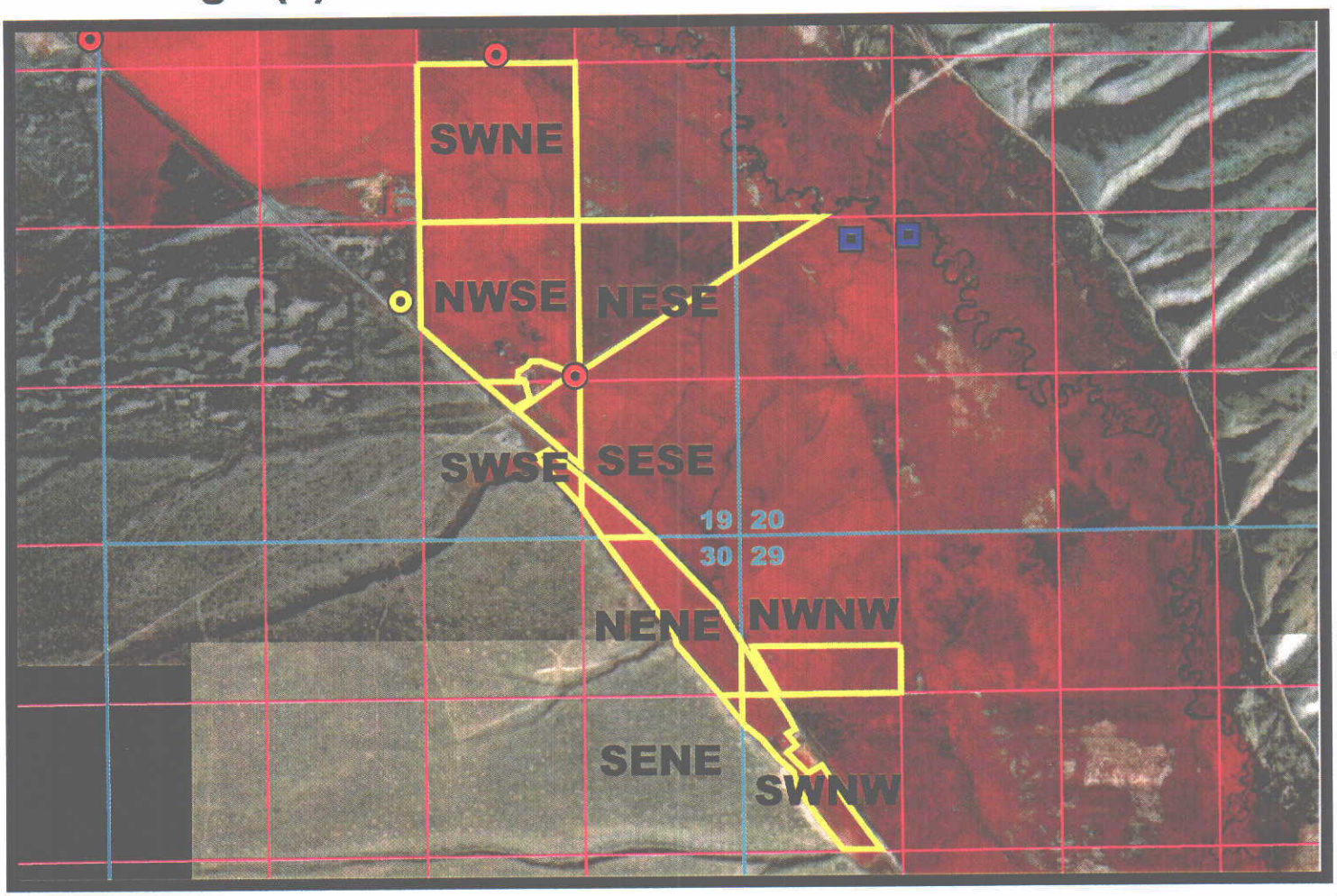
NOTES: LICENSED DIVERSION RATE IS 3.26 cfs; AJ CLAIMED DIVERSION RATE IS 3.00 cfs - DON'T KNOW WHY?
RECOMMEND PERIOD OF USE AS APRIL 15 TO OCTOBER 15, PER DEPT. STANDARDS.

* A33-11002 WAS FILED AS A LATE CLAIM (1/28/00). FILED FOR ADDITIONAL WATER (MEASURED OVER LICENSED AMOUNT). SAME POU SAME POD. - FPS
* USED WITH 2106 LIMIT IS CAPACITY OF WELL: 4.80 cfs.

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: A.J. AMY

Water Right(s): 33-02106



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

LEGEND

- Point of Diversion- GW
- Point of Diversion- SW
- SESE — Place of Use
- Section Line
- Quarter-section line

Place(s) of Use: T.10N., R.27E.
Section 19 (parts of) SWNE, SE,
Section 20 (part of) NWSW,
Section 29 (part of) W2NW,
Section 30 (part of) E2NE

Point(s) of Diversion: T.10N., R.27E.
Sec. 19 NENESW

N

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999

Shep - Eastern

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

33-2106
33-2141
33-11002

December 31, 2002

RE: In the matter of Application for Transfer No. 5760 in the in the name of Reno Ditch Company, Inc.

Dear Parties:

Enclosed, is a copy of a **Notice of Conditional Withdrawal** issued in response to the request filed by Ted Sorenson on December 30, 2002 regarding the above-entitled matter. This order grants a thirty (30) day extension to the parties for submittal of information as requested by the department.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.
Cc: Service List

RECEIVED
JAN 02 2003
Department of Water Resources
Eastern Region

Shep - Ted Sorenson
Do what?
Will Scott
Dee Hubble

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER NO. 5760 IN THE NAME OF RENO DITCH COMPANY, INC.	)))))	**NOTICE OF CONDITIONAL WITHDRAWAL**

This matter having come before the Idaho Department of Water Resources ("Department"), the Department issues the following Findings of Fact, Conclusions of Law and Notice of Conditional Withdrawal Order:

FINDINGS OF FACT

1. On December 26, 2002, the Department served a Notice of Proposed Default Order ("notice") upon Reno Ditch Co, Inc. ("applicant") for failure respond to an information request and to provide requested information.

2. On December 30, 2002, the applicant responded to the notice advising that he had not received the letter from the Department dated October 24, 2002 that requested additional information and that the address used by the Department to mail the notice was incorrect.

CONCLUSIONS OF LAW

1. IDAPA Rule 37.01.01702 (Rule of Procedure 702) authorizes the Department to withdraw a Notice of Default Order upon a satisfactory showing why a default order should not be entered.

2. The Department should conditionally withdraw the notice, since the mailing address used by the Department is incorrect.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the Notice of Proposed Default Order issued by the Department on December 26, 2002 in connection with Application for Transfer No. 5760 is **CONDITIONALLY WITHDRAWN** as described below:

1. The applicant shall submit the requested information within thirty (30) days of the date of service of this order.

2. Failure of the applicant to timely submit the requested information or failure to submit suitable information to respond to enlargement and injury concerns due to the proposed transfer from the Little Lost River drainage to the Birch Creek River drainage will result in reinstatement of the Notice of Proposed Default Order originally issued on December 26, 2002.

Dated this 30th day of December, 2002.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of December, 2002, the above and foregoing document was served on the following by placing a copy of the same in the United States mail, postage prepaid and properly addressed to the following:

TED S SORENSON
VICE PRESIDENT
RENO DITCH COMPANY
5203 SOUTH 11TH EAST
IDAHO FALLS ID 83404

HAROLD JONES
IDWR – EASTERN REGION
900 N SKYLINE DR STE A
IDAHO FALLS ID 83402-1718

KENT FOSTER
HOLDEN KIDWELL HAHN & CRAPO
PO BOX 50130
IDAHO FALLS ID 83405

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

~~BIRCH CREEK RANCHES, L.L.C.~~ Reno Ditch Company
5203 SOUTH 11TH EAST
IDAHO FALLS, IDAHO 83404
208-522-8069 FAX 208-522-8223
E-mail: ted@tsorenson.net

MEMORANDUM

TO: Glenn Saxton P.E. DATE: 12/30/2002
IDWR
Water Allocation Bureau
fax 208-327-7866

FROM: Ted S. Sorenson, Vice President

SUBJECT:
"Notice of Proposed Default Order"
Application for transfer 5760. (new 66127)

REMARKS:
I am in receipt of the notice of default. I did not receive a copy of the October 24, 2002 request for additional information. Glenn Saxton faxed me a copy today. The letter was addressed to Box 349, Preston, Idaho. I did not respond because I did not receive the October 24th letter. I live in Idaho Falls I spoke with Kent Foster. He does not recall receiving the letter. Therefore I ~~do~~ request an additional 30 days to respond to the October 24th letter.

SIGNED: Best Regards

cc:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5760

Revised **APPLICATION FOR TRANSFER OF WATER RIGHT** Revised

PART 1

Name of Applicant Reno Ditch Company Inc Phone (208) 523-0620

Post Office address c/o Holden, Kidwell, Hahn & Crapo P.O. Box 50130 ID Falls, ID 83405

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

   ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes To dry up lands presently irrigated and irrigate other lands in Basin 32 (Birch Creek drainage)

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
33-02106	8/07/1961	3.00 cfs	Irrigation	4-15 to 10-31
33-02141	1/29/1949	3.20 cfs	" "	" to "
R33-11002	8/8/1961	1.80 cfs	" "	" to "
				to

2. Total amount of water being transferred 8.00 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		SW	SW	19	10N	30E	Clark	
		SE	SE	24	10N	29E		
		SW	SW	29	10N	30E		
		NW	NW	32	10N	30E		

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
9N	33E	32	17	17	17	17	29.7	29.7	29.7	29.7	30	30	30	30					

Total Acres 306.8

Transfer No. 5760

PART 1

6. General Information:

a. Description of diversion system Well or wells pump into Birch Creek then rediverted at the hydropower channel. The water then goes thru the power plant and Reno Ditch company puts water into their system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?

_____ Yes __X__ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The lands irrigated will be dried up.

d. Remarks:

If this transfer is approved then surface rights 33-00087 & 33-02034 will be relinquished

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20 _____.

_____

For the Director

2002 APR -9 PM 3:07

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	
	)	**ORDER OF PARTIAL DECREE**
Case No. 39576	)	
	)	**For Water Right 33-02106**

On February 13, 2002, a ***Special Master's Report and Recommendation*** was filed for the above water right. No Challenges were filed to the ***Special Master's Report and Recommendation*** and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and ***SRBA Administrative Order 1***, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the ***Special Master's Report*** and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 37-02106 is hereby **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED 4-9-02

R Burdick

ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

2002 APR 09 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)	CERTIFICATE OF MAILING
)	
Case No. 39576)	
)	Water Right(s): 33-02106

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 33-02106 was mailed on April 09, 2002, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

TED S SORENSON
BIRCH CREEK RANCHES LLC
5203 S 11TH E
IDAHO FALLS, ID 83404
Phone: 208-522-8069

Robbin Glatz
ROBBIN GLATZ
Chief Deputy Clerk

East

RECEIVED
JUL - 2 2001
Department of Water Resources

2001 JUN 29 AM 11:56
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	**Subcases: 33-00087, 33-02034, 33-02106, 33-02141, and 33-11002**
Case No. 39576	)	**ORDER SETTING SUBCASE DEADLINES**

A Status Conference was held in the above subcases on June 29, 2001. At the Status Conference, the following deadlines were set:

7/25/01	**5:00 pm**	Deadline for filing *Motions to Amend Claim* or *Motions for Late Objections.*
8/24/01	**10:00 am**	**Telephone Hearing** on *Motions for Late Objections* or *Motions to Amend Claim* **Location: SRBA District Court** **253 Third Avenue North** **Twin Falls, ID**

DATED June 29, 2001.

Brigette Bilyeu

BRIGETTE BILYEU
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of ORDER SETTING SUBCASE DEADLINES was mailed on June 29, 2001, with sufficient first-class postage prepaid to the following:

Director of IDWR
PO Box 83720
Boise, ID 83720-0098

U.S. Dept. of Justice
Environment & Natural Resources Div.
550 W Fort St, MSC 033
Boise, ID 83724

Ted S Sorenson
Birch Creek Ranches LLC
5203 S 11th E
Idaho Falls, ID 83404

Deputy Clerk

Atlen

DISTRICT COURT SRBA
FIFTH JUDICIAL DISTRICT
COUNTY OF TWIN FALLS, STATE OF IDAHO

OCT 24 2000

CLERK
DEPUTY CLERK

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

In Re SRBA

Case No. 39576

Subcase(s): 33-00087, 33-02034, 33-02106, 33-02141

ORDER SETTING HEARING

The court sets the following hearing in the above subcase(s):

- [x] Status Conference
- [ ] Settlement Conference
- [ ] Scheduling Conference

Date: January 11, 2001 9:00am

Location: SRBA Court phone

DATED: 10/24/2000.

BRIGETTE BILYEU, Special Master
Snake River Basin Adjudication

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Order was hand delivered to the following:

Representative of:
Director of IDWR
PO Box 83720
Boise, ID 83720-0098

Ted Sorenson

Representative of:
United States Dept. of Justice
Environment & Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Deputy Clerk

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

In Re SRBA)	**Water Rights: 33-02106, 33-02141, & OVERLAPPING RIGHTS**
)	**33-00087, 33-02034**
Case No. 39576)	**NOTICE OF ADMINISTRATIVE**
)	**PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

[] Substitution of Party (waiting for documentation)

[] Substitution of Party/Split Water Right

[X] I.C. § 42-222 transfer **5760**

[X]	point of diversion	[X]	place of use
[]	period of use	[]	nature of use
[X]	ownership change		

IDWR projects the Administrative Proceeding shall be completed no later than: **JULY 12, 2001**

DATED: July 7, 00

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/10, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
   Clerk of the District Court
   Snake River Basin Adjudication
   PO Box 2707
   Twin Falls ID 83303-2707

2. One copy to:
   Claimant/Seller for Substitution of Party or attorney of record:
   TED SORENSON
   BIRCH CREEK RANCHES LLC
   5203 S 11TH E
   IDAHO FALLS ID 83404

3. One copy to:
   Claimant/Purchaser for Substitution of Party, or attorney of record:
   RENO DITCH CO INC
   C/O HOLDEN KIDWELL HAHN & CRAPO
   PO BOX 50130
   IDAHO FALLS ID 83405

4. One copy to:
   Each party in the subcase, or attorney of record
   N/A

5. One copy each to:
   Chief Natural Resources Division
   Office of the Attorney General
   PO Box 44449
   Boise ID 83711-4449

6. One Copy to:
   United States Dept of Justice
   Environment & Natural Resource Div
   550 West Fort Street MSC 033
   Boise ID 83724

Jennifer Crabtree
Signature of person or attorney mailing the form

RECEIVED
MAY 30 2000
Department of Water Resources

RECEIVED
JUN 19 2000
Department of Water Resources
Eastern Region

FILED
2000 MAY 25 PM 3:41
TWIN FALLS CO., IDAHO

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

In Re SRBA)
)
Case No. 39576)
)
)
)

A. Subcase 33-02106
(Insert water right number From the Objection Form)

STANDARD FORM 2 RESPONSE TO OBJECTION

Please **print or type** the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: United States of America, Acting Through
U.S.D.I., Bureau of Land Management
Idaho State Office
Address: 1387 S. Vinnell Way
Boise, Idaho 83709-1657
Daytime Phone: (208) 373-3831

Name & Address of Attorney, if any:
Larry A. Brown, Special Attorney
United States Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 W. Fort St., MSC 033
Boise, Idaho 83724
Ph.: (208) 331-5941
FAX: (208) 387-0842

C. **NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING**

Name: Ted S. Sorenson
Birch Creek Ranches, L.L.C.
Address: 5203 South 11th East
Idaho Falls, Idaho 83404
(208) 522-8069

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
2. ☐ **Source**
3. ☒ **Quantity**
4. ☐ **Priority Date**
5. ☐ **Point(s) of Diversion**
6. ☐ **Instream Flow Description**
7. ☐ **Purpose(s) of Use**
8. ☐ **Period of Year**
9. ☒ **Place of Use**

11. **Recommendation**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

The Claimant's objection seeks to increase the quantity under this claim beyond what was licensed on 04/19/1979. Any quantity desired above what was licensed would be supplemental to the license (08/07/1961 priority) and should be a separate claim. Since the time for "claims taking" has passed, the Claimant should file a Motion for Leave to File a Late Notice of Claim with the SRBA Court and the Claimant's objection should be dismissed.

The Claimant's objection seeks to create a new water right which describes a Place of Use (POU) on federal public land for a purpose that is not authorized by BLM. Since the end

result of a successful objection seeks a POU on BLM land, BLM is responding to more than just the quantity element identified in the objection. Remove the POU on BLM in T10N R27E S30 SENE for 0.7 acres.

E. **VERIFICATION** (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Fredric W. Price, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 25, 2000

Notary Public for IDAHO
Residing at: KUNA
My Commission Expires: 11-17-2004

GAYLA J. GOUGH NOTARY PUBLIC STATE OF IDAHO

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I certify that on May 25, 2000 mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:
   Clerk of the District Court
   Snake River Basin Adjudication
   253 Third Avenue North
   PO Box 2707
   Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:
   Ted S. Sorenson
   Birch Creek Ranches, L.L.C.
   5203 South 11th East
   Idaho Falls, Idaho 83404

3. One copy to the party who filed the objection at the following address:
   The objector is also the claimant (same as address above).

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

Your signature or signature of attorney mailing on your behalf

CERTIFICATE OF MAILING

I certify that on May 26, 2000, I served a true and correct copy of fore-going **STANDARD FORM 2 RESPONSE TO OBJECTION, Subcase Number 33-02106** upon the following individuals by placing the document in the United States mail in Boise, Idaho, postage paid, and addressed as follows:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

Hand

Chief Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83720-0098

mail

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

mail

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Hand

United States of America, Acting Through
U.S.D.I., Bureau of Land Management
Idaho State Office
1387 Vinnell Way
Boise, Idaho 83709-1657

Hand

Signature of person mailing the form

RECEIVED
APR 17 2000
Department of Water Resources
Eastern Region

RECEIVED
APR 10 2000
Department of Water Resources

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

In Re SRBA

Case No. 39576

A. **Subcase** 33-02106
(Insert water right number)

STANDARD FORM 1 OBJECTION

Please fill in the following information:

B. **NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America acting through the Department of Interior, Bureau of Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657
Daytime Phone: see below
Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; Paul F. Holleman, 202 305-0494
United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. **CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Ted S. Sorenson
Address: 5203 S. 11th E. Idaho Falls, ID. 83404
Name: Birch Creek Ranches, LLC
Address:
Name:
Address:
Name:
Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
   Should be: _____

2. ☐ **Source**
   Should be: _____

3. ☐ **Quantity**
   Should be: _____

4. ☐ **Priority Date**
   Should be: _____

5. ☐ **Point(s) of Diversion**
   Should be: _____

6. ☐ **Instream Flow Description**
   Should be: _____

7. ☐ **Purpose(s) of Use**
   Should be: _____

8. ☐ **Period of Year**
   Should be: _____

9. ☒ **Place of Use**
   Should be: See attached

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F. **VERIFICATION** (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: April 7, 2000

Jacqueline L. Simmons

Jacqueline L. Simmons
Notary Public for Idaho
Residing at: Boise
My Commission Expires: 04-07-2005

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 7, 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Ted S. Sorenson
Address: 5203 S. 11th E. Idaho Falls, ID. 83404
Name: Birch Creek Ranches, LLC
Address:
Name:
Address:
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Signature of Objector or attorney mailing on Objector's behalf

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 33-02106

NAME & ADDRESS: TED S SORENSON
BIRCH CREEK RANCHES LLC
5203 S 11TH E
IDAHO FALLS ID 83404

SOURCE: GROUNDWATER

QUANTITY: 3.00 CFS
525.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.14 CFS. COMBINED RIGHT NOS.: 33-00087, 33-02034, 33-02141.

PRIORITY DATE: 08/07/1961

POINT OF DIVERSION: T10N R27E S19 (NENESW) BLM Within BUTTE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-15 10-31	3.00 CFS 525.0 AFY

PLACE OF USE: IRRIGATION Within BUTTE County

T10N R27E S19	SWNE 40	NESE 25.5	NWSE 36.1	SWSE 7.3	
	SESE 3.1				
S20	NWSW 3.5				
S29	NWNW 11.4	SWNW 8.6			
S30	NENE 13.8	(SENE 0.7) BLM			

150 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087, 33-02034, AND 33-02141.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

Issue:

~~① Point of diversion on BLM~~

② Place of use on BLM

→ Farming on public land is not authorized

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 33-02106 (CONT)

OTHER PROVISIONS: (CONT)
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 - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 5, 2000

TED SORENSON
BIRCH CREEK RANCHES LLC
5203 S 11TH E
IDAHO FALLS ID 83404

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A33-00087, A33-02034, A33-02106, A33-02141

Dear Mr. Sorenson:

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

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

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree

Jennifer Crabtree
Technical Records Specialist

Enclosure

Form 42-248/42-1409(6) March 26,1999

RECEIVED
JAN 0 3 2000
Department of Water Resources
Eastern Region

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

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

1. Water Right No(s).: _____

   Adjudication Claim No(s).: 33-00087, 33-02034, 33-0206, 33-02141

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

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

   AND

   B. PLAT OF PROPERTY or SURVEY MAP showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

   OR

   C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant: Alan J. Amy
   PO Box 32 Howe ID 83244

4. New Owner/Claimant(s): Ted S. Sorenson
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: Birch Creek Ranches LLC
   City, State and ZIP Code: 5203 South 11th East Idaho Falls ID 83404
   New Telephone Number: (208) 522-8069 Day 529-2469 Even.

5. Date you acquired the property: 1996

6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7.** If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses

7. Signature of New Owner(s) or Claimant(s): Ted S. Sorenson

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

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Birch Creek Ranches, L.L.C.
5203 South 11th East
Idaho Falls, Idaho 83404

Phone: (208) 522-8069
Fax: (208) 522-8223
e-mail: sorenson@ida.net

RECEIVED
DEC 27 1999
Department of Water Resources
Eastern Region

December 23, 1999

Alan Ruberry
Adjudication Officer
Idaho Department of Water Resources
900 North Skyline, Suite A
Idaho Falls, ID 83402

Re: Water Rights Nos. 33-00087, 33-02034, 33-02106, 33-02141

Dear Mr. Ruberry:

Enclosed please find the filled out Notice of Error Reply's for these 4 water rights as well as a Quit Claim Deed from Alan J. Amy in favor of Birch Creek Ranches. Also a letter showing that we have sent it to Butte County for recording. Please note that these things are late in being filed because I did not receive the information until December 17th. Trusting this to be of value.

Very truly yours,

Ted S. Sorenson

TSS/red
Enclosure
cc: Kent Foster (w/encl.)

12/27/99 This needs a Department Change of Ownership Form.
12/29/99 Mailed c/o - Sent E-mail request.
01/03/00 Mr. Sorenson was in to discuss WR Tx. We also discussed his concerns on the Notice(s) of Error. By State law we can do nothing to increase Lic Amt. Reviewed SCS Letter and BLC Claim prior to 1963. He'll ok w/it

Gayle A. Sorenson

ATTORNEY AT LAW

RECEIVED
DEC 2 7 1999
Department of Water Resources
Eastern Region

December 22, 1999

Butte County Recorder
248 West Grand Ave.
Arco, ID 83213

Re: Quitclaim Deed for Water Rights

Dear Sir or Madam:

Enclosed please find an origianl Quitclaim Deed for Water rights along with my check in the amount of $6.00 for recording the same. I have enclosed a self-addressed, stamped envelope for your convenience in returning the original conformed Deed to me.

Thank you for your assistance in this matter.

Sincerely yours,

Gayle A. Sorenson

GAS/red
Enclosure

2107 East 4900 South, Idaho Falls, Idaho 83404 • 208.542.1953 • fax 208.522.8223
email:gsorenson@ida.net

QUITCLAIM DEED
FOR
WATER RIGHTS

THIS INDENTURE is made this 20th day of December, 1999, between Alan J. Amy and Afton Louise Amy, husband and wife, referred to herein as the "GRANTOR" and Birch Creek Ranches, LLC, a limited liability company, referred to herein as the "GRANTEE",

WITNESSETH, that the GRANTOR, for an in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) lawful money of the United States of America and other good and valuable consideration to GRANTOR, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the GRANTEE, and to GRANTEE's successors and assigns forever, all right, title and interest now owned or hereafter acquired by the Grantor in all the following described water rights or portions thereof in the County of Butte, State of Idaho, to-wit:

WATER RIGHT NO.	AMOUNT	PRIORITY DATE
33-00087	1.6 cfs	October 1, 1900
33-02034	0.3 cfs	May 16, 1934
33-02106	3.0 cfs	August 7, 1961
33-02141	3.2 cfs	January 29, 1949

TOGETHER, with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, or rents, issues and profits therefrom.

TO HAVE AND TO HOLD the said water rights unto the GRANTEE, and to GRANTEE's successors and assigns forever.

In construing this Quitclaim Deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the GRANTOR has executed the within instrument the day and year first above written.

Alan J. Amy

Afton Louise Amy

STATE OF IDAHO)
)ss.
County of Bonneville)

On the 20th day of December, 1999, before me, the undersigned, a notary public in and for said State, personally appeared ALAN J. AMY and AFTON LOUISE AMY, husband and wife known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Notary Public for Idaho
Residing at Idaho Falls, Idaho
My Commission Expires: MY COMMISSION EXPIRES: June 10, 2005

(seal)
REED D. NORD
Notary Public
State of Idaho

G:\WPDATA\KWF\6936\QUITCLAI.AMY:kmc

November 23, 1999

RECEIVED
DEC 27 1999
Department of Water Resources
Eastern Region

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: December 10, 1999

Water right number: 33-00087

~~ALAN J AMY~~
~~PO BOX 32~~
~~HOWE ID 83244~~

Ted S. Sorenson
Birch Creek Ranches LLC
5203 South 11th East
Idaho Falls, Idaho 83404

Daytime Telephone Number: 208-522-8069
Evening Telephone Number: 208-525-2469

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

We believe that Deep Creek is not tributary to Little Lost.

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

We believe that it should be listed as sinks because it never makes it to Little Lost

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

Conversations with Lake Amy

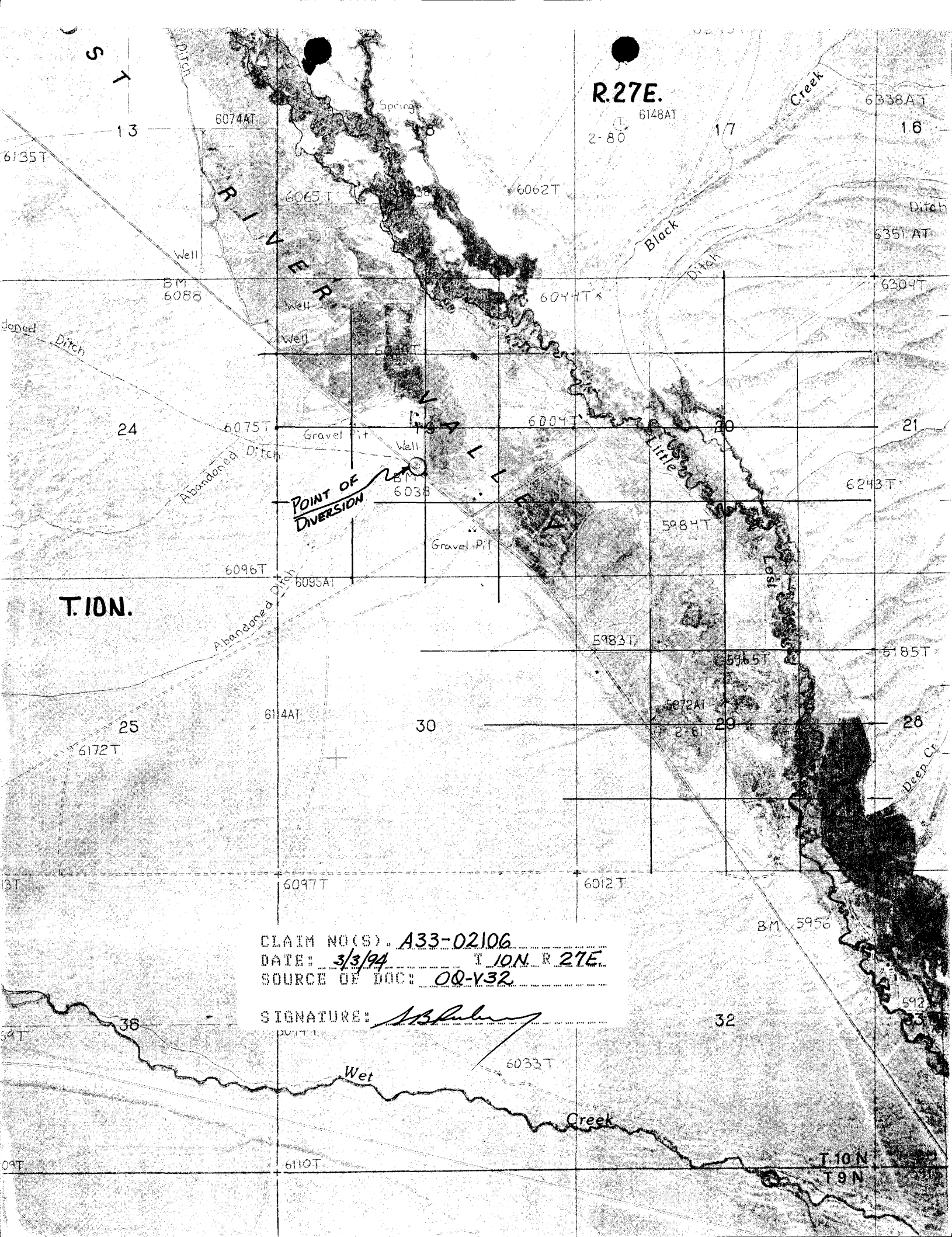
____ **I AGREE with this proposed recommendation; no changes need to be made.**

DATE: 12/23/99 **SIGNATURE:** _____
Please print your name: Ted S. Sorenson

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

1927 Decree recognizes it as tributary. No action to be taken

Need % V Done 1/5/00



CLAIM NO(S). A33-02106
DATE: 3/3/94 T.10N. R.27E.
SOURCE OF DOC: OO-V32

SIGNATURE:

Intake Pump 08106
Well License

SETUP NO. 1

PIPE O.D
10.000 IN

PIPE WALL THICKNESS
0.086 IN

PIPE I.D
9.828 IN

PIPE MATERIAL
CARBON STEEL

PIPE SOUND VELOCITY
10597.129 FPS

LINER MATERIAL
NONE

LINER SOUND VELOCITY
0.000 FPS

LINER THICKNESS
0.000 IN

INSIDE ABS ROUGHNESS
0.0001500 FT

FLUID MATERIAL
WATER

FLUID SOUND VELOCITY
4863.330 FPS

FLUID VISCOSITY
1.132 CNTS

12:46:02 07-11-96

Min. Rate	0.00 CFS
Max. Rate	6.21 CFS
Avg. Rate	4.35 CFS
FLOW RATE	6.05 CFS
NET TOT(X1)	479108 GAL
POS TOT(X1)	152285 GAL
NEG TOT(X1)	6791 GAL

Well Startup Drawdown

TRANSDUCER TYPE
STANDARD

TRANSDUCER MOUNTING
V

TRANSDUCER SPACING
7.751 IN

12:47:59 07-11-96

Min. Rate	0.00 CFS
Max. Rate	6.20 CFS
Avg. Rate	4.95 CFS
FLOW RATE	4.96 CFS
NET TOT(X1)	483474 GAL
POS TOT(X1)	156652 GAL
NEG TOT(X1)	6791 GAL

12:49:59 07-11-96

Min. Rate	0.00 CFS
Max. Rate	14.05 CFS
Avg. Rate	7.05 CFS
FLOW RATE	4.8? CFS
NET TOT(X1)	489813 GAL
POS TOT(X1)	162993 GAL
NEG TOT(X1)	6791 GAL

SIGNAL STRENGTH (%)
6.80

FLOW 5.259 CFS
9.983 CFS

12:51:59 07-11-96

Min. Rate	0.00 CFS
Max. Rate	14.05 CFS
Avg. Rate	4.88 CFS
FLOW RATE	4.79 CFS
NET TOT(X1)	494185 GAL
POS TOT(X1)	167363 GAL
NEG TOT(X1)	6791 GAL

12:53:59 07-11-96

Min. Rate	0.00 CFS
Max. Rate	14.05 CFS
Avg. Rate	4.68 CFS
FLOW RATE	4.64 CFS
NET TOT(X1)	498402 GAL
POS TOT(X1)	171584 GAL
NEG TOT(X1)	6791 GAL

Avg. 4.1995 = 4.80 cfs (Total Output of Well)

License @ 3.26 cfs 13 MAR 1967
Claimed 3.00 cfs 12 JAN 1990
0.26 cfs of Lic. Unclaimed

4.89 cfs Measured output 07/20/66
Avg. 4.80 cfs Total Output Measured 7/11/96
.09 cfs Diff.

18 17
19 20

252
T-38
REMAMYRE

3
5.4

222
T-37 NHEL NW
AJ AMY

4
86.9

3
6.4

NHEL NW
1
30.8

1
8.3

2
22.7

5
12.3

4
13.3

6
26.5

7
17.0

9
2.8

8
4.8.2

10
5.4

11
15.0

19 20
30 29

12
12.7

13
19.0

14
9.6

15
21.0

IN REPLY REFER TO:
LVSS
Idaho 014138

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office
Room 334, Federal Building
550 W. Fort Street
Boise, Idaho 83702

RECEIVED
MAY 1 0 1968
Department of Reclamation

May 7, 1968

Mr. Alan J. Amy
Howe, Idaho 83244

Dear Mr. Amy:

This refers to the final proof for your desert land entry Idaho 014138. The proof appears to be acceptable, except for your water permit.

Your State water permit No. G-30055 does not show that the SW¼SE¼ Sec. 19, T. 10 N., R. 27 E., is to be irrigated from the well located in the NE¼SW¼ Sec. 19. I would suggest that, either,

(1) You amend the description of the lands to be irrigated in permit G-30055 to include the SW¼SE¼ Sec. 19, or

(2) File a copy of an active, approved State water permit showing the point of diversion as being in the NE¼SW¼ Sec. 19 and the land to be irrigated as the SW¼SE¼ Sec. 19, T. 10 N., R. 27 E., B. M., Idaho.

If you amend the land description as mentioned under number 1, a copy of the amendment approved by the State Department of Reclamation must be filed in this office.

We would appreciate receiving a copy of the amendment or a new water permit as soon as possible.

Sincerely yours,

Curtis R. Taylor
Assistant Manager - Lands

S 88- 2254

30055

State of Idaho

License and Certificate of Water Right

Water License No. G-30055 Priority August 7, 1961 Amount 3.26 c.f.s.

THIS IS TO CERTIFY, that Jess L. Amy - Assignee Alan J. Amy

of Howe, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated August 7, 19 61, that Permit No. G-30055 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.26 second feet, was issued thereunder on March 13, 19 67, showing that said works were completed on the 22nd day of July, 19 66; and that on the 22nd day of July, 19 66, Alan J. Amy

of Howe, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well

a tributary of a subterranean flow, for the purpose of irrigation and domestic use under Use Permit No. G-30055 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8696, on the 13th day of March, 19 67.

The right hereby confirmed dates from August 7, 19 61.

The Point of Diversion is located

in the NE ¼ SW ¼, Sec. 19, Twp. 10 N., R. 27 E., B.M. Butte County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.26 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N.	27 E.	19	NW¼ SE¼	40	35
			SE¼ SE¼	40	35
		20	SW¼ SW¼	40	36
		29	NW¼ NW¼	40	40
		30	NE¼ NE¼	40	17
			Total number of acres to be irrigated:		163

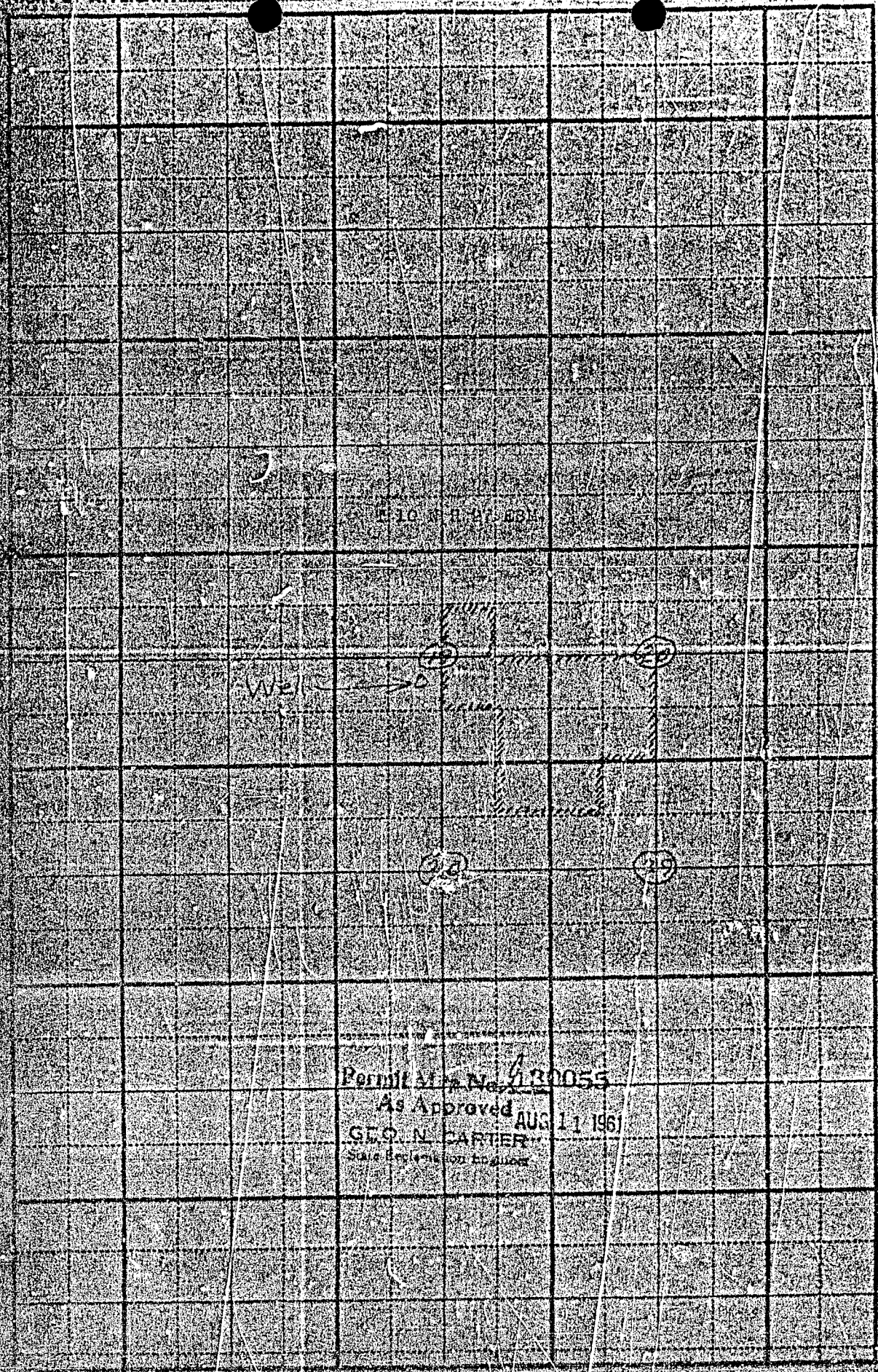
The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS, the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 13th day of March, 19 67.

State Reclamation Engineer

NAME OF APPLICANT Jesse L. Amy, Howe, Idaho

Form No. 9



Permit No. 63-8055

As Approved AUG 11 1961

GEO. N. CARTER
State Reclamation Engineer

Scale 2 inches equal 1 Mile. Draw North at top.

30 ft

Form 23
2M-4-45

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-30055

This proof is for Completion of Works & Beneficial Use Water District No.

1. Name of applicant Jesse L. Amy
2. Source of water supply: a well
3. Location of point of diversion: Is in the NE¼SW¼ of Section 19
T. 10 N. R. 27 E. M. County of Butte 1365 ft. S. & 1320 ft. W. from E¼ cor. Sec. 19
4. Describe works as they exist, giving dimensions and capacities of same:
4 HP Byron Motor & Myers 4509
Centrifugal pump 5" 1500 GPM 10" discharge to ditch
5. Water is used for: Irrigation & domestic
6. State whether or not water has been turned into works of diversion:
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW¼NE¼, N½SE¼, SE¼SE¼, Sec. 19; SW¼, Sec. 20; NW¼NW¼, Sec. 29; NE¼NE¼, Sec. 30, T. 10 N., R. 27 E., B.M.

NE SE NW SE SE

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

8. What large stream would the water here appropriated finally reach?

Remarks:

10" Id L" @ 18"

A = .559

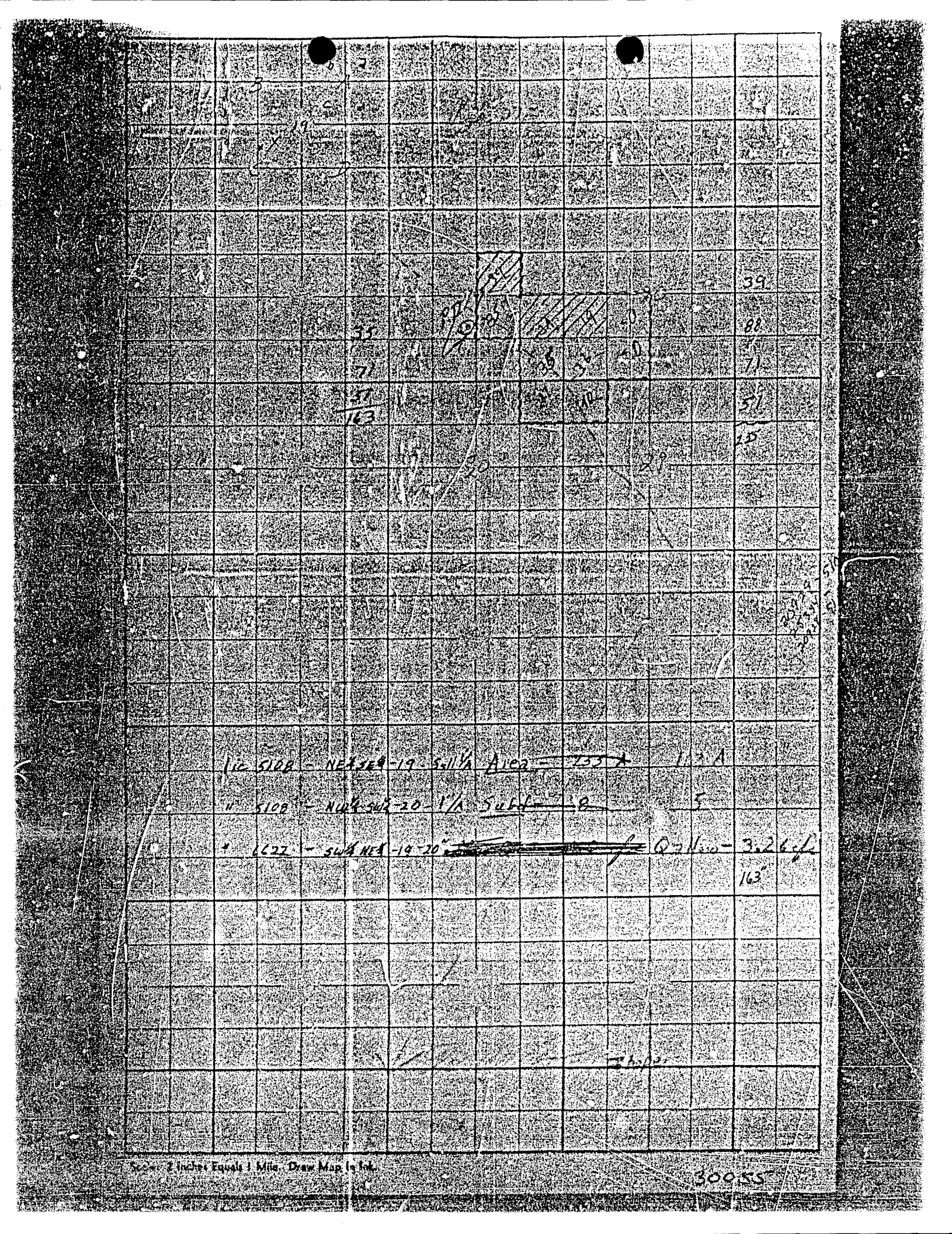
$V = \frac{4.011(1.34)}{.702} = \frac{5.15}{.707} = 8.24$

$Q = 8.24(.559) = 4.89$

This examination was made on the 20th day of July, 1946.

(Signed) Don C. Watts
Examiner

3 of 3


39
88
71
51
125
163
Lic 5108 – NE¼SE¼-19-5N-1W Alloc – 235 A
" 5108 – NW¼SW¼-20-1N-1W Subd – 8
" 1622 – SW¼NE¼-19-20 Qty Nov – 320
163
Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.
300.55

State of Idaho

License and Certificate of Water Right

Water License No. G-30055 Priority August 7, 1961 Amount 3.26 c.f.s.

THIS IS TO CERTIFY that Jess L. Amy - Assignee Alan J. Amy

of Howe, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 7, 19 61; that Permit No. G-30055 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 3.26 second feet, was issued thereunder on March 13, 19 67, showing that said works were completed on the 22nd day of July, 19 66; and that on the 22nd day of July, 19 66, Alan J. Amy

of Howe, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well,

a tributary of a subterranean flow, for the purpose of irrigation and domestic use, under Use Permit No. G-30055 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8695, on the 13th day of March, 19 67.

The right hereby confirmed dates from August 7, 19 61.

The Point of Diversion is located in the NE ¼ SW ¼, Sec. 19, Twp. 10 N., R. 27 E., B.M. Butte County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.26 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Parts Area Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N.	27 E.	19	NW¼ SE¼	40	35
			SE¼ SE¼	40	35
		20	SW¼ SW¼	40	36
		19	NW¼ NW¼	40	40
		30	NE¼ NE¼	40	17
			Total number of acres to be irrigated:		163

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 13th day of March, 19 67.

State Reclamation Engineer

30055

2M-4-65

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-30055

This proof is for Completion of Works & Beneficial Use Water District No.

1. Name of applicant Jess L. Amy
2. Source of water supply: a well
3. Location of point of diversion: Is in the NE¼SW¼ of Section 19
   T. 10 N. R. 27 E., B.M. County of Butte
4. Describe works as they exist, giving dimensions and capacities of same:
   10 HP GE Motor # MHJ681950A
   Centrifugal pump 150 GPM 10" discharge to ditch
5. Water is used for: Irrigation & domestic
6. State whether or not water has been turned into works of diversion:
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
   SW¼NE¼, N½SE¼, SE¼SE¼, Sec. 19; SW¼, Sec. 20; NW¼NW¼, Sec. 29; NE¼NE¼, Sec. 30, T. 10 N., R. 27 E., B.M.

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

8. What large stream would the water here appropriated finally reach?

Remarks:

$A = 55$

$V = \frac{4.21(154)}{360} = \frac{648}{360} = 1.80$

$Q = 1.80(.500) = 1.89$

This examination was made on the 26th day of July, 1966.

(Signed) Don Watts
Examiner

70053

33-2106

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

8. What large stream would the water here appropriated finally reach?

Remarks:

10 1/8 "d 4" @ 19½'

A = .559

$V = \frac{4.01(1.34)}{.707} = \frac{6.18}{.707} = 8.74$

$Q = 8.74(.559) = 1.89$

This examination was made on the 20th day of July, 1964

(Signed) Jon Watts
Examiner.

300053

3. Location of point of diversion: Is in the NE¼SW¼ of Section 19
T. 10 N R. 27 E., M.M. County of Butte 41.595 19 C.2.1

4. Describe works as they exist, giving dimensions and capacities of same:
10 HP G.E. Motor # NHJ6B74509
Peerless pump # 150605 10" discharge to ditch

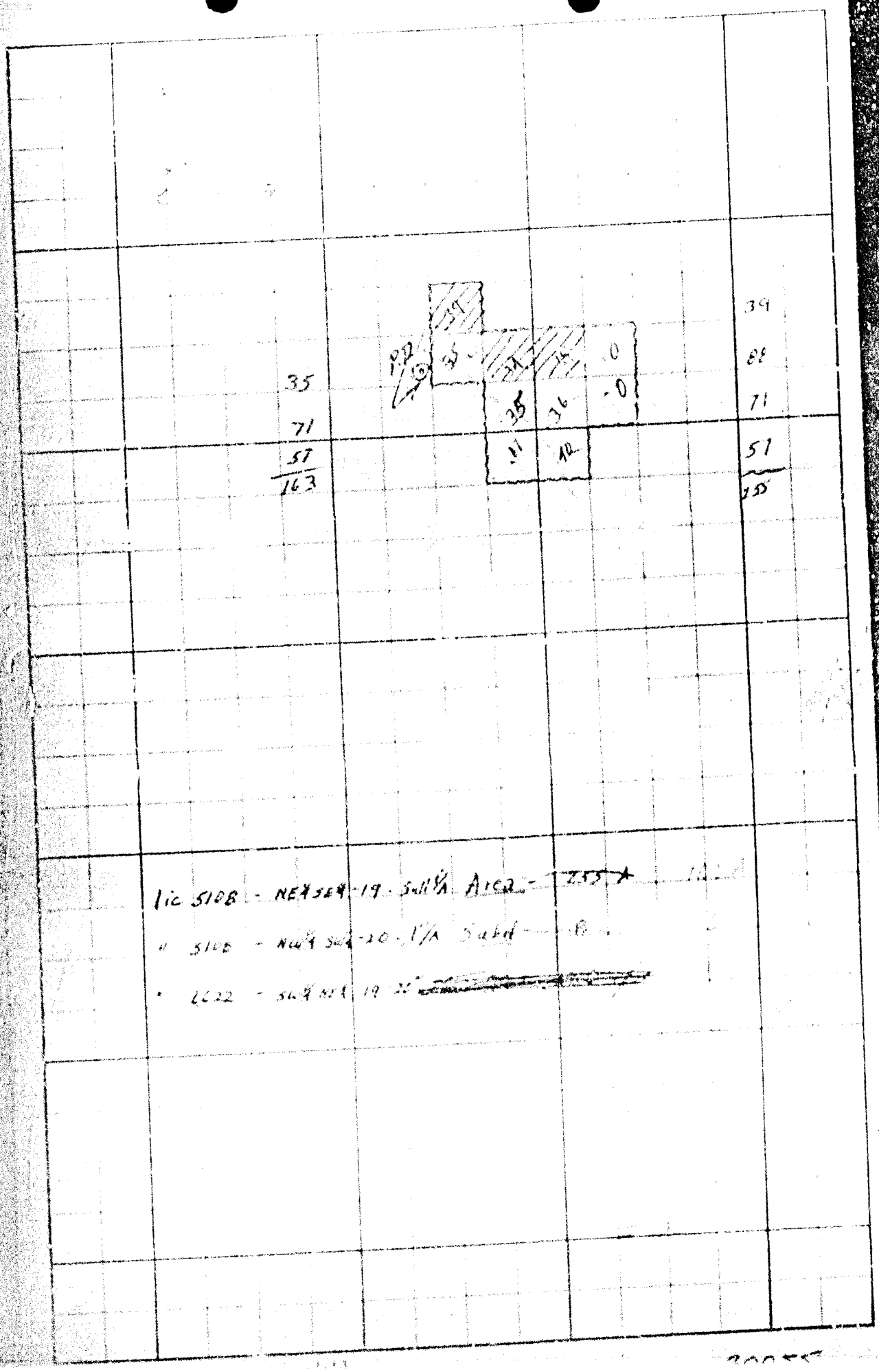
Water is used for: Irrigation & domestic

State whether or not water has been turned into works of diversion:

List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW¼NE¼, N½SE¼, SE¼SE¼, Sec. 19; SW¼, Sec. 20; NW¼NW¼, Sec. 29;
NE¼NE¼, Sec. 30, T. 10 N., R. 27 E., .M.

NE SE NW SE SE SE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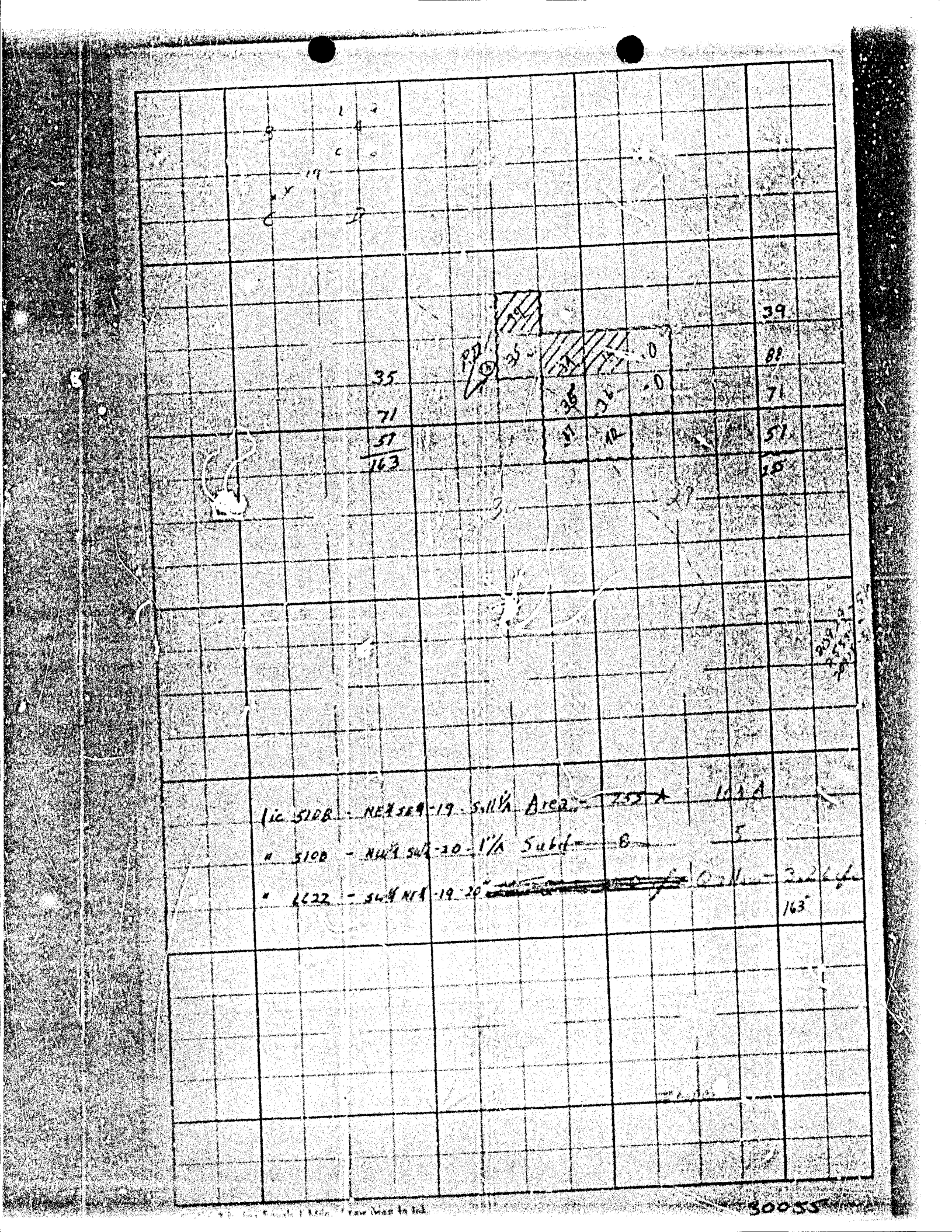
lic 5108 - NE 3rd - 19 - Sell A 1/2 - 255 *
" 5108 - NW 3rd - 20 - 1/A Sold - B
* 2022 - SW NW 19 -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71
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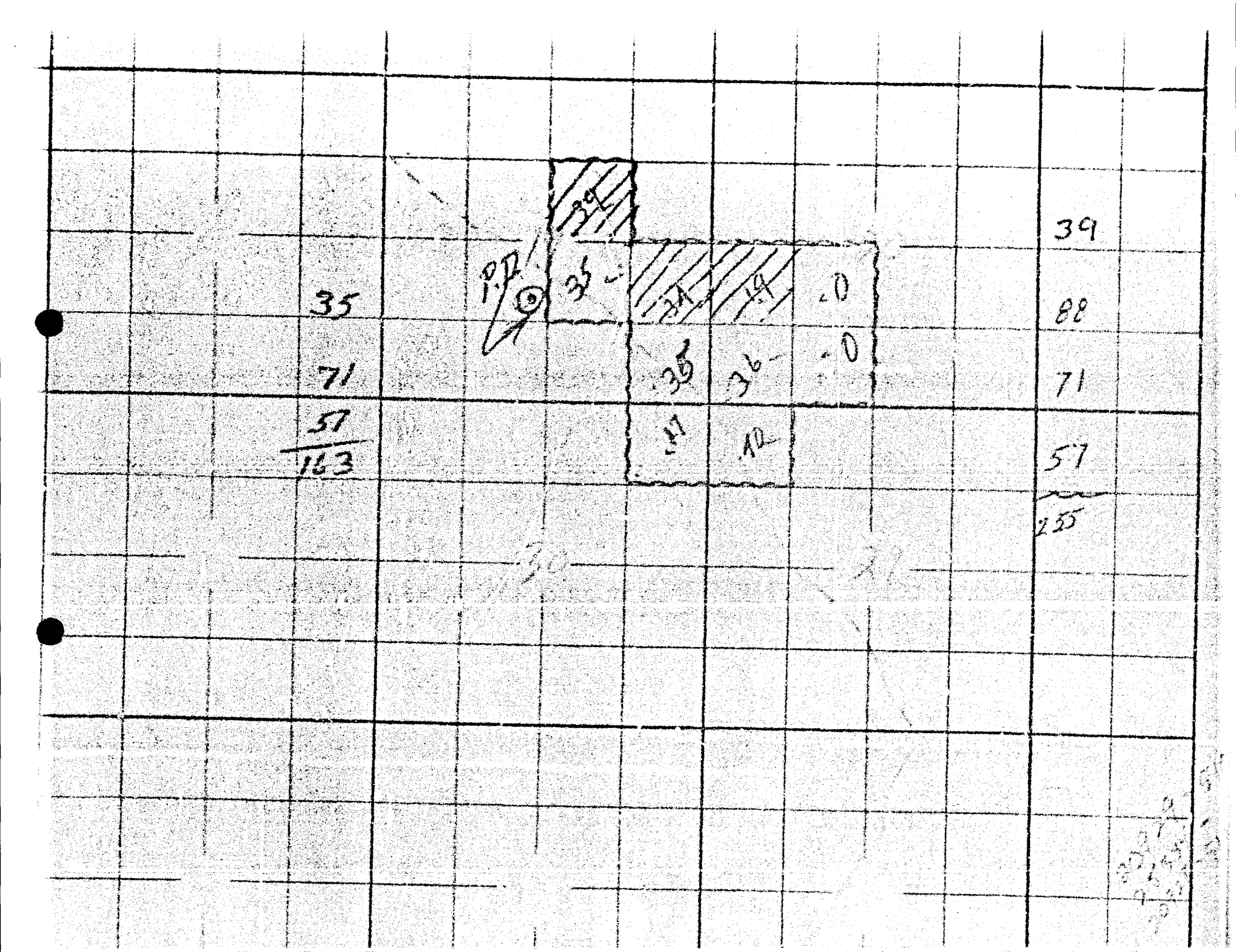
lic 510B - NE¼ SE¼ -19- 5.11¼ Area - 735 ★ 1.1 A
" 510B - NW¼ SW¼ -20- 1¼ Subd - B - 5
" LC22 - SW¼ NE¼ -19- 20 - Qual - 3.2 C
163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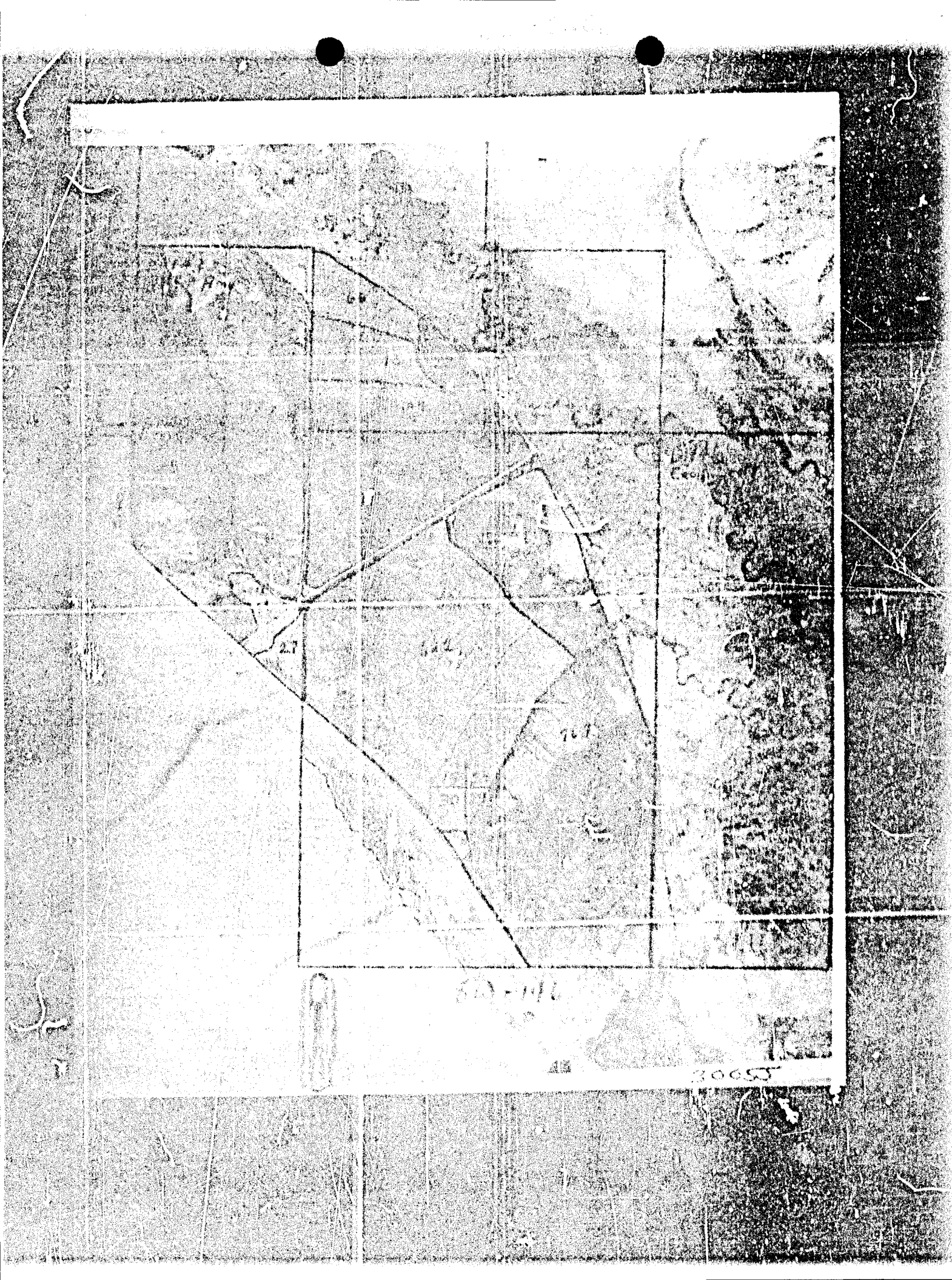
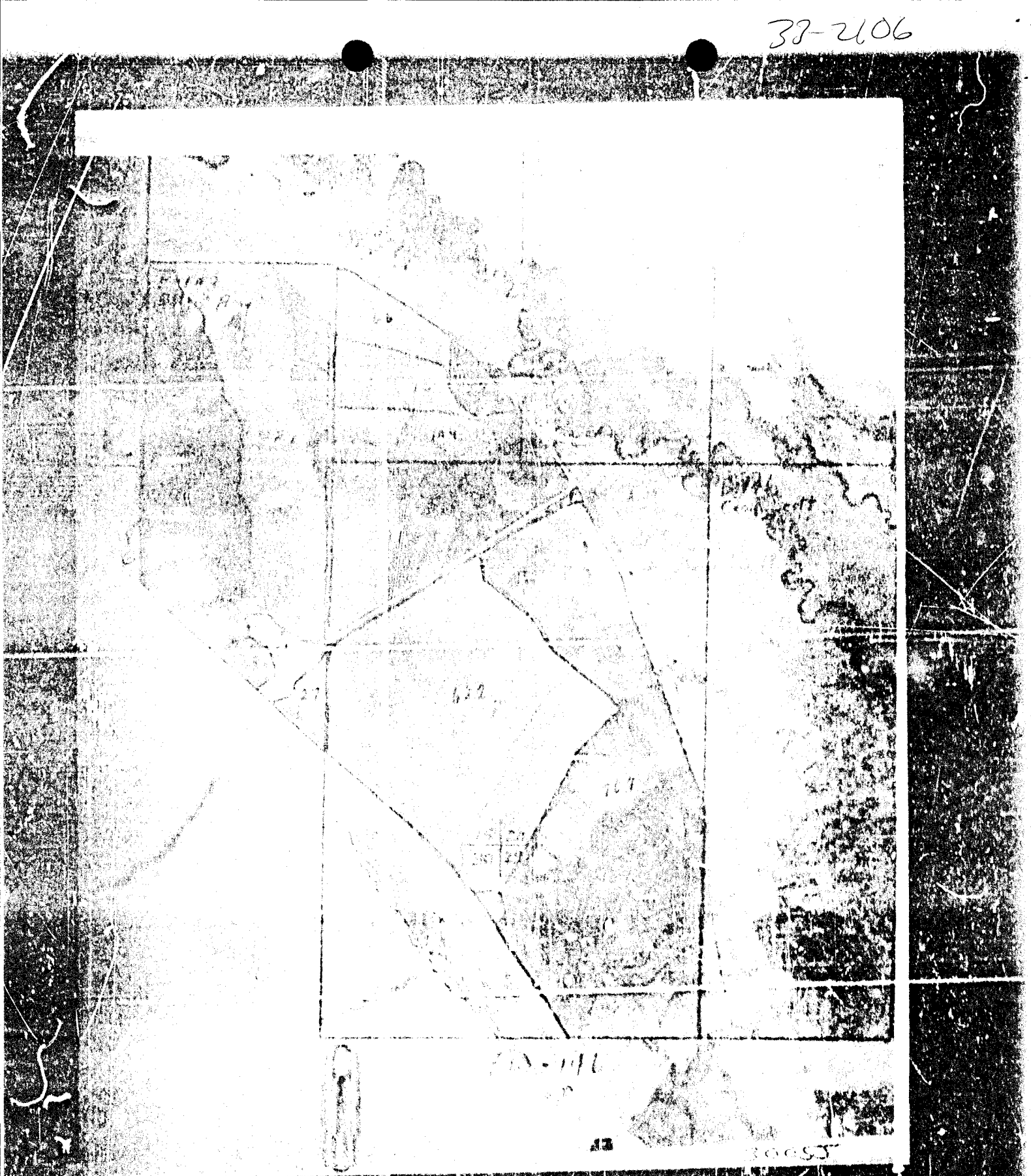
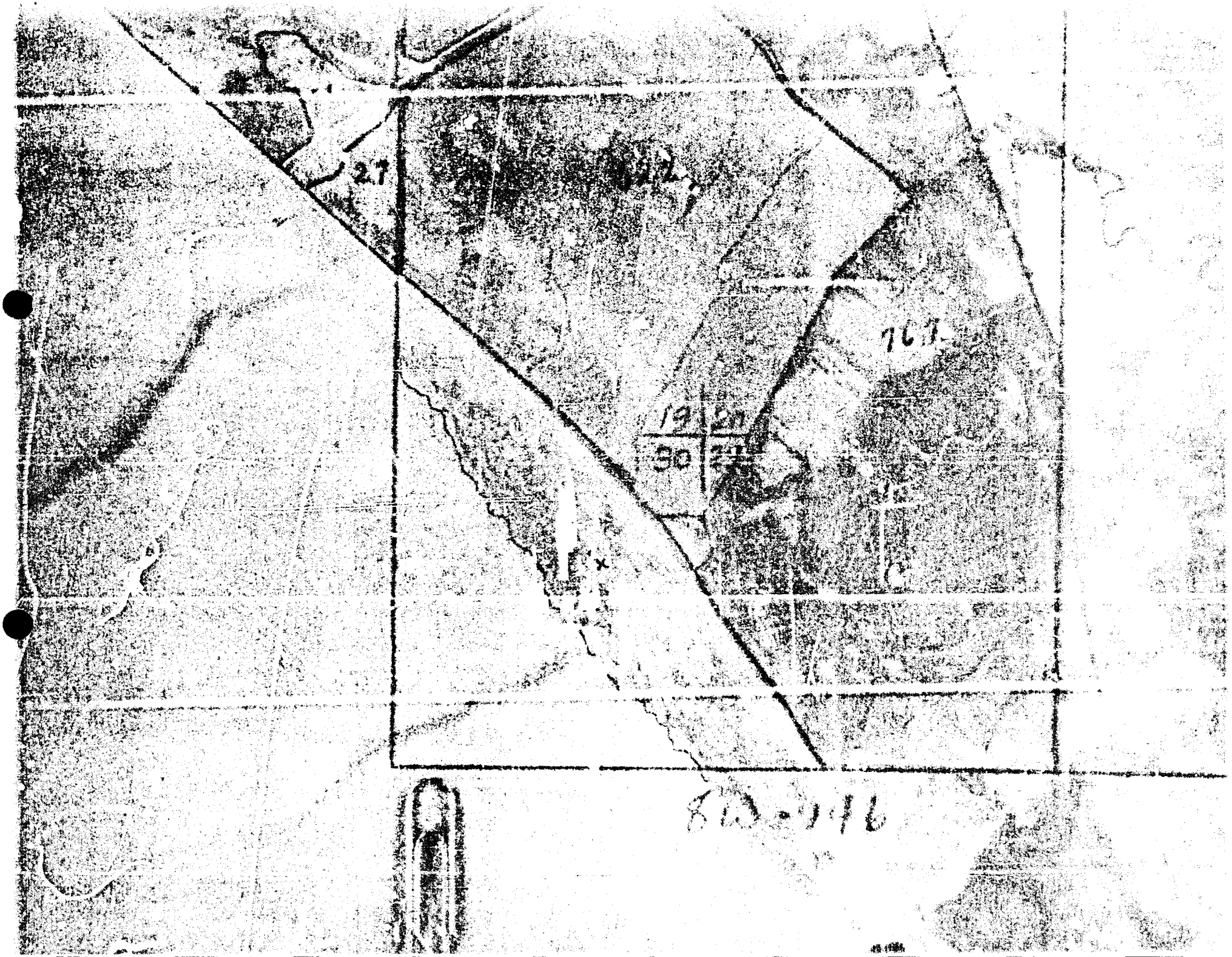


38-206

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:21:17
04/02/96

PAGE: 1

GENERAL INFORMATION

1
CLAIM NUMBER: A39-02106

LAST: AMY FIRST: ALAN J
ADDRESS: PO BOX 32
CITY: HOWE STATE: ID ZIP: 83244
PHONE NUMBER: 208-767-3374

OWNER CODE: C

LAST: AMY FIRST: JESS L
ADDRESS:
CITY: N/A STATE: ID ZIP: 00000
PHONE NUMBER: 208-000-0000

OWNER CODE: O

FIELD EXAM REQUIRED?
DATABASE / FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS? N

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: L. Rucker PHONE NUMBER: (___) ___-____

DATE OF FIELD EXAM: 3/27/96 APPOINTMENT MADE: Y(✓) N(__) TIME: 9 : 00 A(✓) P(__)

ACCOMPANIED BY: Alan Amy PHONE NUMBER: (___) ___-____

RELATIONSHIP TO CLAIMANT: Owner

DIRECTIONS TO PROPERTY / NOTES:

Contacted Mr. Amy and made an appointment to visit for 9:00 AM. 3/27/96. Met as appointed. Discussed wells and irrigation practices. Visited lands and wells and took photos.

RE: License & Field Exam, OQ-V-32, Map V3256, AJ Field Exam

PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A33-02106

A. AJ CLAIM: # A33-02106 PRIORITY DATE: 08-07-1961 STAGE: L

B. WR RECORD: # 33-02106 PRIORITY DATE: 08-07-1961 STAGE: L

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(✓) N(___)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(___) N(✓)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW) Y(___) N(✓)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED	Licensed 13 May 1969	N/A(___)	Y(___) N(___)
FIELD EXAM COMPLETED		N/A(___)	Y(___) N(___)
FIELD EXAM SENT TO STATE OFFICE		N/A(___)	Y(___) N(___)
LICENSE ISSUED		N/A(___)	Y(___) N(___)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A07 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED? N/A(___) Y(___) N(✓)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(✓) N(___)

NOTES: Priority Date Claimed Matches License.

RECOMMENDED PRIORITY DATE:

08-07-1961 As Claimed

REVIEWED BY SB Rehberg DATE 2 April 96

POINT OF DIVERSION REVIEW SHEET CLAIM NUMBER: A33-02106

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A33-02106	10N	27E	19		NE	SW			BUTTE		
A33-02106	10N	27E	19		SE	SE			BUTTE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A33-02141	NONE

WR RECORDS IN SAME 40 ACRE TRACT

33-02141

SOURCE: GROUNDWATER TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
33-02106	10N	27E	19		NE	SW			BUTTE		

OTHER WR RECORDS WITH SAME WR POD

NONE

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A33-02141	NONE

SOURCE: GROUNDWATER TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(✓) N(___)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A(___) Y(✓) N(___)

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y(✓) N(___)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(✓) N(___)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(✓) N(___)

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y(✓) N(___)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 20 July 1966) Y(✓) N(___)

AJ FIELD EXAM (DATE OF FIELD EXAM 27 Mar 1996 NAME OF EXAMINER AB Rickey) Y(✓) N(___)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: No change to P.O.D. for 02106 only to 10 ac. Well is open discharge to ditches for flood irrigation. This well waters can and does commingle with parts (as overlap) of A33-02141. Two points of diversion are claimed only NENESW Sec. 19 applies to this right. 33-02106 can commingle with 02141 but (as claimed) 02141 cannot be commingled with and/or used on 02106 lands. Recommend only original POD

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
10N	2?E	19	~~NE~~	~~NE~~	~~SW~~			BUTTE		
10N	2?E	19	~~NE~~	~~NE~~	~~SW~~	02141		BUTTE		
			NE	NE	SW					

SOURCE: GROUNDWATER TRID:

REVIEWED BY: S B Rubenay DATE: 2 April 1996

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE

Well Data:
Motor: GE 40HP
SN: NHJ6874504
Pump: Peerless
Tag - No #'s
10" Open Disch.

No changes to Well Components
Since 20 July 1966 Lic. Exam.

Looking Southeasterly

A33-02106
A.S. Amy

Mr. Amy

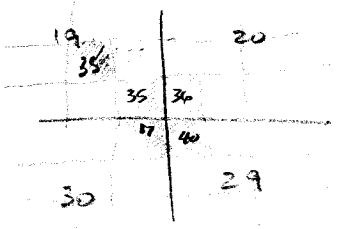
Φ21Φ6

ORIGINAL Lic. 13 MAR 61

3.26 cfs P.D. 7 AUG 61

P.O.D. AS: NESW Sec. 19 T10NR27E.

163AC.



PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A33-02106

A. ROOT WATER RIGHT NUMBERS: A33-02106
R33-02106

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AI #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	27E	19	SW	NE		AMY, ALAN J	A33-02106 / 37.0	- /	38.0		
			SW	NE		AMY, ALAN J	R33-02106 / 37.0	- /			
			SW	NE		AMY, JESS L.		33-02072 / 40.0			
			SW	NE		AMY, ALAN J		33-07179 / 40.0			
			SW	NE		AMY, ALAN J		33-07180 / 40.0			
10N	27E	19	NE	SE		AMY, ALAN J	A33-02106 / 24.0	- /	39.0		
			NE	SE		AMY, JESS L	A33-02141 / 14.0	- /			
			NE	SE		AMY, ALAN J	R33-02106 / 24.0	- /			
			NE	SE		AMY, JESS L.		33-02135A / 40.0			
			NE	SE		AMY, ALAN J.		33-07094 / 40.0			
10N	27E	19	NW	SE		AMY, ALAN J	A33-02106 / 35.0	33-02106 / 35.0	36.0		
			NW	SE		AMY, ALAN J	A33-10102 /	- /			
			NW	SE		AMY, ALAN J	R33-02106 / 35.0	- /			
			NW	SE		AMY, ALAN J	R33-10102 /	- /			
			NW	SE		AMY, ALAN J		33-07179 / 40.0			
			NW	SE		AMY, ALAN J		33-07180 / 40.0			
10N	27E	19	SW	SE		AMY, ALAN J	A33-02106 / 9.0	- /	13.0		
			SW	SE		AMY, ALAN J	A33-10102 /	- /			
			SW	SE		AMY, ALAN J	R33-02106 / 9.0	- /			
			SW	SE		AMY, ALAN J	R33-10102 /	- /			
			SW	SE		AMY, ALAN J.		33-07094 / 40.0			
10N	27E	19	SE	SE		AMY, ALAN J	A33-02106 / 4.0	33-02106 / 35.0	39.0		
			SE	SE		AMY, ALAN J	A33-00087 / 3.0	- /			
			SE	SE		AMY, ALAN J	A33-02034 / 3.0	- /			
			SE	SE		AMY, JESS L	A33-02141 / 34.0	33-02141 / 40.0			
			SE	SE		AMY, ALAN J	R33-00087 / 3.0	- /			
			SE	SE		AMY, ALAN J	R33-02034 / 3.0	- /			
			SE	SE		AMY, ALAN J	R33-02106 / 4.0	- /			
			SE	SE		AMY, ALAN J.		33-07094 / 40.0			
10N	27E	20	NW	SW		AMY, ALAN J	A33-02106 / 2.0	- /	38.0		
			NW	SW		AMY, ALAN J	A33-00087 / 20.0	33-00087 / 40.0			
			NW	SW		AMY, ALAN J	A33-02034 / 20.0	33-02034 / 40.0			
			NW	SW		AMY, JESS L	A33-02141 / 37.0	- /			
			NW	SW		AMY, ALAN J	R33-00087 / 20.0	- /			
			NW	SW		AMY, ALAN J	R33-02034 / 20.0	- /			
			NW	SW		AMY, ALAN J	R33-02106 / 2.0	- /			
			NW	SW		AMY, JESS L.		33-02135A / 40.0			

SAME POU AS 33-11002

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES		WR #/ACRES		LANDSAT DATA	FIELD EXAM.	NRCOMM. ACRES
			NW	SW		NEW ENERGY INC.			33-07177	/			
			NW	SW		NEW ENERGY INC.			33-07178	/			
ION	27E	29	NW	NW		AMY, ALAN J	A33-02106	/ 11.0	33-02106	/ 40.0		40.0	
			NW	NW		AMY, ALAN J	A33-00087	/ 39.0	33-00087	/ 25.0			
			NW	NW		AMY, ALAN J	A33-02034	/ 39.0	33-02034	/ 25.0			
			NW	NW		AMY, JESS L	A33-02141	/ 28.0	33-02141	/ 40.0			
			NW	NW		AMY, ALAN J	R33-00087	/ 39.0	-	/			
			NW	NW		AMY, ALAN J	R33-02034	/ 39.0	-	/			
			NW	NW		AMY, ALAN J	R33-02106	/ 11.0	-	/			
			NW	NW		AMY, ALAN J.			33-07094	/ 15.0			
ION	27E	29	SW	NW		AMY, ALAN J	A33-02106	/ 10.0	-	/		29.0	
			SW	NW		WAYMIRE, MARGARET J	R33-00099	/ 9.0	33-00099	/			
			SW	NW		WAYMIRE, MARGARET J	A33-00099	/ 9.0	-	/			
			SW	NW		WAYMIRE, MARGARET J	A33-02135D	/ 9.0	33-02135B	/			
			SW	NW		AMY, ALAN J	A33-10101	/	-	/			
			SW	NW		AMY, ALAN J	R33-02106	/ 10.0	-	/			
			SW	NW		AMY, ALAN J	R33-10101	/	-	/			
			SW	NW		AMY, ALAN J			33-07179	/ 25.0			
			SW	NW		AMY, ALAN J			33-07180	/ 25.0			
			SW	NW		WAYMIRE, MARGARET J.			33-07193	/ 20.0			
ION	27E	29	NW	SW		AMY, ALAN J	A33-02106	/ 4.0	-	/		3.0	
			NW	SW		AMY, ALAN J	R33-02106	/ 4.0	-	/			
ION	27E	30	NE	NE		AMY, ALAN J	A33-02106	/ 13.0	33-02106	/ 17.0		23.0	
			NE	NE		AMY, ALAN J	A33-00087	/ 5.0	-	/			
			NE	NE		AMY, ALAN J	A33-02034	/ 5.0	-	/			
			NE	NE		AMY, JESS L	A33-02141	/ 7.0	33-02141	/ 40.0			
			NE	NE		AMY, ALAN J	R33-00087	/ 5.0	-	/			
			NE	NE		AMY, ALAN J	R33-02034	/ 5.0	-	/			
			NE	NE		AMY, ALAN J	R33-02106	/ 13.0	-	/			
			NE	NE		AMY, ALAN J.			33-07094	/ 40.0			
ION	27E	30	SE	NE		AMY, ALAN J	A33-02106	/ 1.0	-	/			
			SE	NE		AMY, ALAN J	R33-02106	/ 1.0	-	/			
ADDITIONAL POU FOUND													
			TOTAL ACRES			A33-02106		150.00		137.00		298.00	

POU COUNTY: BUTTE

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED? Y(✓) N(___)

* IF YES, ARE THESE TRACTS LISTED ABOVE (___), OR ARE THEY LISTED ON AN ATTACHED SHEET (___)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-02106	GROUNDWATER	AMY, ALAN J	3.000	0.020		
R33-00087	DEEP CREEK	AMY, ALAN J	1.600	0.015		
A33-00087	DEEP CREEK	AMY, ALAN J	1.600	0.015		
A33-00099	LITTLE LOST RIVER	WAYMIRE, MARGARET J	0.300	0.001		
R33-00099	LITTLE LOST RIVER	WAYMIRE, MARGARET J	0.300	0.001		
R33-02034	BLACK CREEK DEEP CREEK	AMY, ALAN J	0.300	0.002		
A33-02034	BLACK CREEK DEEP CREEK	AMY, ALAN J	0.300	0.002		
R33-02106	GROUNDWATER	AMY, ALAN J	3.000	0.020		
A33-02135B	GROUNDWATER	WAYMIRE, MARGARET J	1.600	0.007		
A33-02141	GROUNDWATER	AMY, JESS L	3.200	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A33-10102	DOMESTIC	AMY, ALAN J	FROM 01-01 TO 12-31	0.040 CFS	
A33-10102	STOCKWATER	AMY, ALAN J	FROM 01-01 TO 12-31	0.050 CFS	
R33-10102	DOMESTIC	AMY, ALAN J	FROM 01-01 TO 12-31	0.040 CFS	
R33-10102	STOCKWATER	AMY, ALAN J	FROM 01-01 TO 12-31	0.050 CFS	
A33-10101	DOMESTIC	AMY, ALAN J	FROM 01-01 TO 12-31	0.040 CFS	
A33-10101	STOCKWATER	AMY, ALAN J	FROM 01-01 TO 12-31	0.050 CFS	
R33-10101	DOMESTIC	AMY, ALAN J	FROM 01-01 TO 12-31	0.040 CFS	
R33-10101	STOCKWATER	AMY, ALAN J	FROM 01-01 TO 12-31	0.050 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y(✓) N(___)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 33-00087/02034, 02141, 11002

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(__) Y(__) N(✓)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS? N/A(__) Y(✓) N(__)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y(✓) N(__)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y(__) N(✓)

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A33-02106

CHECK DOCUMENTS USED TO VERIFY POU: (✓) ORTHOPHOTOQUAD, IDWR NO. QQV32; ( ) TOPOGRAPHIC QUAD, IDWR NO. _____;

(✓) NAPP, IDWR NO. V3258; (✓) ASCS PHOTO; (✓) OTHER _____

NOTES: P.O.U. CLAIMED IS NOT THE SAME LANDS AS LICENSED. ACREAGE CLAIMED IS LESS THAN LICENSED, BOTH THESE NEED ANSWERED.

RECOMMENDATIONS:

TOTAL ACRES: _____ N/A(___)

REVIEWED BY: _____ DATE: _____

CC'S: D P.O.U.

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CLAIM NUMBER: A33-02106

A. ALL CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A33-02106	IRRIGATION	FROM 04-01 TO 11-01	3.000 CFS	
		TOTAL DIVERSION RATE/~~VOLUME~~	3.000 CFS	

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
33-02106	IRRIGATION	FROM TO	3.260 CFS	
33-02106	DOMESTIC	FROM TO		
		TOTAL DIVERSION RATE/VOLUME	3.260 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(✓) N(__)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(__) Y(✓) N(__)

★ IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG 'C' WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(__) N(✓)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(__) N(✓)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(✓) N(__)

★ IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(__) Y(__) N(✓)

★ IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(__) Y(✓) N(__)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(__) Y(__) N(✓)

★ IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(__) Y(✓) N(__)

NOTES: LICENSED DIVERSION RATE IS 3.26 cfs; AJ CLAIMED DIVERSION RATE IS 3.00 cfs - DON'T KNOW WHY?
RECOMMEND PERIOD OF USE AS APRIL 15 TO OCTOBER 15, PER DEPT. STANDARDS.

* A33-11002 WAS FILED AS A LATE CLAIM (1/28/00). FILED FOR ADDITIONAL WATER (MEASURED OVER LICENSED AMOUNT). SAME POU SAME POD. - FPS
* USED WITH 2106 LIMIT IS CAPACITY OF WELL: 4.80 cfs.

DIVERSION AMOUNT REVIEW SHEET CLAIM NUMBER: A33-02106

AJ CLAIM TOTAL DIVERSION RATE: 3.000 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 3.260 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(___) Y(___) N(✓)

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A(___) Y(___) N(✓)

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y(___) N(✓)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS *NOT REQUIRED*, EXPLAIN *IN NOTES*.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y(✓) N(___)

E. FLOW MEASUREMENT

MEASUREMENT METHOD POLYSONIC (SOS TAPE), SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y(___) N(___)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(___) N(___)

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 3/5.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW (___) OR SEE ATTACHMENT (___)

NOTES: WELL COMPONENTS HAVE NOT BEEN CHANGED SINCE LICENSING. HOWEVER, THERE IS NOT AN IMMEDIATE EXPLANATION WHY THE DIVERSION RATE WAS CLAIMED AS LESS THAN AS LICENSED, IE: 3.26 cfs LICENSED; 3.0 cfs AJ CLAIMED.

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS REVIEW SHEET

14

CLAIM NUMBER: A33-02106

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
IRRIGATION	~~04-01~~ 04-15	~~11-01~~ 10-15	3.000				375.0	
TOTAL FOR THIS RIGHT								

NON-IRRIGATION USES CLAIMED: NONE

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: [signature] DATE:

FLAG: C Δ P.O.U.

STANDARD CONDITIONS (CODE): EXP - FOS 11002
DIV - 625 11002, 4.50 cfs

STANDARD REMARKS (CODE): POU - 11002

EXPLANATORY CONDITIONS (CODE):
C05

EXPLANATORY REMARKS (CODE):

BASIS OF CLAIM REVIEW SHEET

CLAIM NUMBER: A33-02106

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 33-02106

TOTAL DIVERSION RATE OF WR SPLITS — DATABASE 3.260 — EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A33-02106	3.000	R33-02106	3.000	33-02106	3.260
	TOTAL CFS	3.000		3.000		3.260

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N) — DATABASE N — FIELD EXAMINER Y(___) N(___)

IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW (___) OR SEE ATTACHMENT (___)?

NOTES:

THIS RIGHT IS NOT SPLIT. AS LICENSED FOR 3.26 cfs AND AS AJ CLAIMED AS 3.00 cfs. THERE IS NO EXPLANATION WHY - YET. CURRENTLY THIS RIGHT IS UNDERCLAIMED BY 0.26 cfs.

A33-11002 WAS FILED (LATE CLAIM) FOR ADDITIONAL WATER (MISSUNDO) ABOVE RECOMMENDED amt. 1.80 cfs & 11002 & 02106 = 4.8 cfs

AUTHENTICATION:

SIGNATURE: _____ DATE: 1/31/00

NAME OF FIELD EXAMINER: Alton B Rugeley TITLE: Sr Asst.

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		COPY INCLUDED IN FILE?
(✓) ORTHOPHOTOQUAD	DATE OF PHOTO	IDWR ID NO. OQ-V32	Y(✓) N(___)
( ) TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y(___) N(___)
(✓) NAPP	DATE OF PHOTO 1987	IDWR ID NO. V32N5	Y(___) N(✓)
(✓) ASCS AERIAL PHOTO	DATE OF PHOTO 1987		Y(✓) N(___)
( ) ASCS COLOR SLIDE	DATE OF PHOTO		Y(___) N(___)
( ) BLM OR USES AERIAL PHOTO	DATE OF PHOTO		Y(___) N(___)
(✓) TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY CHECKED - NO GOVT LOTS IN CLAIMED P.O.U.		Y(___) N(✓)
( ) SCS SOIL SURVEY MAP	DATE ISSUED		Y(___) N(___)
( ) SUBDIVISION PLAT MAP	DATE OF MAP		Y(___) N(___)
( ) OTHER_____	DATE		Y(___) N(___)
( ) OTHER_____	DATE		Y(___) N(___)
( ) OTHER_____	DATE		Y(___) N(___)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION		NO. OF PAGES	NOTES
(✓) LICENSING FIELD EXAM	DATE OF FIELD EXAM	20 July 1966	___	
(✓) WATER RIGHT LICENSE	DATE LICENSE SIGNED	13 MARCH 1967	___	
( ) IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED		___	
( ) SYSTEM DESCRIPTION	DATE DRAWN		___	
(✓) PHOTOGRAPHS	DATE(S) PHOTOS TAKEN	3/27/96	___	
( ) SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		___	
( ) HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		___	
( ) CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		___	
(✓) FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED	TAPE	___	
(✓) OTHER AJ CLAIM MAP	DATE		1	
( ) OTHER_____	DATE		___	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:21:17
04/02/96

17

QUICKLOOK INFORMATION

CLAIM NUMBER: A33-02106

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	--							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS								

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:32:09
04/02/96
18

CLAIM NUMBER: A33-02106

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	ALAN J AMY	08/07/1961	IRRIGATION	~~04-01~~ 04-15	~~11-01~~ 10-15	3.00 CFS	
				TOTAL DIVERSION:		3.00 CFS ⇒ 3.26 ?	
				CONSUMPTIVE USE:			3/5.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T1ON R27E S19 NENESW ~~SWSE~~ 02141 BUTTE County

Place of use Legal Description for: IRRIGATION

			NE						NW						SW						SE				
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
10N	27E	19						37																		24		35		09		04	109.0
10N	27E	20																			02												2.0
10N	27E	29												11		10					04												25.0
10N	27E	30		13						01																							14.0
																													TOTAL ACRES				150.0

POU County: BUTTE

Non-Irrigation Uses: NONE

Other Rights: 33-00007/02034, 02141

Dates: Exam Made Date: Verified Date: 04/23/1985 Objection Filed Date:

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

Presump. Code: C

Bar Code

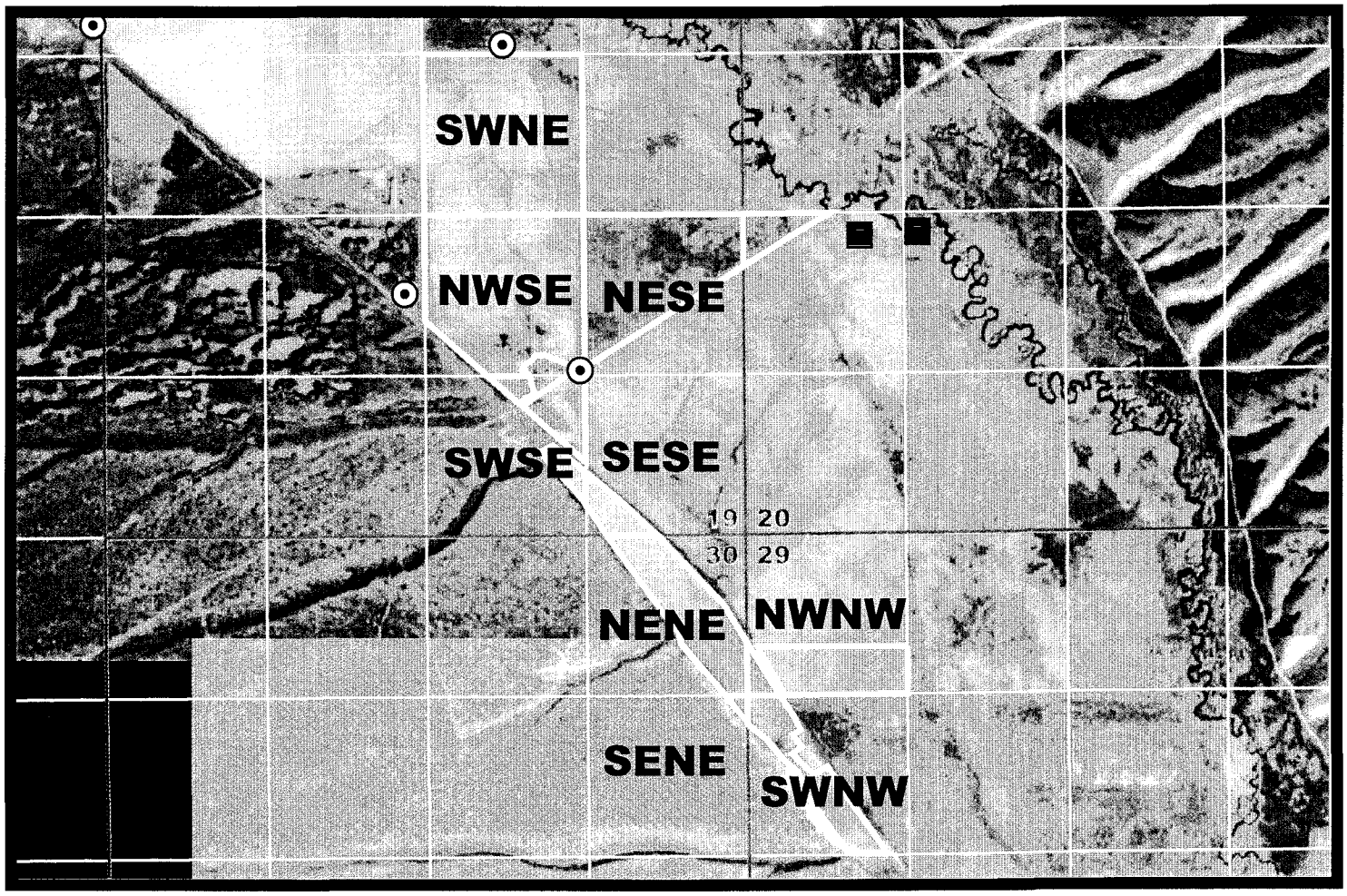
See A33-11002

Cond. / Remarks
C05

STATE OF IDAHO
Department of Water Resources
Eastern Region

Claimant: A.J. AMY

Water Right(s): 33-02106



1000 0 1000 2000 3000 4000 5000 6000 7000 8000 9000 Feet

LEGEND

- Point of Diversion- GW
- Point of Diversion- SW
- SESE — Place of Use
- Section Line
- Quarter-section line

Place(s) of Use: T.10N., R.27E.
Section 19 (parts of) SWNE, SE,
Section 20 (part of) NWSW,
Section 29 (part of) W2NW,
Section 30 (part of) E2NE

Point(s) of Diversion: T.10N., R.27E.
Sec. 19 NENESW

N

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1999

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

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 33-02106

2002 APR -9 PM 3:07

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: TED S SORENSON
BIRCH CREEK RANCHES LLC
5203 S 11TH E
IDAHO FALLS, ID 83404

SOURCE: GROUNDWATER

QUANTITY: 3.00 CFS

USE OF THIS RIGHT WITH RIGHT NOS. 33-00087, 33-02034, 33-02141 AND 33-11002 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.0 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 33-11002 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 723.0 AF.

PRIORITY DATE: 08/07/1961

POINT OF DIVERSION: T10N R27E S19 NENESW Within Butte County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-15 TO 10-31	3.00 CFS

PLACE OF USE: Irrigation — Within Butte County

T10N R27E S19	SWNE 40.0	NESE 25.5	
	NWSE 36.1	SWSE 7.3	
	SESE 3.1		
S20	NWSW 3.5		
S29	NWNW 11.4	SWNW 9.0	
S30	NENE 14.1		

150.0 Acres Total

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

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

R Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	TED S SORENSON BIRCH CREEK RANCHES LLC 5203 S 11TH E IDAHO FALLS ID 83404 (208) 522-8069	08/07/1961	IRRIGATION	04-15	10-31	3.000 CFS	525.00 AFA
				TOTAL DIVERSION:		3.000 CFS	525.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T10N R27E S19 NENESW BUTTE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
10N	27E	19			40										25	36	07	03	112.0
10N	27E	20										03							3.5
10N	27E	29						11	08										20.0
10N	27E	30		13		.7													14.5
																TOTAL ACRES			150.0

POU County: BUTTE

Other Rights: 33-00087, 02034, 02141

Conditions of Approval:

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

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

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.14 CFS. COMBINED RIGHT NOS.: 33-00087, 33-02034, 33-02141.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087, 33-02034, AND 33-02141.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

Misc: Water District Number: Field Inspection Flag:

Presumption Flag: C

Comments: Date: 10/14/1999 User-ID: ARUBERRY Subject: OVERLAP
THERE IS NOT A COMPLETE OVERLAP OF ALL RIGHTS, ONLY PORTIONS.

Date: 11/22/1999 User-ID: AJU10-EC Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 50/00/10 ARUBERRY

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	ALAN J AMY PO BOX 32 HOWE ID 83244 (208) 767-3374	08/07/1961	IRRIGATION	04-15	10-31	3.000 CFS	525.00 AFA
				TOTAL DIVERSION:		3.000 CFS	525.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T10N R27E S19 NENESW BUTTE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
10N	27E	19			40										25	36	07	03	112.0
10N	27E	20										03							3.5
10N	27E	29						11	08										20.0
10N	27E	30		13		.7													14.5
																TOTAL ACRES			150.0

POU County: BUTTE

Other Rights: 33-00087, 02034, 02141

Conditions of Approval:
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.14 CFS. COMBINED RIGHT NOS.: 33-00087, 33-02034, 33-02141.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 307.1 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00087, 33-02034, AND 33-02141.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 150 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

POU Bo # 12

POD Bo# 22

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

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

Comments: Date: 10/14/1999 User-ID: ARUBERRY Subject: OVERLAP
THERE IS NOT A COMPLETE OVERLAP OF ALL RIGHTS, ONLY PORTIONS.

Audit: 10/14/99 ARUBERRY

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: A33-02106
Date Received: 1/12/1990
Receipt No: E011668
Received By: KW

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: ALAN J. AMY 208-767-3374
   Address: P.O. BOX 32
   HOWE, ID 83244

A3302106

2. Date of Priority: AUG 07, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	27E	19		NE	SW		BUTTE
				SE	SE		BUTTE

5. Description of diverting works:
   TWO WELLS PUMPS FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		

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

8. Total consumptive use is 375.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	27E	19	SW	NE		IRR	37.0
			NE	SE		IRR	24.0

Original sent to court 4-14-00

Copy of Original sent to court. 4-20-00

MICROFILMED
NOV 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
10N	27E	19	NW	SE		IRR	35.0
			SW	SE		IRR	9.0
			SE	SE		IRR	4.0
						Section Acres	109.0
		20	NW	SW		IRR	2.0
						Section Acres	2.0
		29	NW	NW		IRR	11.0
			SW	NW		IRR	10.0
			NW	SW		IRR	4.0
						Section Acres	25.0
		30	NE	NE		IRR	13.0
			SE	NE		IRR	1.0
						Section Acres	14.0
						Total Acres	150.0

11. Place of use in counties: BUTTE

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

13. Other Water Rights Used:
33-00087/02034

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30055

MICROFILMED
NOV 18 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Alan J Comp Date: 1-12-90

_____ Date: _____

State of Idaho)
) SS.
County of Bonneville)

Subscribed and sworn (or affirmed) before me this 12th day of January 19 90

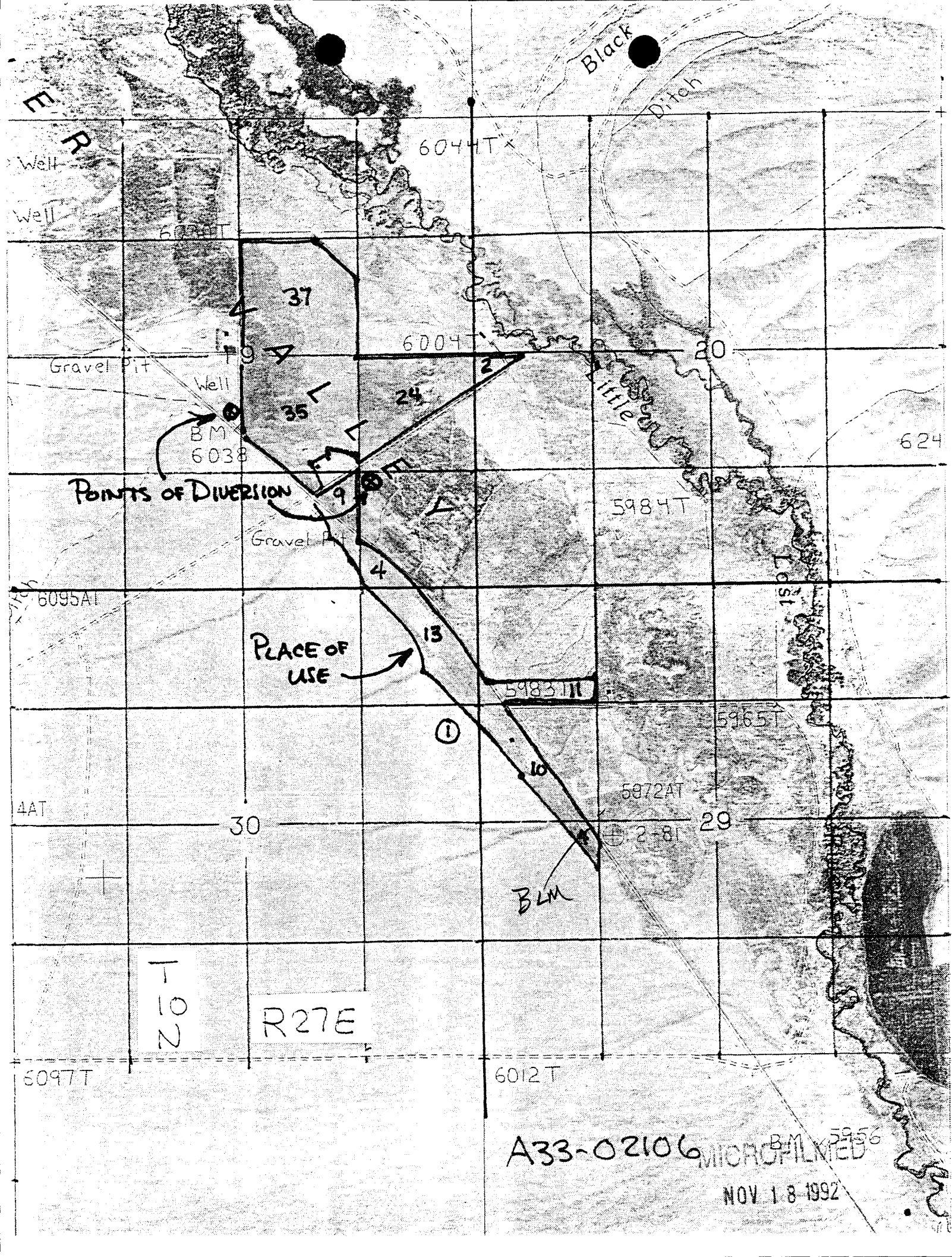
Colleen Wray
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 5/29/1991

MICROFILMED
NOV 18 1992



A33-02106

MICROFILMED
NOV 18 1992