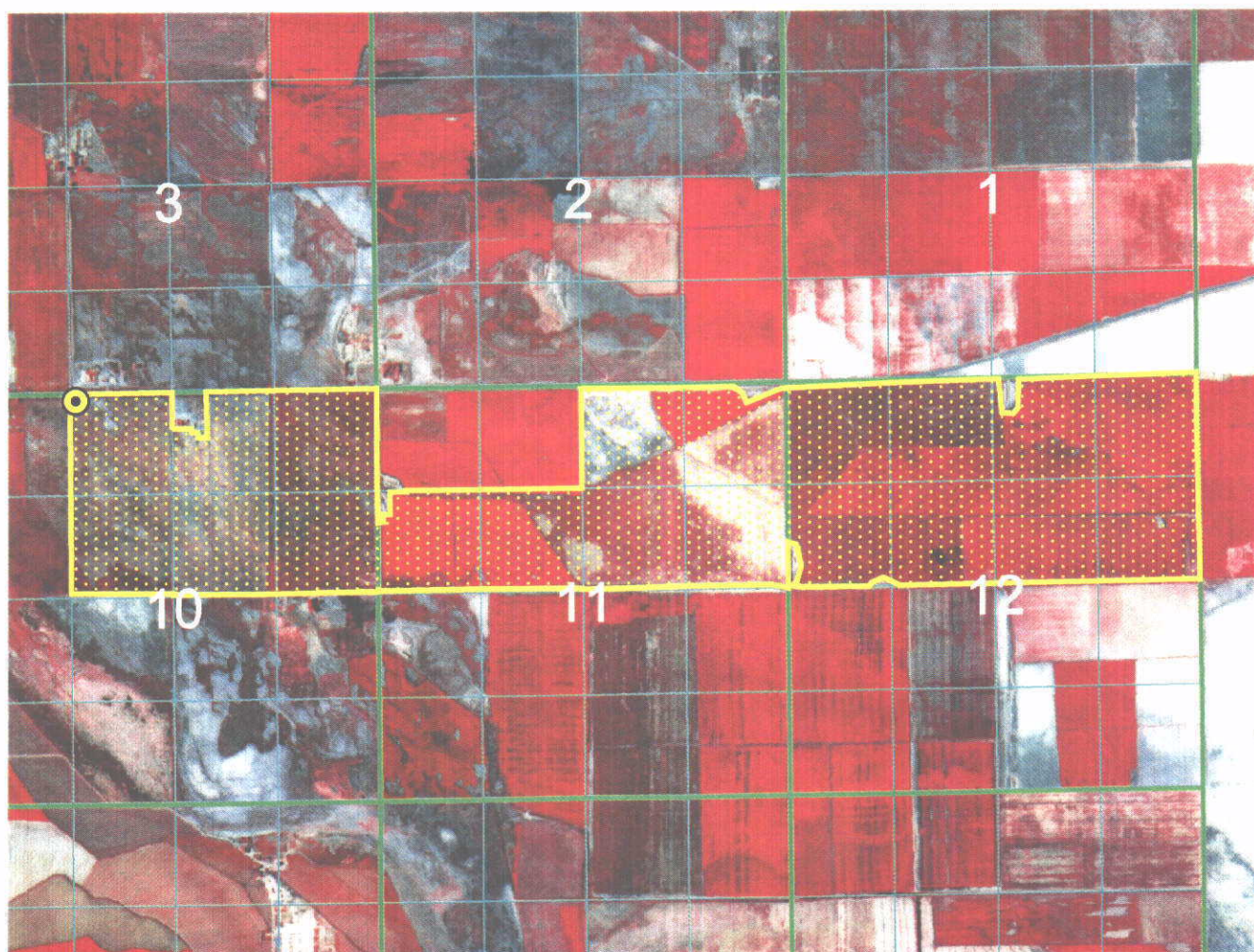


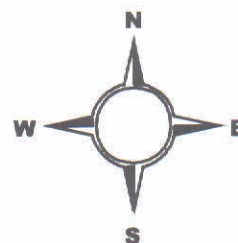
Idaho Department of Water Resources

Water Right 33-07192



0 1 Miles

Township 5 North Range 29 East



-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter-Quarter Lines

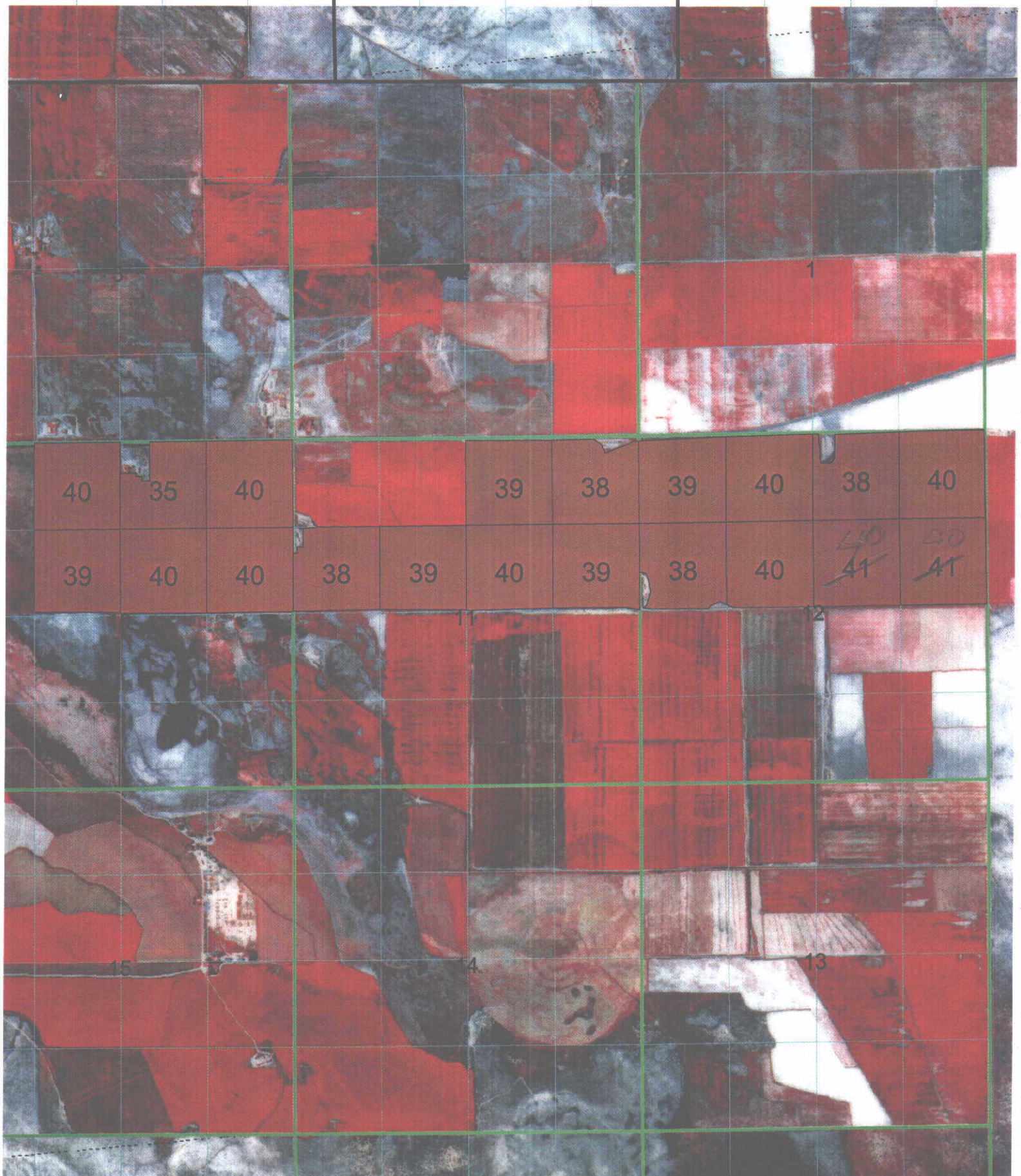
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
November, 1999

34

35

792

36



RECEIVED

JAN 18 2001

Department of Water Resources

2001 JAN 16 PM 2:18

FILED
JAN 16 2001
TWIN FALLS, 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

) ORDER OF PARTIAL DECREE

Case No. 39576

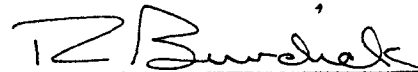
) For Water Right 33-07192

On November 30, 2000, 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 33-07192 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED JAN 16 2001.



ROGER BURDICK
Presiding Judge of the
Snake River Basin Adjudication

2001 JAN 17 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): 33-07192

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 33-07192 was mailed
on January 17, 2001, with sufficient first-class postage prepaid
to the following:

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

R ROBERT AND WILMA I MAYS
FAMILY TRUST
1493 HWY 22
HOWE, ID 83244-8719
Phone: 208-767-3470

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
01/16/01

(R)

[Signature]

~~PERMIT~~

A33-07192
R' ROBERT AND WILMA I MAYS FAMILY TRUST
1493 HWY 22 HOWE ID 83244-8719

☒ NEEDS COPY OF LIC. - DO AS PERMIT - ADP

☒ NEEDS CLAIM FILED & FEB PAID
\$50.00

NO LATE - NOT A READ

July 17, 1998

RECEIVED

DEC 21 1999

NOTICE OF ERROR
REPLY

Department of Water Resources
Eastern Region

File # 33-07192

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: Dec 30, 1999

Water right number: R33-00017B, 18B, 19B, 20B, 21B, 22B, 23B, 2114,
R. Robert and Wilma I Mays Family Trust 10057,
10989

Daytime Telephone Number:

Evening Telephone Number:

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

R 33-10989 Should be R33-07192
Priority Date Should be 2-12-90

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

Water source - "Ground water" not
'Little Lost River'

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

This checked
ant
OK
Deen
Mays

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

DATE: 12/20/99

SIGNATURE: Wilma I Mays - Trustee

Please print your name: WILMA I MAYS TRUSTEE

Response: Mr. Mays didn't get a copy of 33-07192 in this mailing, because it had been correct in the first mailing. 33-10989 is an enlargement claim on surface rights. After talking on the

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

phone, Mr. Mays is comfortable with the recommendation.

Byron A. Condon

To: AJ files for Robert and Wilma Mays Family Partnership
A33-00017B
A33-00018B
A33-00019B
A33-00020B
A33-00021B
A33-00022B
A33-00023B
A33-02114
A33-07192
A33-10057
Fr: Bryce A. Contor
Date: 11/19/1999



Re: Recommendations.

The surface rights were originally claimed on a permissible place of use basis, showing enlargement to 871 acres. Due to the late date of getting started on this file, I did not have time to have the claimant come in to file and enlargement claim. Therefore the surface rights are recommended to the irrigated acres (315) identified in the original place of use authorized by transfer 781. The rights sum to 6.8 cfs; 315 acres @ 0.02 comes to 6.3. The length of ditch probably justifies 0.5 cfs of transmission loss, if challenged I will need to perform the Worstall analysis.

Claim A33-02114 is based upon a license and will be recommended as an accomplished transfer to the claimed place of use, up to the acreage limitation of the original license.

Claim A33-10057 is basically an enlargement of 33-02114, in that no extra cfs were developed at the time the extra ground was brought into production. However the development commenced prior to March, 1963, so this is coded as beneficial use. Watermaster records and the affidavit supporting priority date indicate no addtl. cfs. Combined rate and volume limitations reflect system capacity. Recommended for 315 acres in claimed area of POU per GIS, even though claim was only 305. There are enough acres on other claims, I think, for this addition.

Claim A33-07192 is recommended as licensed, even though licensed for more acres than claimed. Again, overlaps w/ surface claims and surface claims recommended at significantly reduced acres should cover this.

Comments on each record detail remarks limiting cfs and acreage.

33-02114 and 33-10057 are diverted from a well, injected into the Little Lost River, and rediverted near the place of use. A remark allows the continued watermaster practice of charging an appropriate shrink to these rights.

33-00023A is a Sawmill Creek right with historical shrink and change in source to Little Lost River. It received Carter's shrink remark.

~~Curtis, Sharla~~

To:

From:

Contor, Bryce

Sent:

Tuesday, September 07, 1999 2:08 PM

To:

Curtis, Sharla

Subject:

~~32-07192~~33 - 07192

You sent Al Ruberry an e-mail about some AJ claims that overlap a permit. I have inherited the Robert L. Mays claims from Al & it looks like these are the ones you are dealing with.

I haven't really started working with this file. I expect the recommended acres will likely change somewhat. Al's plan was to recommend the decrees and licenses on a Permissible Place of Use basis & I expect I'll follow his lead.

The claimant told Al he wanted the permit enjoined to the adjudication. Al created A & R records, but the signed claim hasn't come back yet, so they are still on the temp host.

Al did field work & I've looked at the GIS coverages. The GIS acreage from 87/88 NARP photos on the permitted POU is as follows:

5N 29E 10 NENE	40
5N 29E 10 NWNE	35
5N 29E 10 SWNE	40
5N 29E 10 SENE	40
5N 29E 10 NENW	40
5N 29E 10 SENW	39
5N 29E 11 NENE	38
5N 29E 11 NWNE	39
5N 29E 11 SWNE	40
5N 29E 11 SENE	39
5N 29E 11 SWNW	38
5N 29E 11 SENW	39
5N 29E 12 NENE	40
5N 29E 12 NWNE	38
5N 29E 12 SWNE	41
5N 29E 12 NENE	41
5N 29E 12 NENW	40
5N 29E 12 NWNW	39
5N 29E 12 SWNW	38
5N 29E 12 SENW	40

(I know it isn't a govt lot but this basin has a lot of odd-sized qq's)

change to 40's to remove confusion since there aren't govt lots?

782

Let me know if you need more. Bryce

NENE on list twice,
second one should be SENE

Bryce -

Are the 3 small changes above workable for you? Let me know, if this is good with you, I'm ready to run a license for signature. How soon can you get the R files updated w/ this land list? I'd like AJ & R files updated w/ this land list. I need the license forwarded to the NARS!

Ruberry, Allen

From: Curtis, Sharla
Sent: Thursday, August 26, 1999 11:58 AM
To: Ruberry, Allen

Your name shows up in the audit trail on a bunch of basin 33 Little Lost River claims that overlap a permit I'm trying to license. Do you have any field-work written documentation/maps, etc. to confirm the acreages in the place of use for these claims? The acres in the R file appear to be the same as claimed, so I wonder if those amounts could be changing. The permit is 33-07192 and the decreed rights are 33-00017B/00018B/00019B/00020B/00021B/00022B/00023B.

Thanks for any help you can provide.

Sharla

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RE-EXAM

A. GENERAL INFORMATION

Permit No. 33-07192

1. Owner: Robert R Mays Phone No. 767-3470

Current Address: HC 65 Box 2105, Howe IA 83244

2. Accompanied by: Robert & Wilma Mays EXAM DATE: 5-18-1999

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to

B. OVERLAP REVIEW

33-000 MB/00018B/00019B/00020B/00021B/00022B/

1. Other water rights with the same place of use: 33-02114/00090D/00092E/00093C/00091D/00023B

2. Other water rights with the same point of diversion: *NONE*

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion: NO GOV LOTS

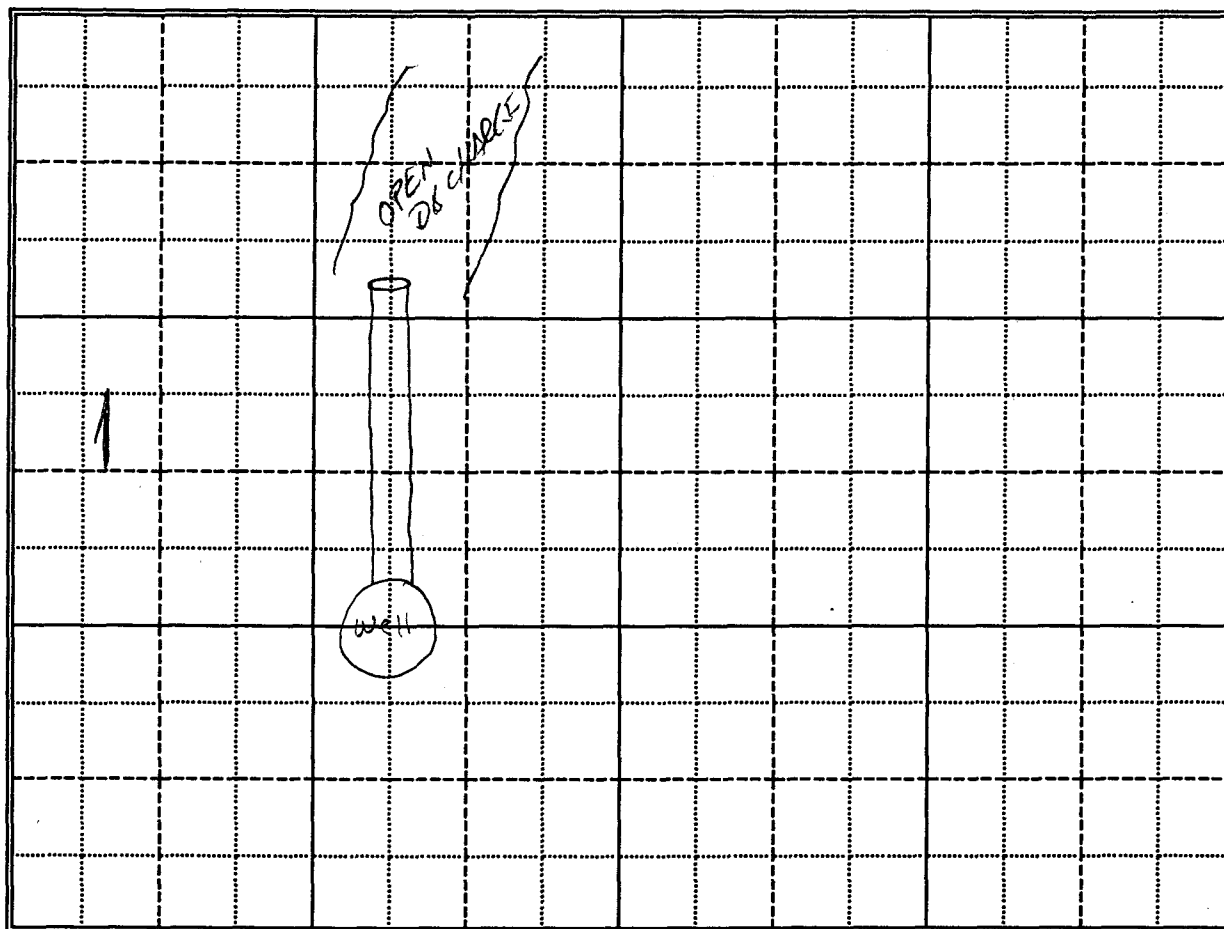
[illegible]

2. Place(s) of Use: NG Gov Lots

Indicate Method of Determination

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.D. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US Electric	125	R9982-DI-171 R2111419	Peerless	8.62" od

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Totalizing Meter	Spurling	Hersey		J/N 54580 61015		

2. Measurements: $0.01 \text{ at } / 2 \text{ min } 39.13 \text{ sec } Q = 2.74 \text{ cfs}$
 $0.005 \text{ at } / 1 \text{ min } 19.49 \text{ sec } Q = 2.739 \text{ cfs} \approx 2.74 \text{ cfs}$

E. NARRATIVE/REMARKS/COMMENTS

Well pump mainline with open discharge to a network of ditches, GROUNDWATER from another well & surface water rights from Little Lost River are co-mingled

NOTE: THIS IS A SUPPLEMENTAL WATER RIGHT

RE-EXAM done to confirm low flow rate of 5-1-1996 Exam.

Have conditions of permit approval been met? ☐ yes ☒ no

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$Q = 0.01 \text{ af} / 2 \text{ min} \times 39.15 \text{ sec} = Q = 2.74 \text{ cfs}$$

$$2.74 \text{ cfs} / 723 \text{ ac} = 0.00378 \text{ cfs/ac} < 0.02 \text{ cfs/ac} \quad \text{SUPPLEMENTAL WATER ONLY}$$

$$Q_{\text{LIMITED BY CAPACITY}} = 2.74 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{\text{I.R.}} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 723 \text{ ac} (3.5 \text{ af}) = 2530.5 \text{ af}$$

$$V_{\text{D.R.}} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.74 \text{ cfs} (183) 1.9835 = 994.6 \text{ af}$$

$$V = \text{Smaller of } V_{\text{I.R.}} \text{ and } V_{\text{D.R.}} = 994.6 \text{ af}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS SUPPLEMENTAL WATER

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	2.74 cfs	994.6 af
Totals:			2.74 cfs	994.6 af

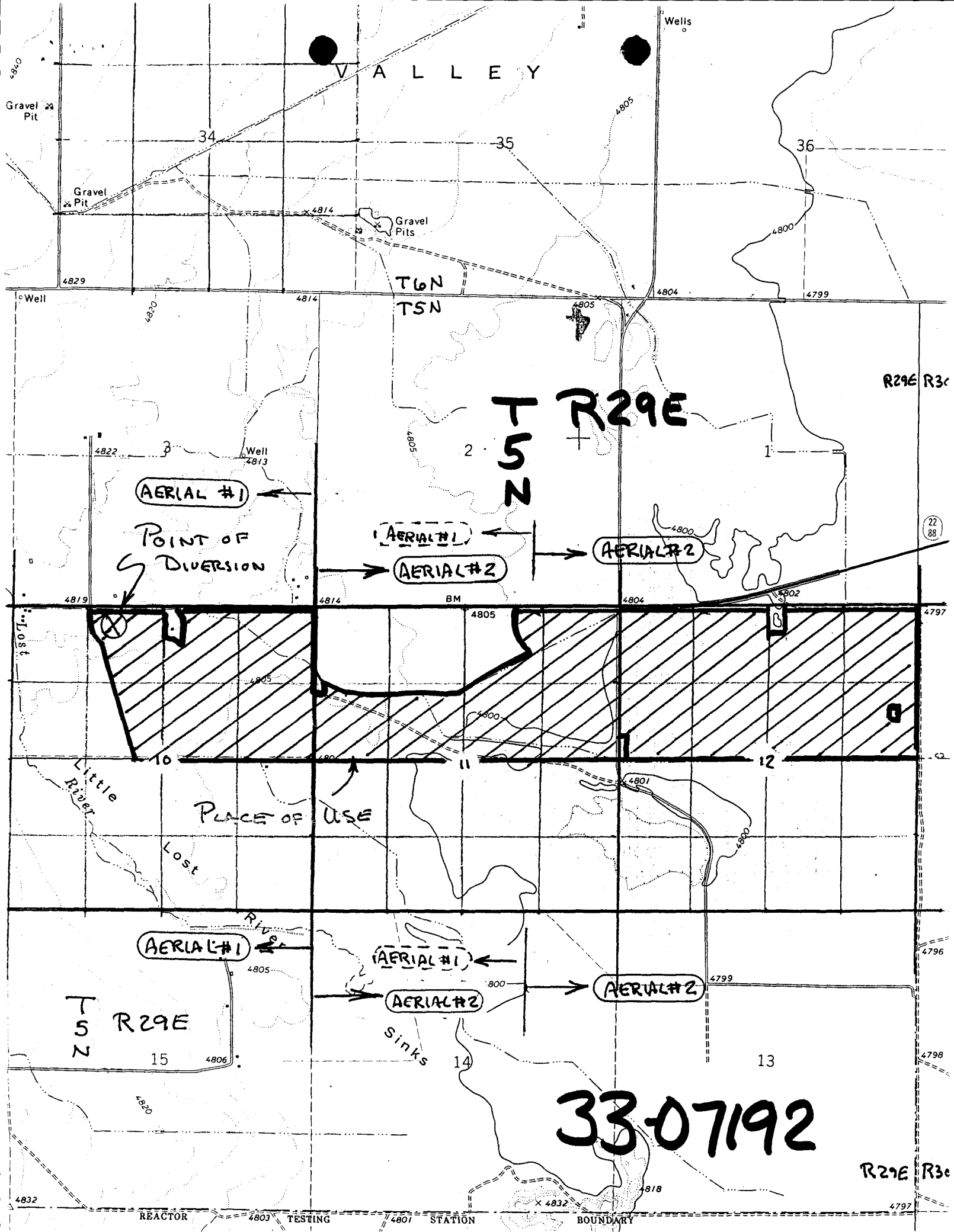
2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name KEITH C WILSON Date 5-18-1999

Reviewer _____ Date _____

SEAL



CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 10060, 10257, 00017B, 00018B,
BASIN 33 00019B, 00020B, 00021B,
00022B, 00023B, 0214, 07192

[] Old Mailing Address: Robt. R. Mays, Wilma I. Mays
HC 65 Box 2105
Howe ID 83244

[] New Mailing Address: R. ROBERT MAYS AND WILMA I. MAYS Family Trust
1493 Hwy 22
Howe ID 83244-8719

[] Telephone Number: (208) 767-3470

[] Signature of Claimant: Wilma I. Mays / Elaine Dove

[] Date: 20 ~~May~~ Aug 97
MDR

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

AST:

THEORETICAL PUMP FLOW CALCULATIONS

Formula:

$$Q_{cfs} = [(Hp)(8.814)(Eff)] \div [Lift + (psi \times 2.308)]$$

Hp = Horsepower = 125

Eff = Efficiency = .7 (Usually 70%)

Lift: (Static Level + Assumed Draw down)

Static Water Level = 104 ft.

Assumed Draw down = + 10 ft.

Lift = 114

OR

← THIS FACTOR
IS MOST LIKELY
WRONG.

Measured Dynamic Water Level = _____ ft.

psi = Operating Pressure = 0 psi

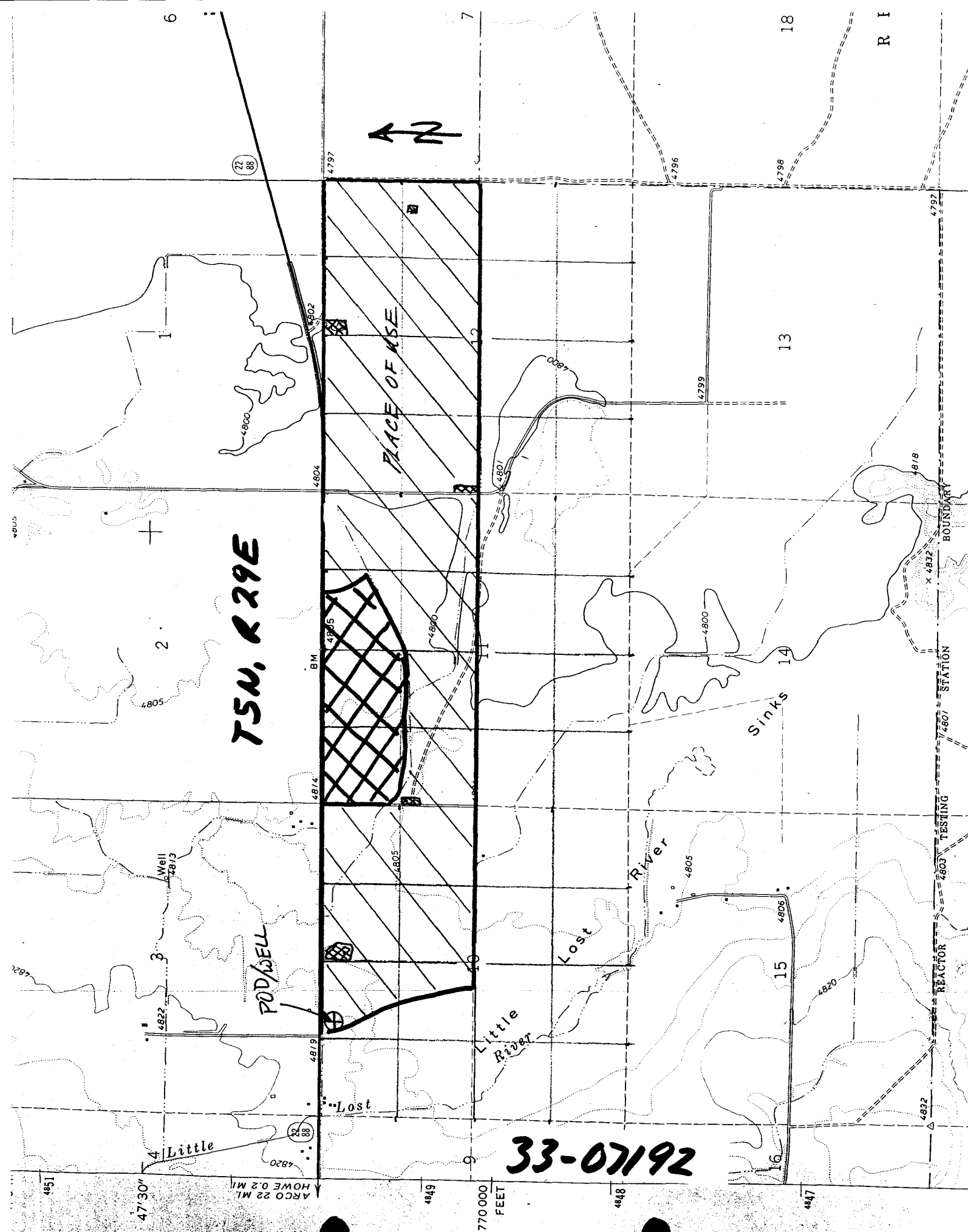
$$Q_{cfs} = \left[\frac{125}{Hp} \times 8.814 \times \frac{.7}{Eff} \right] \div \left[\frac{114}{Lift} + \left(\frac{\quad}{psi} \times 2.308 \right) \right]$$

$$Q_{cfs} = \left[\frac{771,225}{\quad} \right] \div \left[\frac{114}{\quad} \right]$$

$$Q_{cfs} = \underline{6,765} \text{ cfs}$$

NOTE: WELL WAS DEEPEMED 2 YEARS AGO TO 980'±,
THIS WOULD TEND TO INDICATE THAT WELL HAS
EXCESSIVE DRAW DOWN, THIS COULD ACCOUNT FOR
THE DIFFERENCE BETWEEN SONIC METER READING
AND THEORETICAL.

PERMIT NO. 33-07192



LEO/AMV

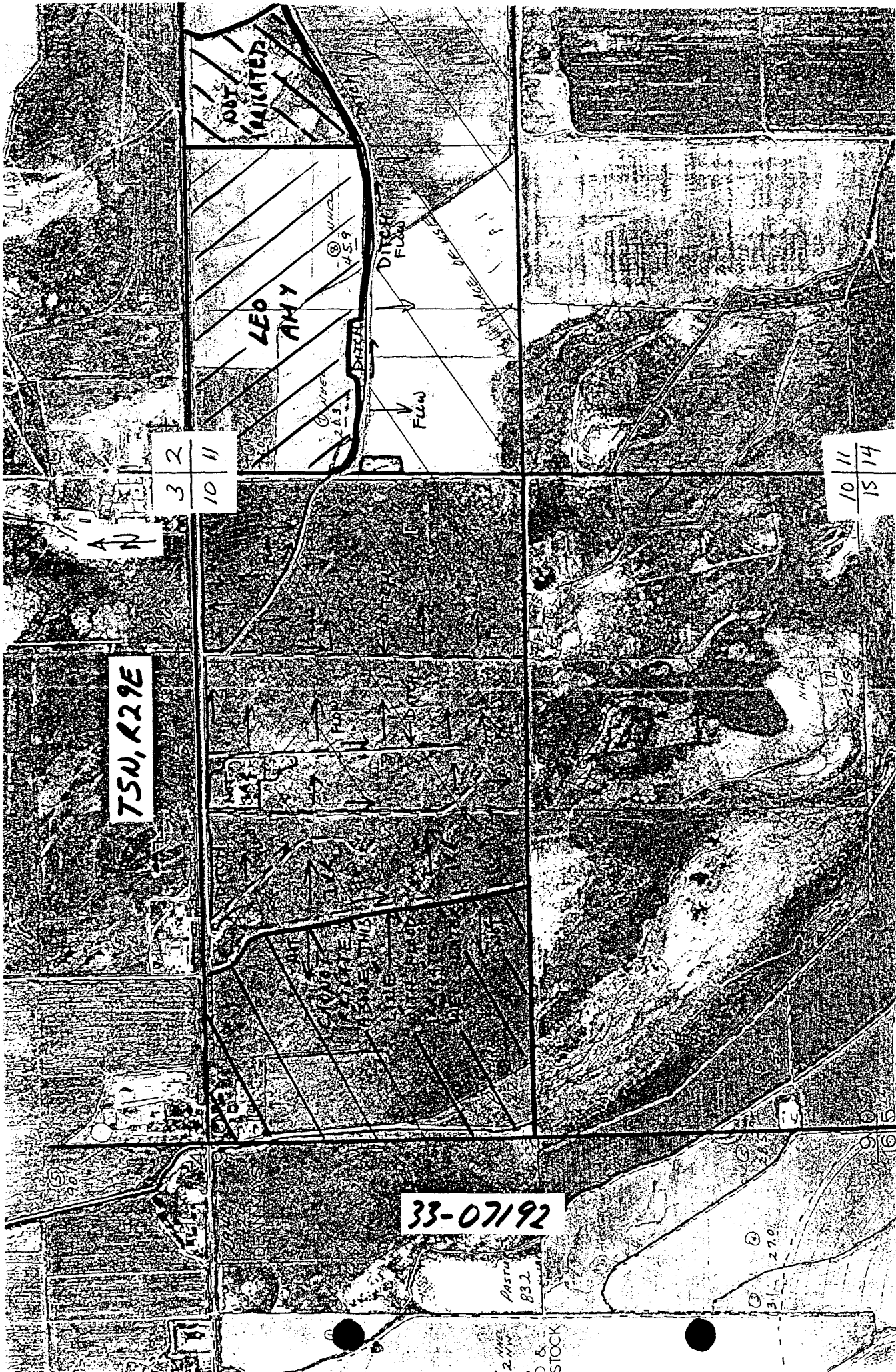
619 NW
T-360 NW
D ISHAM

TSN, R29E

33-07192

3	2
10	11

10	11
15	14



PASTURE 832
D & STOCK

FIELD EXAM NOTES

EXAM # 33-7192

DATE OF EXAM 5/1/96

PERMITEE NAME ROBERT HAYS

NO OTHER RIGHTS THIS FOD

OTHER WATER RIGHTS SAME POD ^① SURFACE (LITTLE LOST RIVER) 6.8 CFS

OTHER WATER RIGHTS SAME POU ✓ WELL (4.69) CFS

PUMP #1 HP 125 MAKE U.S. Electric SERIAL # _____
COLOR AND DESCRIPTION Yellow/white - Iron - Black 6" Discharge (open to ditch)
OUTPUT DIAMETER 8" SYSTEM PRESSURE OPEN PSI WELL DEPTH 980' ^{LOL}
STATIC H2O 104' ^{LOL} WELL DEPTH 980' DYNAMIC PUMP _____
PSI GAGE TYPE Anal. CHECK VALVE [Y] [N] GATE VALVE (Y) [N]
Check well log - 1993

PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____
OUTPUT DIAMETER _____ SYSTEM PRESSURE _____ PSI WELL DEPTH _____
STATIC H2O _____ WELL DEPTH _____ DYNAMIC PUMP _____
PSI GAGE TYPE _____ CHECK VALVE [Y] [N] GATE VALVE [Y] [N]

BOOSTER PUMP #1 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

BOOSTER PUMP #2 HP _____ MAKE _____ SERIAL # _____
COLOR AND DESCRIPTION _____

CIRCLE PIVOT [Y] [N] NUMBER OF TOWERS _____ PIVOT LENGTH _____
PRESSURE [H] [L]

HAND LINES [Y] [N] NUMBER OF LINES _____ LENGTH OF LINES _____

RAIN BIRDS PER LINE _____ NOZZEL DIAMETER _____

SURFACE WATER TYPE OF MEASUREING DEVICE _____

AA METER PIGMY METER WEIR OR FLUME BUCKET/WATCH _____/_____

USE BACK OF PAGE FOR SKETCH AND MEASUREMENTS OF SYSTEM

33-07192

E. NARRATIVE/REMARKS/COMMENTS

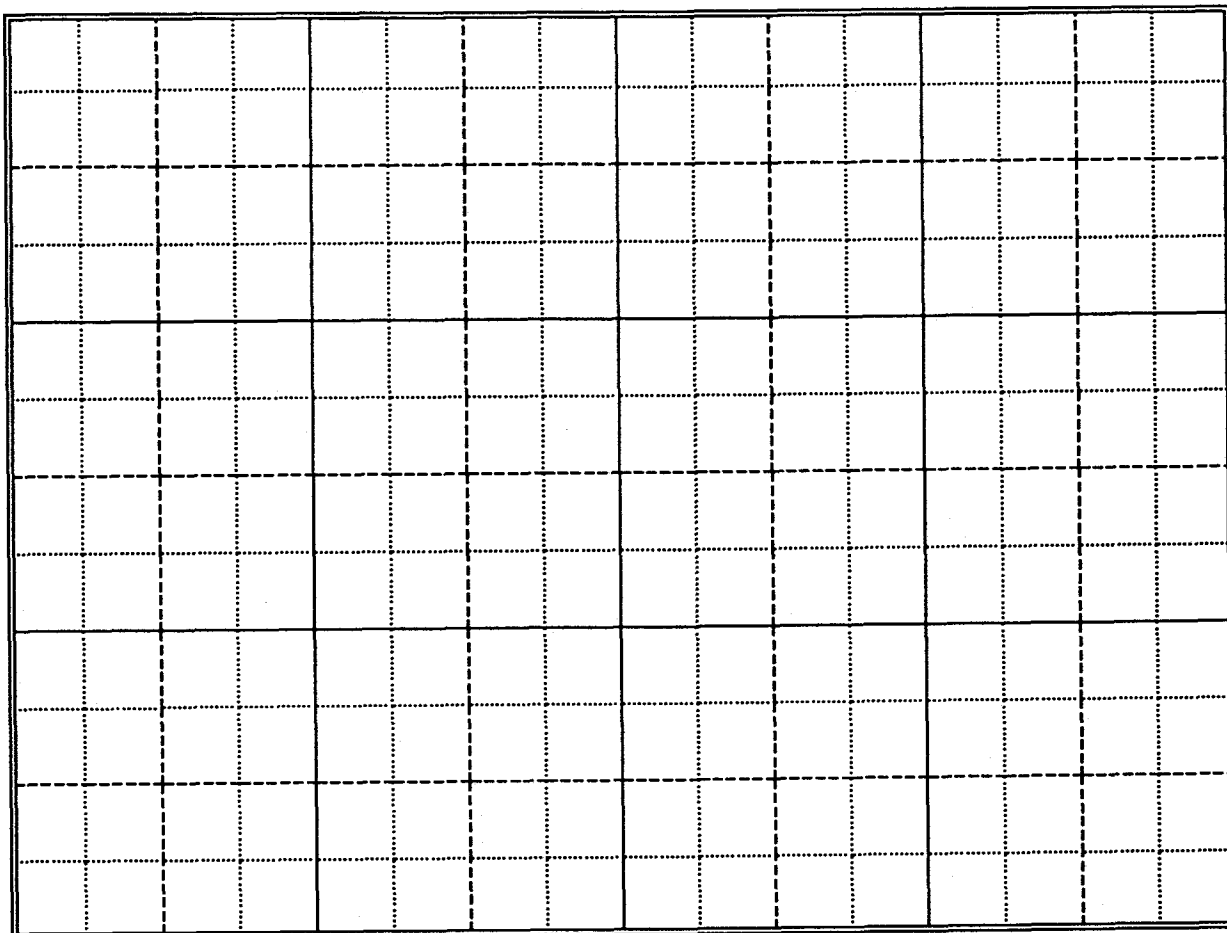
THIS SYSTEM IS FLOOD IRRIGATION. A 125 HP PUMP LIFTS
WATER APPROXIMATELY 104' TO THE SURFACE WHERE IT
IS DISCHARGED VIA A 6" PIPE TO A DITCH. THE MAIN
DITCH TRAVELS EAST ALONG THE HIGHWAY ~~EX~~ TO THE
EAST END OF THE PROPERTY, EXCEPT WHERE IT
DIVERGES SOUTH AROUND LEO AMY'S PLACE. SECONDARY
DITCHES DIVERGE WATER OUT INTO FIELDS.

* DITCH IS COMMON CARRIER TO LOST RIVER WATER.
LAND GRADIENT IS TO THE ^{EAST,} ~~THE~~ SOUTH EAST.

Have conditions of permit approval been met? ☒ yes ☐ no

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

WELL IS OPEN DISCHARGE - NO DIAGRAM



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
<i>DISCHARGE TO DITCH</i>	<i>U.S. ELECT.</i>	<i>125</i>			<i>8" REDUCES TO 6"</i>

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
<i>POLYSONIC FLOW METER</i>		<i>TIME-FAYTE</i>		<i>7HD263</i>		

2. Measurements: *FULL PIPE OPEN DISCHARGE*

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

SONIC METER $Q = 2.5 \text{ CFS}$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 729 \text{ ac} \times 3.5 = \frac{2,551.5}{2,544.5 \text{ AFA}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.5 \text{ CFS} \times 183 \times 1.9835 = 907.5 \text{ AF}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 907.5 \text{ AFA}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS SYSTEM LIMITS USE TO 2.5 CFS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/15	10/15	2.5 CFS	907.5 AFA
Totals:			2.5 CFS	907.5 AFA

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name SIMPKINS Date 1/6/97

Reviewer _____ Date _____

SEAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 33-07192

1. Owner: WILMA L. MAYS ROBERT R. MAYS Phone No. (208) 767-3470

Current Address: H6 65, Box 2105, Howe, ID 83244

2. Accompanied by: OWNER (ROBERT) EXAM DATE: 5/1/96

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 33-00017B, 18B, 19B, 20B, 21B, 22B, 23B,
33-02114

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

[illegible]

2. Place(s) of Use:

Indicate Method of Determination ON SITE INSP.

[illegible]

TOTAL

? PRINTER

PRINTER USE
? YES

MODE SELECT
INPUT

OUTER DIAMETER
8.6201 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.1051 IN

INNER LINING
? NO LING.

KIND OF FLUID
? ANOTHER

SOUND VELOCITY
1450 M/S-

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
6.154 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

05-01 14:1500
+003.00 % AI2

MODE SELECT
TO CHECK

0320.2 MMSEC
100.20 % T0

05-01 14:1600 *R
+ 1.143E 3GPM

33-7192
Robert May

$$\Rightarrow \frac{1143 \text{ GPM}}{448 \text{ B}} = 2.55 \text{ cfs}$$

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 33-07192

16.00 CFS

Maximum Diversion Rate:

Proposed Priority: February 5, 1990

This is to certify, that WILMA I. HAYS

ROBERT B. HAYS

HC 65 BOX 2105

HOME, ID 83244

has applied for a permit to appropriate water from: GROUNDWATER

and a permit is APPROVED for development of water as follows:

NONOFFICIAL USE PERIOD OF USE RATE OF DIVERSION

IRIGATION 04/01 to 11/01 16.00 CFS

LOCATION OF POINT(S) OF DIVERSION: NEW Sec. 10, Township 05N, Range 29E

BUTTE County

NEW Sec. 10, Township 05N, Range 29E
BUTTE County

PLACE OF USE: TWP RGE SEC	IRRIGATION	ACRES	ACRES	TOTAL
05N 29E 10	NEW 40 SENE 40	NEW 40 SENE 40	SENE 40 SENE 40	240
11	NEW 40 SENE 40	NEW 40 SENE 40	SENE 40 SENE 40	240
12	NEW 40 SENE 40	NEW 40 SENE 40	SENE 40 SENE 40	320
				800

Total number of acres irrigated:

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 2, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Any license issued by IDWR pursuant to the permit or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.

WR5809NP
No. 33-07192

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/17/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILMA I MAYS C ROBERT R MAYS	02/12/1990	IRRIGATION	04/15 10/15	2.740 CFS	998.20 AFA
TOTAL DIVERSION:					2.740 CFS	998.20 AFA

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion Capacity: 2.740 CFS

Point(s) of Diversion: T05N R29E S10 NENW

BUTTE County

Place of Use Legal Description for: IRRIGATION

		NE				NW				SW				SE				SUM			
T	R	S	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Ac
05N 29E 10	:	40	35	40	40	40	40	40	40	39	39	39	39	39	39	39	39	39	39	39	39
05N 29E 11	:	38	39	40	39	40	39	40	39	38	38	38	38	38	38	38	38	38	38	38	38
05N 29E 12	:	40	38	40	40	40	40	40	40	40	39	38	38	40	40	40	40	40	40	40	40
TOTAL ACRES																		782.0			

Pou County: BUTTE

Conditions of Approval:

- R55 - This right is for the use of trust water and is subject to review
- 20 years after the issuance of the permit to determine
- availability of water and to re-evaluate the public interest.
- R59 - This right when combined with all other rights shall provide no
- more than 3.5 afa per acre at the field headgate for irrigation
- of the lands above.
- 079 - This right shall not be used if the surface water right(s)
- appurtenant to the place of use is sold, transferred, leased or
- used on any other place of use.

Remarks: GEN

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 2737.0 af at the field headgate for the lands above.
The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.

Dates: App. Received: 02/05/1990 Priority Date: 02/12/1990 (Priority Date Advanced.)
Proof Due Date: 08/02/1993 Proof Made Date: 08/09/1993 (Proof Received Late.)
Exam Made Date: 05/01/1996 Exam Sent to S.O.: 06/25/1999
Licensed Date: 10/12/1999

Misc: Water District Number: Field Exam Fee: R (Received)

POD = 116

POU = 92,93,94

Water Right Number - **A** 33-07192

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

MAYS

WILMA I.

1 - HC 65 BOX 2105

2 -

3 -

City- HOWE

State- ID Zip- 83244

Phone - 208-767-3470

MAYS

ROBERT R.

1 - HC 65 BOX 2105

2 -

3 -

City- HOWE

State- ID Zip- 83244

Phone - 208-767-3470

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/12/1990 15 EASTERN P - PERMIT

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

05N 29E 10 **NW** NE NW (23) BUTTE

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

01 - IRRIGATION 04/01 11/01 16.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
16.000

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

05N	29E	10	NE NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	10	NW NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	10	SW NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	10	SE NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	10	NE NW		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	10	SE NW		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	11	NE NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	11	NW NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	11	SW NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	11	SE NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	11	SW NW		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	11	SE NW		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	12	NE NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	12	NW NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	12	SW NE		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	12	SE NE		40.0	01	IRRIGATION	(23) BUTTE

Δ Average?

Water right number - 33-07192

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - -								
TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
05N	29E	12	NE NW		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	12	NW NW		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	12	SW NW		40.0	01	IRRIGATION	(23) BUTTE
05N	29E	12	SE NW		40.0	01	IRRIGATION	(23) BUTTE

Total Acres: 800.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 33-0018B/0017B/0019B/0020B/0021B/0022B/0023B/2114

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -

- 26A - Project construction shall commence within one year from the
 - date of permit issuance and shall proceed diligently to
 - completion unless it can be shown to the satisfaction of the
 - Director of the Department of Water Resources that delays were
 - due to circumstances over which permit holder had no control.
- 01C - A flow measurement port or other device as specified by the
 - Department shall be installed by the right holder to provide for
 - the installation of measuring equipment and the determination of
 - the rate of diversion by the Department.
- 046 - Right holder shall comply with the drilling permit
 - requirements of Section 42-235, Idaho Code.
- 051 - Any license issued by IDWR pursuant to the right or portion
 - thereof for the use of trust water is subject to a term review
 - of 20 years after the date of this approval to determine
 - availability of water for the use and to re-evaluate the public
 - interest at the end of the term.
- 052 - Diversion and use of water under this right is subject to an
 - annual use fee if rules are subsequently promulgated which
 - provide for the submittal of the fee.
- 053 - The Director retains jurisdiction over this right and may
 - change, add, or remove any requirement as determined to be
 - appropriate.
- 03A - The rate of diversion of water for irrigation under this right
 - and all other water rights on the same land shall not exceed 0.02
 - cubic feet per second for each acre of land.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

Water right number - 33-07192

Prefix Translation: WATER RIGHT

+-----Comments-----

Date: 08/05/1993 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

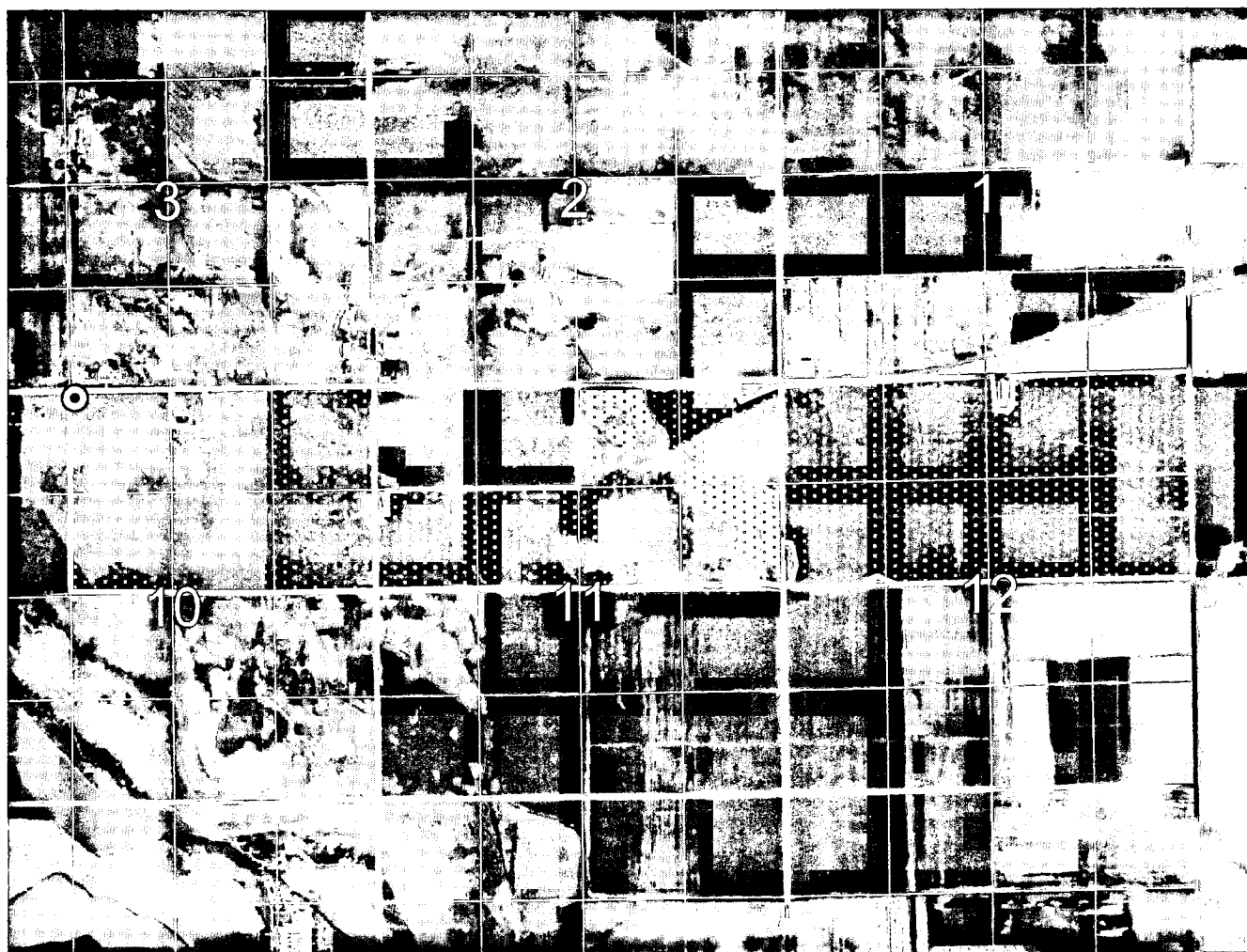
+ - - Audit Fields - 02/21/90 BODELL 03/05/90 CURTIS 05/21/90 CURTIS 06/12/91 MILLER 07/16/91 SKAGGS
08/05/93 COMMENTS 08/20/93 GUSTAFSS

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 08/02/1993	Field Exam Made	- 00/00/0000	Field Exam Fee	- R
Approved/Denied	- 07/17/1991	Protested Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 08/09/1993	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- E011950	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 02/05/1990	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	- Y
Presumption Flag	-				

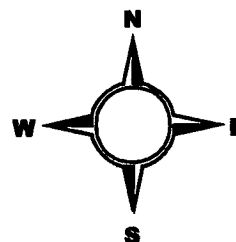
Idaho Department of Water Resources

Water Right 33-07192



0 1 Miles

Township 5 North Range 29 East



- ⊙ Point of Diversion
- ▭ Place of Use
- ▭ Section Lines
- ▭ Quarter-Quarter Lines

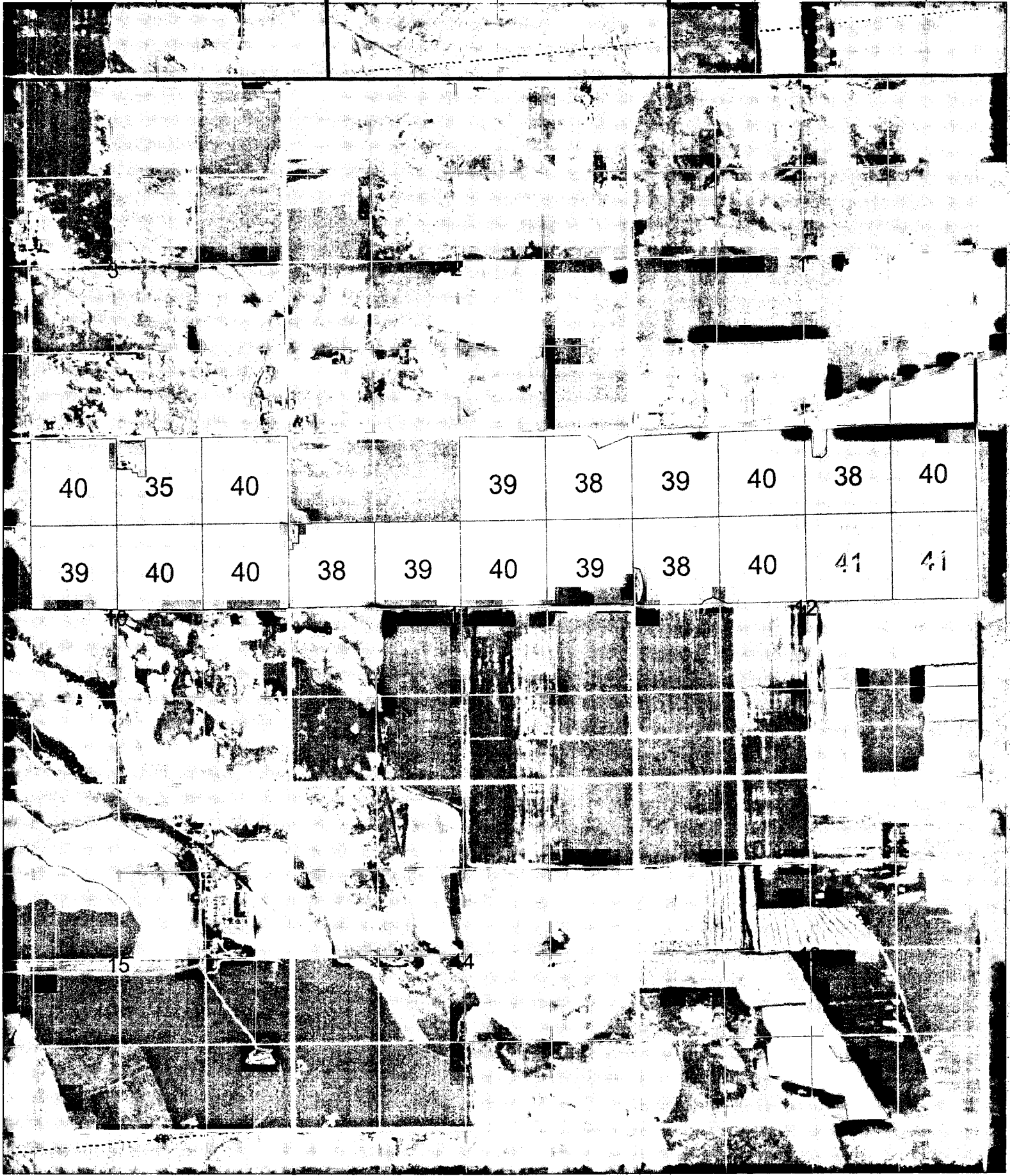
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by Bryce A. Contor
November, 1999

34

35

7192

36



2001 JAN 16 PM 2:18
DISTRICT COURT - SR3A
TWIN FALLS CO., IDAHO
FILED

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 33-07192

QUANTITY: 2.74 CFS
998.20 AFY

PRIORITY DATE: 02/12/1990

POINT OF DIVERSION: T05N R29E S10 NWNENW Within Butte County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	2.74 CFS
			998.20 AFY

PLACE OF USE:	Irrigation		Within Butte County
	T05N R29E S10	NENE 40.0	NWNE 35.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	SENW 39.0
	S11	NENE 38.0	NWNE 39.0
		SWNE 40.0	SENE 39.0
		SWNW 38.0	SENW 39.0
	S12	NENE 40.0	NWNE 38.0
		SWNE 40.0	SENE 40.0
		NENW 40.0	NWNW 39.0
		SWNW 38.0	SENW 40.0
	782.0 Acres Total		

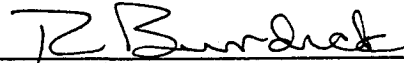
USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 901 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00017B, 33-00018B, 33-00019B, 33-00020B, 33-00021B, 33-00022B, 33-00023B, 33-02114, 33-07192, 33-10057, 10989.

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.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

AJ0749NP
No. R33-07192

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

DATE: 12/16/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	R ROBERT AND WILMA I MAYS FAMILY TRUST	02/12/1990	IRRIGATION	04-01 10-31	2.740 CFS	998.20 AFA
TOTAL DIVERSION:					2.740 CFS	998.20 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE
Point(s) of Diversion: T05N R29E S10 NW1/4NW BUTTE County

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE		SUM	
T	R	S	NE	SE	NE	SE	NE	SE	SE
05N 29E 10	40	35	40	40	40	40	40	40	40
05N 29E 11	38	39	40	39	38	39	38	39	38
05N 29E 12	40	38	40	40	40	40	40	40	40
TOTAL ACRES									782.0

POU County: BUTTE

Other Rights: 33-00017B THROUGH 33-00023B, 2114, 10057, 10989

Conditions of Approval:

- 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(G) IDAHO CODE.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 14.23 CFS. COMBINED RIGHT NOS:
33-00017B, 33-00018B, 33-00019B, 33-00020B, 33-00021B, 33-00022B,
33-00023B, 33-02114, 33-07192, 33-10057, 10989.

POU1 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 901 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 33-00017B, 33-00018B,
33-00019B, 33-00020B, 33-00021B, 33-00022B, 33-00023B, 33-02114,
33-07192, 33-10057, 10989.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

POU # 116

POU # 92, 73, 94

AJ0749NP
No. R33-07192

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

DATE: 12/16/99
PAGE: 2

Comments: Date: 11/17/1999 User-ID: BCONTOR Subject: COPIED FROM REMARKS
THIS WATER RIGHT IS NOT REQUIRED TO BE ENJOINED TO THE SRBA. DONE
SO BY OWNERS REQUEST. RECONFIRMED 8/18/99 ABR.
CHANGED ADDRESS PER REQUEST TO FAMILY TRUST /JH/8/29/97

Audit: 12/16/99 BCONTOR

DATE: 08/29/97
PAGE: 1

DIVERSION
VOLUME

HOWE ID 832448719
(208) 767-3470

Stage: PERMIT

BUTTE County

IRRIGATION

MS

Other Rights: 33-00017B THROUGH 33-00023B, AND 02114

Objection Filed Date:

Field Inspection

10/15. Pres. License to AS
and License
for

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: A33-07192
Date Received: 4/26/1996
Receipt No: E025293
Received By: JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R ROBERT AND WILMA I MAYS FAMILY TRUST 208-767-3470
Address: 1493 HWY 22
HOWE ID 83244-8719

2. Date of Priority: FEB 12, 1990

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	29E	10	NW	NE	NW		BUTTE

5. Description of diverting works:
WELL AND PUMP TO OPEN DISCHARGE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.740		994.60

7. Total Quantity Appropriated is:
2.740 C.F.S. (and/or) 994.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	29E	10	NE	NE		IRR	38.0
			NW	NE		IRR	35.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
			NE	NW		IRR	30.0



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	29E	10	NW	NW		IRR	23.0
						Section Acres	205.0
		11	SW	NW		IRR	38.0
			SE	NW		IRR	14.0
			NE	SW		IRR	39.0
			NW	SW		IRR	39.0
			SW	SW		IRR	37.0
			SE	SW		IRR	38.0
						Section Acres	205.0
		12	NE	NE		IRR	40.0
			NW	NE		IRR	38.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
			NE	NW		IRR	40.0
			NW	NW		IRR	38.0
			SW	NW		IRR	38.0
			SE	NW		IRR	40.0
						Section Acres	313.0
						Total Acres	723.0

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:

33-00017B THROUGH 33-00023B, AND 02114

14. Remarks:

THIS WATER RIGHT IS NOT REQUIRED TO BE ENJOINED TO THE SRBA. DONE
SO BY OWNERS REQUEST. RECONFIRMED 8/18/99 ABR.

CHANGED ADDRESS PER REQUEST TO FAMILY TRUST /JH/8/29/97

15. Basis of Claim: PERMIT

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): Philma May-tunster Date: Sept 9, 1999
Daniel D. May Date: Sept 9-1999

State of Idaho)
County of Butte) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of September 19 99

Dorothy Taylor
Notary Public

Seal

Residing at Howe, Id
My Commission Expires 06-14-00