



Idaho Department of Water Resources

# MEMORANDUM

---

File: 22-46A Karl and Kitrina Kay  
Date: 8-21-2008  
Subject: Initial Hearing Summary

Water right 22-46 was decreed SWNE, S1/2NWNE, E1/2SENE T5N R44E SEC 36 for 1.6 cfs under A.F. Murdock.

Ivan Kay filed a claim for 10 acres at 0.2cfs T05N R44E Sec 36 SENE. 22-46 was split into 22-46A. Dee O'Brian conducted the field exam and only found 4.2 acres being irrigated.

Karl Kay filed objection for "enough to cover 16.22 acres" "both sided of twin creek".

In our meeting on 8-21-2008, it became clear that the historical use doesn't match the way it was claimed. The Kay's run about 100 head of cattle across T05NR45E SEC31 SWNW, T05N R45E SEC 36 NENE, SENE, SWNE. They have irrigated over the above QQ from 1962 when they bought the property.

There are two ground water rights 22-12034, 22-12035. Need to check to see if they are supplemental.

A field exam may be required to confirm the irrigated acreage and investigate the system.

After researching how 22-46 was split and locate where the remaining 1.4 cfs that was decreed to 22-46, Kay's may be able to file a late claim. Courtney informed Karl that he will probably have to amend their claim to receive more acreage than 10 which was claimed.

Printed of map to show how/where irrigation takes place.

Cell number for Karl Kay 351-2440.

*From the desk of Denise Kidman*