

MAR 25 2009

Department of Water Resources  
Adjudication Bureau

STANDARD FORM 5

**IDWR CONCURRENCE:**

Kelly K. Christensen 3-12-09  
Kelly K. Christensen Date  
Sr. Water Resource Agent

**IDWR CONCURRENCE:**

Garrick L. Baxter 3/12/09  
Garrick L. Baxter Date  
Deputy Attorney General  
Attorney for IDWR

10/01/2008

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

RIGHT NUMBER: 37-2573

NAME AND ADDRESS: JOHN D FLOOD  
QUEENS CROWN RANCH  
19249 HWY 20  
PICABO ID 83348

SOURCE: GROUND WATER TRIBUTARY:  
Point of injection into Patton Creek. Point of redirection from Silver Creek.

QUANTITY: 1.420 CFS  
508.00 AFY

The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 508 604.5 AF. Combined Right Nos.: 37-2573 and 37-11932.

PRIORITY DATE: 06/16/1955

POINT OF  
DIVERSION:

T01S R19E S17 SESESW Injection Within BLAINE County  
T01S R19E S17 SWSWE Within BLAINE County  
T01S R20E S35 NENENE Rediversion Within BLAINE County  
T02S R20E S1 NESWNE Rediversion Within BLAINE County  
T02S R21E S6 SWNEW Lot 3 Rediversion Within BLAINE County  
T02S R21E S6 NESWSW Lot 7 Rediversion Within BLAINE County

KKC  
AB  
DN 727

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY                |
|----------------|---------------|-------------------------|
| IRRIGATION     | 04/01 11/01   | 1.420 CFS<br>508.00 AFY |

PLACE OF USE: IRRIGATION in BLAINE County

|                     |      |       |                     |      |                        |
|---------------------|------|-------|---------------------|------|------------------------|
| T01S R21E S31       | SWSW | 1.70  | T01S R21E S31       | SESW | <del>25.00</del> 29.00 |
| T01S R21E S31       | NESE | 31.00 | T01S R21E S31       | NWSE | 33.00                  |
| T01S R21E S31       | SWSE | 40.00 | T01S R21E S31       | SESE | 38.00                  |
| T01S R21E S32       | NWSW | 16.00 | T02S R20E S12       | NENE | 25.00                  |
| T02S R21E S06 Lot 1 | NENE | 5.30  | T02S R21E S06 Lot 2 | NWNE | 37.00                  |
| T02S R21E S06       | SWNE | 10.00 | T02S R21E S06 Lot 3 | NENW | 36.00                  |
| T02S R21E S06 Lot 4 | NWNW | 23.00 | T02S R21E S06 Lot 5 | SWNW | 37.00                  |
| T02S R21E S06       | SENW | 31.00 | T02S R21E S06       | NESW | 11.00                  |
| T02S R21E S06 Lot 6 | NWSW | 25.00 | T02S R21E S06 Lot 7 | SWSW | 20.00                  |
| T02S R21E S07 Lot 1 | NWNW | 45.00 |                     |      |                        |

490 494 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 490 4 acres in a single irrigation season. Combined Right Nos.: 37-2573 and 37-11932.

This right is limited to the irrigation of 400 240 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 524 538

acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

Place of use does not include federal public lands.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right No. 37-11932 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

The portion of Right 37-2573 used for conveyance losses is 0.14 cfs.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Measuring devices of a type approved by this Department shall be permanently installed and maintained at the points of injection into Silver Creek and points of rediversion from Silver Creek.

## CERTIFICATE OF SERVICE

I certify that on March 24, 2009, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

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

☐ Overnight Mail  
☐ Regular Mail  
☒ Hand-Delivered  
☐ Facsimile

2. Copies to:

IDWR Document Repository  
P.O. Box 83720  
Boise, ID 83720-0098

☐ Overnight Mail  
☒ Regular Mail  
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Travis L. Thompson  
Barker, Rosholt & Simpson LLP  
P.O. Box 485  
Twin Falls, ID 83303-0485

☐ Overnight Mail  
☐ Regular Mail  
☒ Hand-Delivered  
☐ Facsimile

U.S. Department of Justice  
Environment & Nat'l Resources Div.  
550 W. Fort St., MSC 033  
Boise, ID 83724

☐ Overnight Mail  
☒ Regular Mail  
☐ Hand-Delivered  
☐ Facsimile

  
\_\_\_\_\_  
Signature of person or attorney mailing the form