

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



UNITED STATES POSTAGE
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OCT 27 2

79-7094-B
79-7101
79-10124 P.D.

RECEIVED
NOV 01 2
DEPARTMENT OF
WATER RESOURCES

RECEIVED
NOV 01 2006
DEPARTMENT OF
WATER RESOURCES



Not Deliverable As Addressed
Unable To Forward

ELBERT J POYNOR

ELBERT JACKSON POYNOR

GERTRUDE E POYNOR
HC 01 BOX 57
WHITE BIRD

- ☐ Insufficient Address
- ☐ Moved, Left No Address
- ☐ Unclaimed ☐ Refused
- ☐ Attempted - Not Known
- ☐ No Such Street ☐ Number
- ☐ Vacant ☐ Illegible
- ☐ No Mail Receptacle
- ☐ Box Closed - No Order
- ☐ Returned For Better Address
- ☐ Postage Due



RECEIVED

AUG 29 2006

DEPARTMENT OF
WATER RESOURCES

08/18/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 22, 2006

Water right number: 79-7094A

MICHAEL W KLAUS
3 S 55TH AVE
YAKIMA WA 98908
Telephone Number: (509)966-7563

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

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

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

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

DATE: 8/25/06 SIGNATURE: Michael W. Klaus
Please print your name: Michael W. Klaus

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

12/20/2004

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

RIGHT NUMBER: 79-7094A

NAME AND ADDRESS: MICHAEL W KLAUS
3 S 55TH AVE
YAKIMA WA 98908

SOURCE: SLATE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS
2.000 AFY

PRIORITY DATE: 11/17/1981

POINT OF DIVERSION:

T27N R02E S33 SESW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
3/15 11/15

QUANTITY
0.020 CFS
2.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS FEBRUARY 15, PROVIDED OTHER ELEMENTS OF THE RIGHT
ARE NOT EXCEEDED. THE USE OF WATER BEFORE MARCH 15 UNDER
THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS
RIGHT.

PLACE OF USE: IRRIGATION Within IDAHO County

T27N R02E S33 NESW 0.5

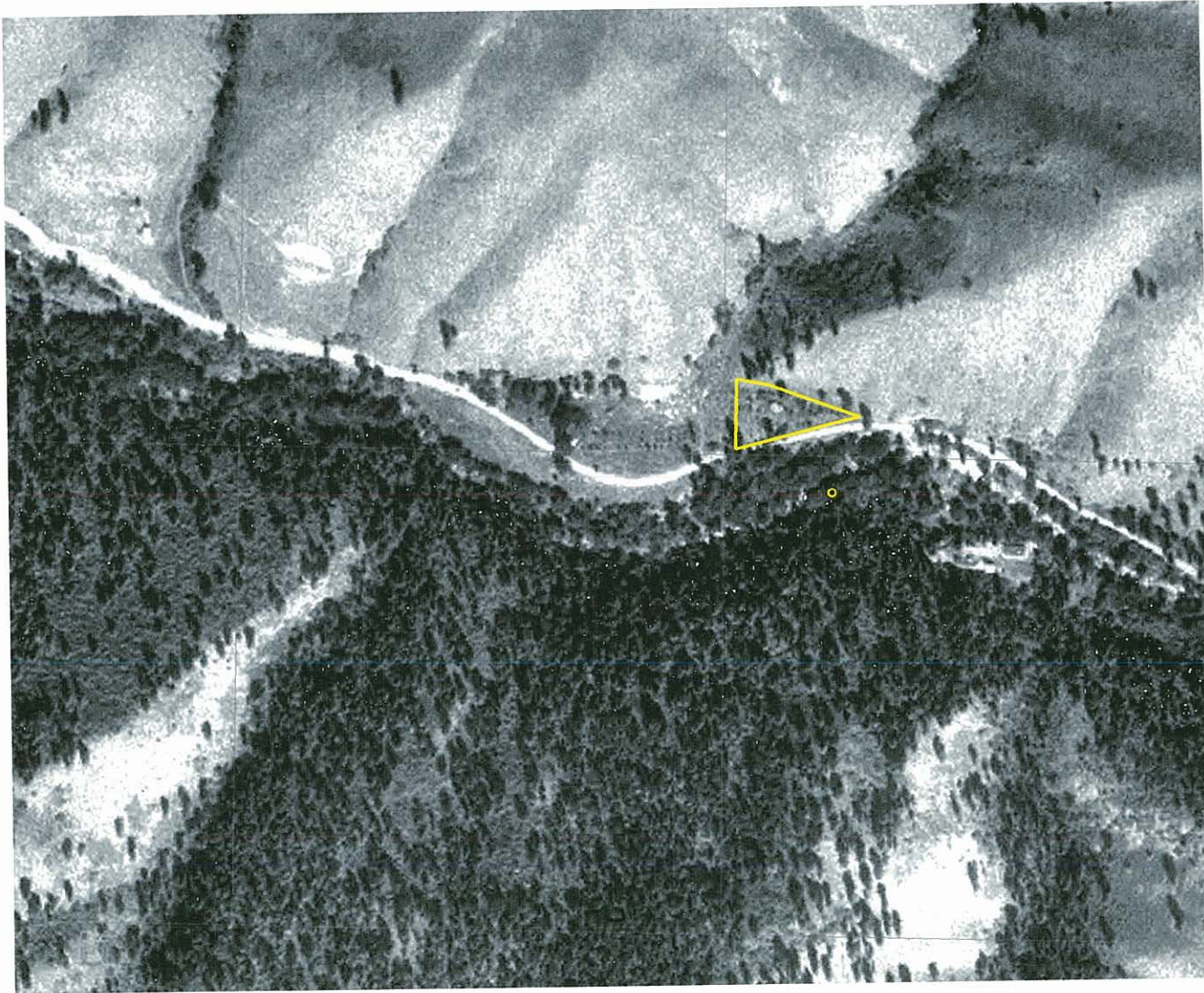
0.5 ACRES TOTAL

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. Section 42-1412(6), Idaho
Code.

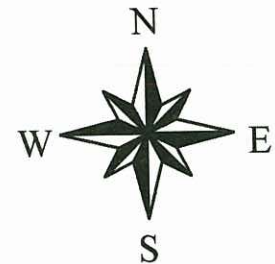
EXPLANATORY MATERIAL: License

79-7094A



**T27N R02E
Section(s) 33**

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: December 20, 2004
Photography: 1992 DOQQ
Idaho Department of Water Resources

0 400 800 1200 1600 Feet

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 79-7094A
Date Received: 7/22/1988
Receipt No: W000524
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MICHAEL W KLAUS
3 S 55TH AVE
YAKIMA WA USA 98908

Phone: (509) 966-7563

2. Date of Priority: 11/17/1981

3. Source: SLATE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
27N	02E	33	SE SW	IDAHO	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.02	2

7. Total Quantity Appropriated is:
0.02 C.F.S. and/or 2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

27N	02E	33	NE	SW	IRRIGATION	0.5
					Section Acres	0.5
					Total Acres	0.5

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 5/30/2002

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

ADDRESS CHANGE BY CLAIMANT LETTER.

15. Basis of Claim: License

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

RECEIVED**MAR 19 2002**WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	79-7094A				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. ☒
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) 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(s)

Jim + Ella KLaus

HC 01 Box 64, Whitebird, Idaho 83554

4. New Owner/Claimant(s)

Michael W. KLaus

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

3 S. 55th Ave.

City, State and ZIP Code

Yakima, WA 98908

New Telephone Number

(509) 966-7563

5. Date you acquired the property

Sept. 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Michael W. Klaus
(include title if applicable) _____

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

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

0413686

COMPUTER
SCANNED
IMAGED

DEED OF GIFT

THIS INDENTURE, made on this 22 day of September, 2000,
by JAMES A. KLAUS, of HC1, Box 64, White Bird, Idaho, 83554,
joined by ELLA M. KLAUS wife of JAMES A. KLAUS of HC1 Box 64,
White Bird, Idaho, 83554, said parties being referred to herein
as Grantors, and MICHAEL W. KLAUS, of 3 South 55th Avenue,
Yakima, Washington 98908, hereinafter referred to as the Grantee.

WITNESSETH:

That, the Grantors, for and in consideration of the love and
affection which the Grantors have and bear for the Grantee, their
son, do by these presents grant, give, alien, and confirm unto
the Grantee, all right title and interest in and to the following
described parcel of property, situated in the County of Idaho,
State of Idaho. It is understood that this is a gift of a fee
simple interest of all of the Grantors interest so that the
Grantee will have the same as to an undivided one-third interest
each as their sole and separate property. Said property is
described as follows:

T27N R2E Sec 33 2.31 Ac, Tax #4

TOGETHER WITH, all and singular, the tenements,
hereditaments and appurtenances thereunto belonging or in anywise
appertaining, the reversion and reversions, the remainder and
remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the above mentioned
and described premises, together with the said appurtenances unto
the Grantee, his heirs and assigns forever.

STATE of IDAHO County of Idaho Recorded at request of	<u>James A. Klaus</u> at <u>10:45 AM</u> on <u>9-22-00</u>
ROSE E. GEHRING Recorder	
By <u>[Signature]</u> Deputy	
Fees \$ <u>6.00</u>	

My Grantors

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

James A. Klaus
JAMES A. KLAUS

ELLA M. KLAUS
ELLA M. KLAUS

STATE OF IDAHO)
) ss
County of Idaho)

On this 22 day of September, 2000, before me, a Notary Public, in and for said County and State, personally appeared JAMES A. KLAUS.

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

Edith L. Anderson
Notary Public
State of Idaho

Edith L. Anderson
Notary Public for the State of Idaho,
Residing at Strangerville, therein.
My commission expires 8-11-06.

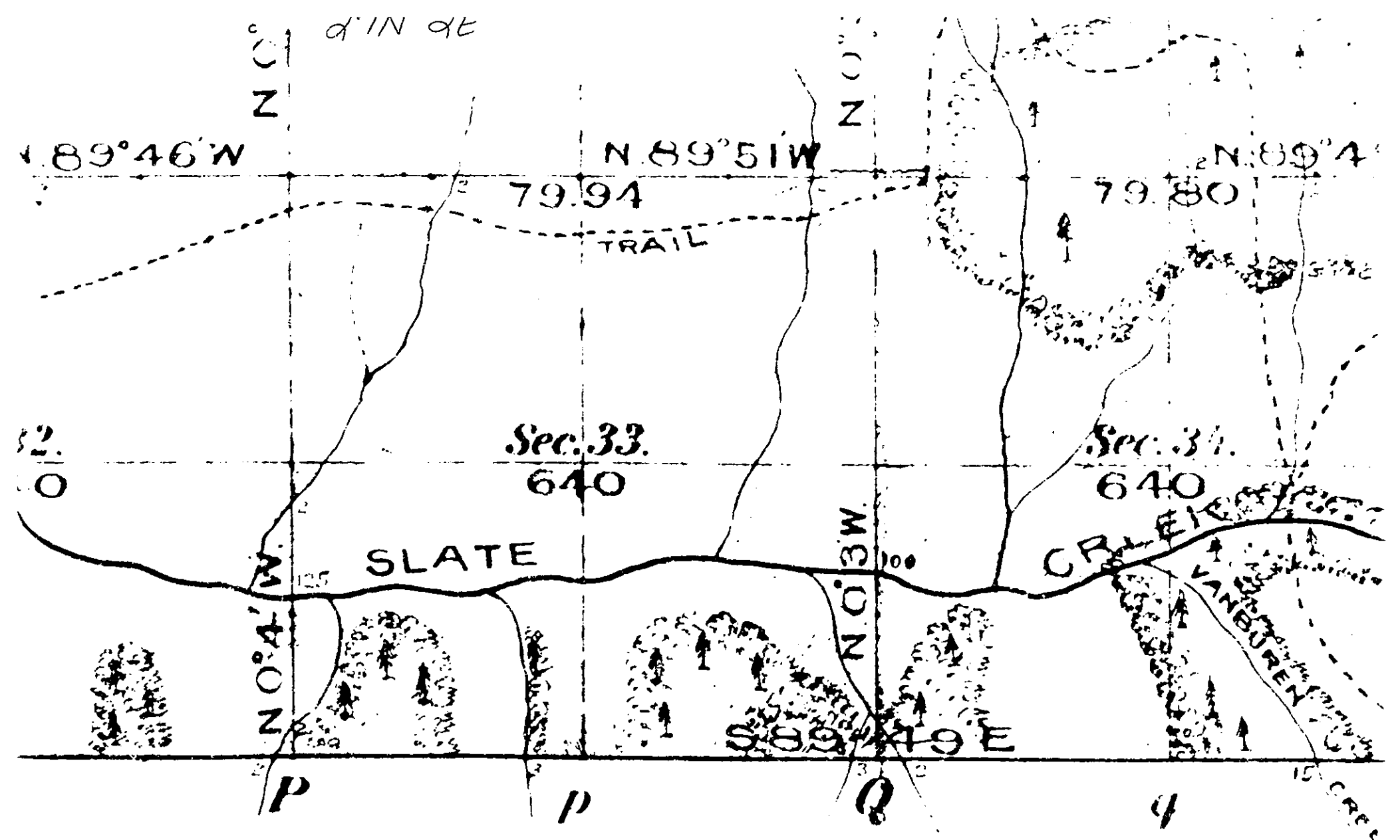
STATE OF IDAHO)
) ss
County of Idaho)

On this 22 day of September, 2000, before me, a Notary Public, in and for said County and State, personally appeared ELLA M. KLAUS.

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

Edith L. Anderson
Notary Public
State of Idaho

Edith L. Anderson
Notary Public for the State of Idaho,
Residing at Strangerville, therein.
My commission expires 8-11-06.



Total number of Acres 23007.30

#	Amount of Surveys			When Surveyed	Mean Declination
	M	Ch ^s	Lk ^s		
101	13	79	50	May 26 June 3, 1902	

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: A79-07094A
Date Received: 12/ 5/1991
Receipt No: W000524
Received By: _____

dl
gve

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JAMES A KLAUS
Address: HC 01 BOX 58
WHITEBIRD ID

83554

2. Date of Priority: NOV 17, 1981

3. Source: SLATE CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
27N	02E	33		SE	SW		IDAHO

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		2.00

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

2.00 A.F.A.

8. Total consumptive use is 1.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
27N	02E	33	NE	SW		IRR	0.5

Section Acres 0.5

Total Acres 0.5

A79-07094A

Page 1

Date: 12/06/91

MICROFILMED
OCT 06 1992

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

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

PRE-LICENSE
Ident. Number: A79-07094A
Date Received: _____
Receipt No: _____
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

RECEIVED
JUL 24 1991

1. Name: JAMES A. KLAUS
Address: HC 01 BOX 58
WHITEBIRD, ID

83554

2. Date of Priority: NOV 17, 1981

3. Source: SLATE CREEK

Trib. to: SALMON RIVER
Department of Water Resources

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
27N	02E	33	SE	SW			IDAHO

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.020		2.00

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 2.00 A.F.A.

8. Total consumptive use is 1.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
27N	02E	33	NE	SW		IRR	0.5

Section Acres 0.5

Total Acres 0.5

A79-07094A

Page 1

Date: 07/08/91

MICROFILMED
OCT 06 1992

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, X/We acknowledge that X/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) X/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:

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

Signature of Claimant(s): *J. Klaus* Date: 22 JUL 91
Ellen M. Klaus Date: 22 Jul 91

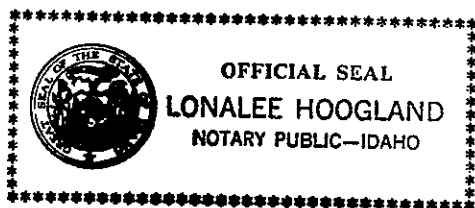
State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of July 19 91

Louise Hoogland
Notary Public

Seal

Residing at *Manterville, ID*
My Commission Expires 8-5-94



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: A79-07094A
Date Received: 7/07/1988
Receipt No: M000309
Received By: DE CH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELBERT JACKSON POYNOR 208-839-2261
Address: HC-01, BOX 57
WHITEBIRD, ID 83554

OR

Name: GERTRUDE E. POYNOR 208-839-2261
Address: HC-01, BOX 57
WHITEBIRD, ID 83554

2. Date of Priority: NOV 17, 1981

3. Source: SLATE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
27N	02E	33	SW	SW			IDAHO

5. Description of diverting works:
2" - 1 1/2 HP PUMP WHICH WAS REPLACED IN 1985 W/3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 2 COWS

A79-07094A

Page 1

Date: 09/14/88

MICROFILMED
OCT 06 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
27N	02E	33	NW	SW	IRR	3.0
			NW	SW	STOCK	
					Section Acres	3.0
					Total Acres	3.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
A79-07094

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: A79-07094
Date Received: 7/07/1988
Receipt No: MO00309
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ELBERT JACKSON POYNOR 208-839-2261
Address: HC-01, BOX 57
WHITEBIRD, ID 83554

AND/OR

Name: GERTRUDE E. POYNOR 208-839-2261
Address: HC-01, BOX 57
WHITEBIRD, ID 83554

2. Date of Priority: NOV 17, 1981

3. Source: SLATE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
27N	02E	33	SW	SW			IDAHO

5. Description of diverting works:

2"-1 1/2 HP PUMP WHICH WAS REPLACED IN 1985 W/3 HP PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/2 COWS

A79-07094

Page 1

Date: 07/07/88

MICROFILMED

OCT 06 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
27N	02E	33	NW	SW		IRR	3.0
			NW	SW		STOCK	

Section Acres 3.0

Total Acres 3.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
79-7094

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number: 797094

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): Albert J. Boynton Date: _____
_____ Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of July 19 88 John Dale Carson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 6/2/94

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: 39356

Ident. Number

H79-07094A

Date Received

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

GERTRUDE E. POYNOR

1. Name of Claimant (s)

Elbert Jackson Poyner

Phone (208)

839-2261

Mailing Address

HC 01 Box 57 White Bird

Zip

83554

2. Date of Priority (Only one (1) per claim)

11-17-81

3. Source of water supply (a)

Slate Creek

which is tributary to (b)

Salmon

4. a. Location of existing point of diversion is: Township

27 N

Range 2 E

Section 33

SW

1/4 of SW

1/4 of SW

1/4, Govt. Lot,

B.M.,

County of

Idaho

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township

27 N

Range

2 E

Section

33

SW

1/4 of SW

1/4 of SW

1/4,

Govt. Lot

B.M.,

County of

Idaho

ending point is: Township

27 N

Range

2 E

Section

33

NW

1/4 of SW

1/4 of

SW

1/4, Govt. Lot

B.M.,

County of

Idaho

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

2" - 1 1/2 HP. Pump

pump was replaced in 1985
with a 3 hp. pump. 22

MICROFILMED

OCT 06 1992

Poyner

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar 15 to Nov 15 amount ~~25~~ 00 or _____

For Stock Water purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 2 Live Stock 0

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
27N	2E	33										3							
												D							

Total number of acres irrigated 3

11. In which county (ies) are lands listed above as place of use located? Idaho

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:

Last Name

Poyner

Ident No.

A79-07094

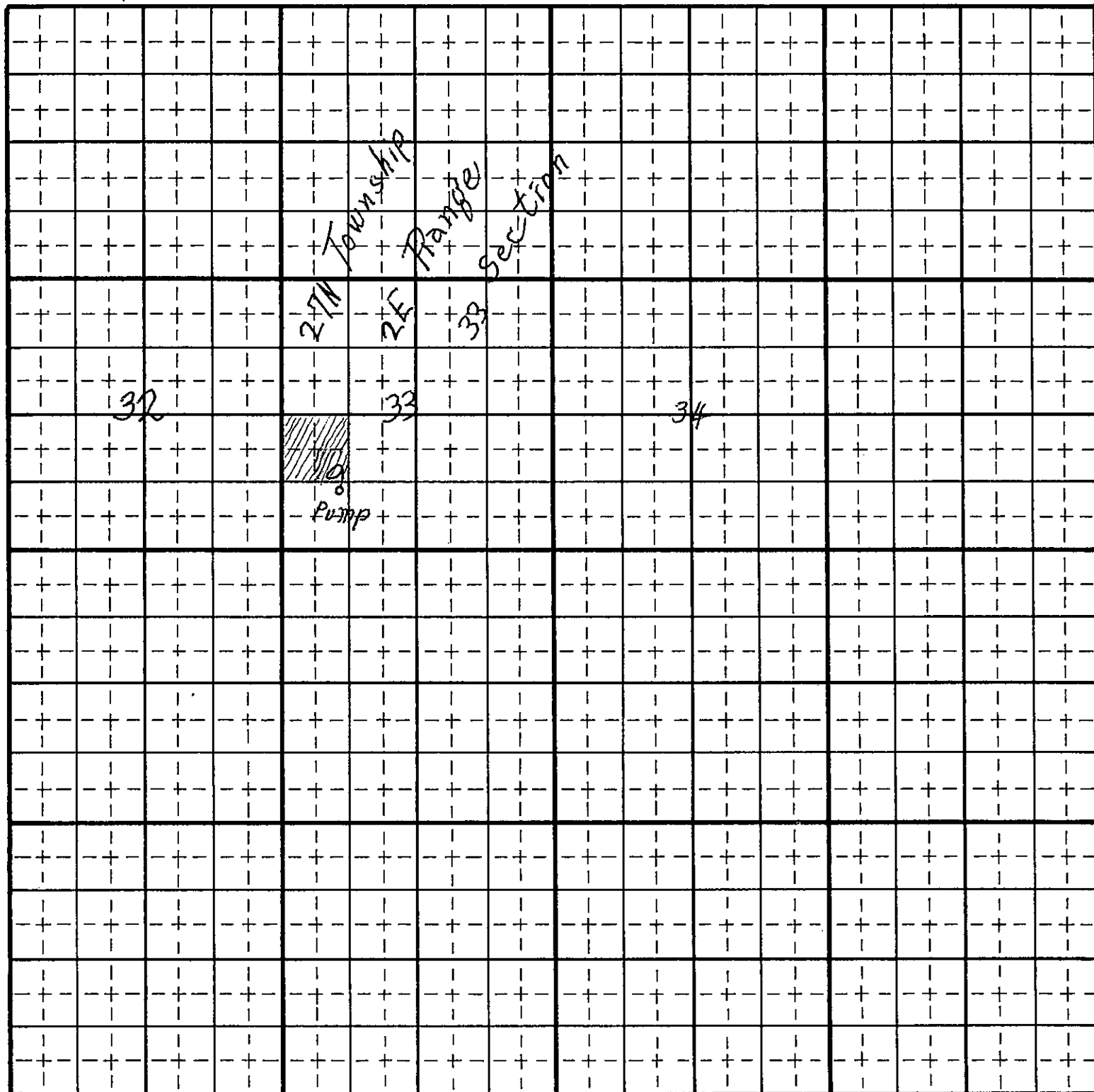
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Copies: White - State, Yellow - Claimant

OCT 10 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name

Poynor₄

Ident No.

H79-07094

Copies: White-State, Yellow-Claimant

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒
 Decree _____
 If applicable provide IDWR Water Right Number 79-7094
 Court _____ Case Number _____ Decree Date _____
 Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____
 _____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
 of _____ Organization _____, that I have signed the foregoing
 document in the space below as _____ Title _____ of _____ Organization _____
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
 County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Poynor Ident. Number A79-07094
 4

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Copies White, State, Yellow-Claimant
 OCT 06 1992

05/30/2002

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

RIGHT NUMBER: 79-7094A

NAME AND ADDRESS: MICHAEL W KLAUS
3 S 55TH AVE
YAKIMA WA 98908

SOURCE: SLATE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.02 CFS
2.0 AFY

PRIORITY DATE: 11/17/1981

POINT OF DIVERSION:
T27N R02E S33 SESW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.020 CFS 2.00 AFY

PLACE OF USE: IRRIGATION Within IDAHO County
T27N R02E S33 NESW 0.5

0.5 ACRES TOTAL

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

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE FOR
IRRIGATION OF THE LANDS ABOVE.

EXPLANATORY MATERIAL: License



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 31, 2002

MICHAEL W KLAUS
3 S 55TH AVE
YAKIMA WA 98908

Re: Notice of Claim to a Water Right No. 79-7094A

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

AJ0749NP
No. A79-07094A

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

DATE: 06/10/98
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES A KLAUS HC 1 BOX 64 WHITEBIRD ID 83554 (208) 839-2291	11/17/1981	IRRIGATION	03-15 11-15	0.02 CFS	2.00 AFA
					TOTAL DIVERSION:	0.02 CFS
					CONSUMPTIVE USE:	2.00 AFA 1.50 AFA

Water Source: SLATE CREEK

Tributary to: SALMON RIVER

Stage: LICENSE

Point(s) of Diversion: T27N R02E S33 SESW

IDAHO County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE								
T	R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt	Ac	: SUM
27N	02E 33	:								:						:						: 0.5
																					TOTAL ACRES	0.5

POU County: IDAHO

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for
- irrigation of the lands above.

Remarks: EXP ADDRESS CHANGE BY CLAIMANT LETTER.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
JUN 10 1998

Department of Water Resources

June 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES A KLAUS
ELLA M KLAUS
HE 1 BOX 64
WHITE BIRD ID 83554

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right (#A79-07094A & ~~A79-10192~~)
Change of Address

Records Modified 06-10-98, no

Dear Claimant:

map not returned.

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Finally, I have enclosed a map of the section in which your claim indicates your property is located. Please mark the location of your home and well and return the map with this signed letter by June 15, 1998. Thank you for your help.

Sincerely,

S. Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Map

#####

AS ABOVE ... HE1 Box 64

The address is corrected as shown above or as otherwise changed.

C. Klaus
Claimant Signature

208-839-2291

Telephone No.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R79-07094A

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

KLAUS

JAMES A

1 - HC 01 BOX 58

2 -

3 -

City- WHITEBIRD

State- ID Zip- 83554

Phone - 208-000-0000

*** O - ORIGINAL OWNER ***

POYNOR

ELBERT J.

1 -

2 -

3 -

City- XX

State- ID Zip- 00

Phone - 208-000-0000

KLAUS

JAMES A.

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
11/17/1981 14 WESTERN L - LICENSE

+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SLATE CREEK SALMON RIVER

+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
27N 02E 33 SE SW (49) IDAHO

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.020 2.00
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 2.00 1.5

+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
27N 02E 33 NE SW 0.5 01 IRRIGATION (49) IDAHO

Total Acres: 0.5

- Diversion Means -

- Non-Irrigation Use -

- Other Rights for Same Use -

OCT 06 1992

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - R79-07094A

Prefix Translation: RESEARCH

```

+ - - - - Remarks - - - - - +
+ - - - - No Remarks found.
+ - - - - Old Water Right Numbers - - - - - +
+ - - - - No Old Water Right Numbers Found
+ - - - - Conditions of Approval - - - - - +
+ - - - - R31 - This right when combined with all other rights shall provide no
+ - - - -   - more than .02 cfs per acre nor more than 4.0 afa per acre for the
+ - - - -   - lands above.
+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
+ - - - - 00/00/0000
+ - - - - -Comments- - - - - +
+ - - - - No Comments Found
+ - - - - Audit Fields - - +
+ - - - - 00/00/00 FRAZEE
+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
+ - - - - Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
+ - - - - Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
+ - - - - Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
+ - - - - Claim Received Date - 12/05/1991 Last Amended Date - 12/06/1991 Temporary Right - P
+ - - - - Receipt Number - W000524 Water District -
+ - - - - POU Ownership Flag - Y Federal/State Indicator - S
+ - - - - Name Connector - Presumption Flag -
+ - - - - Notice of Error Flag -

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OCT 06 1992

State of Idaho
Department of Water Resources

SEP 5 1991

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07094A

Department of Water Resources
Western Regional Office

Priority: November 17, 1981

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:¹

2.0 AF

This is to certify, that JAMES A. KLAUS

HC 01 BOX 58

WHITEBIRD, ID 83554

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 17, 1981; and has submitted Proof of Beneficial Use on July 3, 1986. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

SLATE CREEK

tributary to SALMON RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 33, Township 27N, Range 02E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
27N	02E	33	NESW	0.5		0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

MICROFILMED

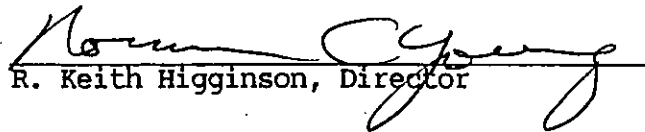
OCT 06 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07094A

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28th
day of AUGUST, 1991.


R. Keith Higginson, Director

MICROFILMED

OCT 06 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07094A

Priority: November 17, 1981

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.02 CFS
2.0 AF

This is to certify, that JAMES A. KLAUS

HC 01 BOX 58

WHITEBIRD, ID 83554

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 17, 1981; and has submitted Proof of Beneficial Use on July 3, 1986. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

SLATE CREEK

tributary to SALMON RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.02 CFS	2.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW, Sec. 33, Township 27N, Range 02E
IDAHO County

PLACE OF USE: IRRIGATION

TWN RGE SEC

ACRES

ACRES

ACRES

TOTAL

27N 02E 33

NESW 0.5

0.5

Total number of acres irrigated:

0.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

OCT 01 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

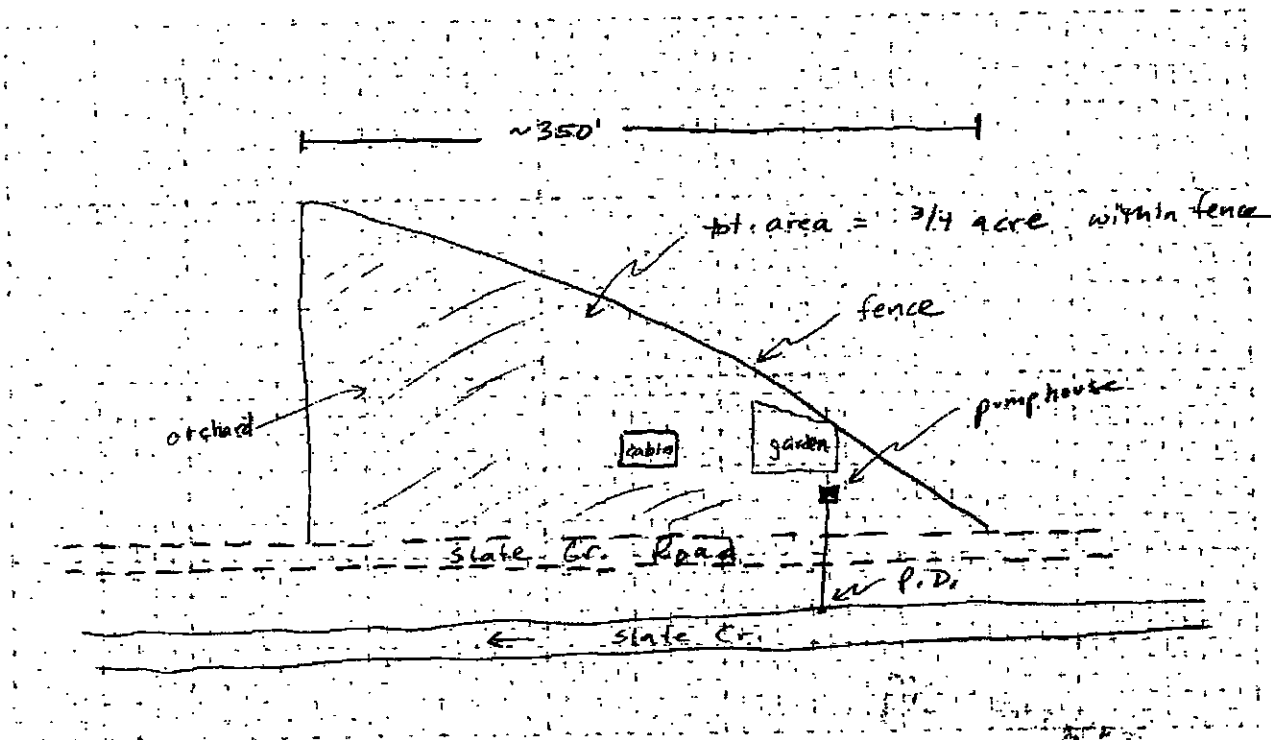
Permit No. 79-7094 A * see remarks
Phone No. 839-2291
1. Owner: James A. Klavs
Current Address: Hc 01 Box 58, Whitebird, ID 83554
2. Accompanied by: owner EXAM. DATE: 8/27/87
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Slate Cr. tributary to Salmon R.

B. OVERLAP REVIEW

1. Other water rights with same place of use: none for this specific land ☐ Copies Attached
2. Other water rights with same point of diversion: none ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = not to scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater.)
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

OCT 01 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant JAMES A. KLAUS AND 208-839-2291
ELBERT J. POYNOR Phone 209-522-3997
Post office address SLATE CR. RT. WHITEBIRD, ID. 83554
2. Source of water supply SLATE CREEK which is a tributary of SALMON R.
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33 Township 27N
Range 2E B.M. IDAHO County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.20 for IRRIGATION purposes from 15 MAR to 15 NOV (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 0.20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. 2-2 HP PUMPS W/SPRINKLE
IRRIGATION AND GRAVITY IRRIGATION. 500 FT. OF
SCHEDULE 160 PVC PIPE (2") WILL BE USED BY EA. APPLICANT.
b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
27N	2E	33									1	5	4						10

Total number of acres to be irrigated 10

c. Describe any other water rights used for the same purposes as described above. NONE

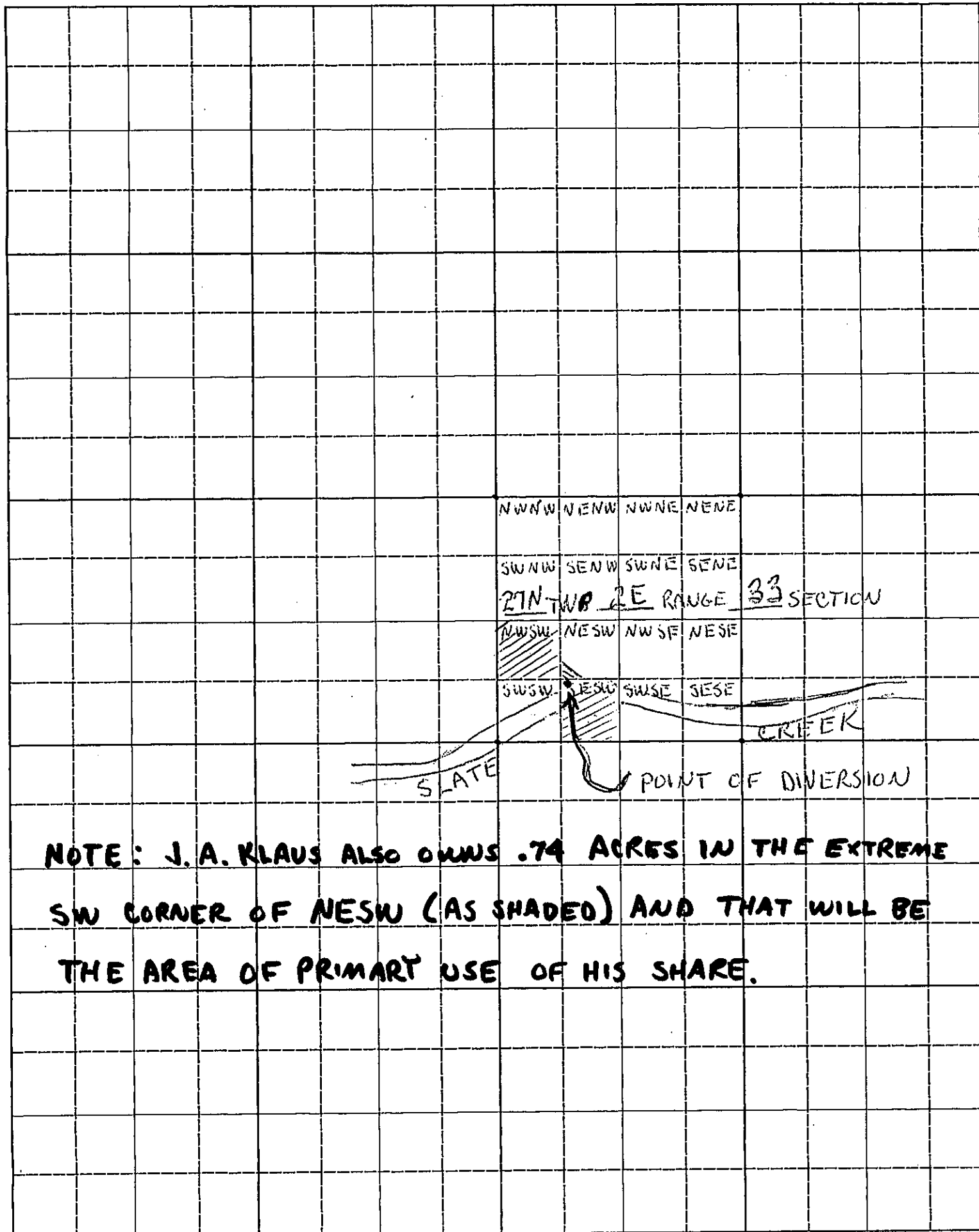
9. a. Who owns the property at the point of diversion JAMES A. KLAUS

b. Who owns the land to be irrigated or place of use BOTH APPLICANTS

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks REF. 9A+B ABOVE: FROM POINT OF DIVERSION WATER WILL BE CARRIED BY A PIPELINE WHICH IS PARALLEL WITH THE FENCE LOCATED ON THE WEST BOUNDARY OF THE PROPERTY OF JAMES A. KLAUS. THE PIPELINE WILL BE APPROX. 40 INCHES EAST OF SAID LINE. AT UPPER AREA OF THIS PROPERTY THE LINE WILL "T" TO FURNISH WATER TO BOTH APPLICANTS. TWO LINES WILL BE INSTALLED, BUT INITIALLY ONLY ONE LINE AND ONE PUMP WILL BE USED. AS SOON AS POSSIBLE (PREFERABLY SUMMER 1982) A 2ND PUMP WILL BE PUT INTOUSE.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

J. A. Klaus
(Applicant)

Albert J. Roymor

Proposed Priority 11/17/1981

Received by b Date 11-17-81 Time 8:30
20348
Preliminary check by ELS Fee \$ 30.00
Receipted by ls Date 11-17-81
Publication prepared by p Date 11-19-81
Published in Idaho County Free Press
Publication dates 11/26 & 12/3/81
Publication approved ls Date 12/18/81
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by DBS JK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 79-7094, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 87.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 4th day of January, 1982.

J. Glen Saxton
Chief, Operations Bureau

RECORDED