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Department of Water Resources

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Department of Water Resources
Eastern Region

Names of Parties Filing Document:

UNITED STATES OF AMERICA

THOMASON FARMS, INC.

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Environment and Natural
Resources Division

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General Litigation Section
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, Idaho 83724
Ph.: (208) 387-0835 FAX: (208) 387-0842

**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 No. 35-02460B and 35-07155
)
) **STIPULATION TO RESOLVE**
) **OBJECTIONS AND JOINT MOTION**
) **TO DISMISS THE UNITED STATES**
) **AS A PARTY**
)

The United States of America and Thomason Farms, Inc. (hereinafter "Claimant"), by and through the undersigned attorneys, agree and stipulate to resolve United States Department of the Interior, Bureau of Land Management (hereinafter "BLM") objections to the above-captioned Subcases as follows:

PAGE 1 - **STIPULATION TO RESOLVE OBJECTIONS AND JOINT MOTION TO DISMISS THE UNITED STATES AS A PARTY TO SUBCASES 35-02460B AND 35-07155**

STIPULATION

1. The parties agree and stipulate to delete the following place of use, as identified and described in the Director's Report recommendation of water right claim numbers 35-02460B and 35-07155 filed by Claimant:

T. 04N, R.36E., Sec. 03, SWNW (5.0 acres)

Attached hereto, and made a part hereof by this reference, are Exhibits 1 and 2. The parties agree and stipulate that any amended Director's Report recommendation, partial decree, or final decree for the above-captioned Subcases shall be substantially similar to Exhibits 1 and/or 2, and shall not contain places of use located on lands owned by the United States.

2. The Claimant agrees and stipulates to immediately and forever cease the application of water to, and the agricultural use of, the place of use upon lands owned by the United States identified in paragraph 1, above.

3. The parties agree that nothing in this stipulation forecloses future administrative or judicial action by the United States in relief of, or as a consequence of, the unauthorized use of the lands identified in paragraph 1, above, including, but not limited to, actions for past rent, rehabilitation of used land, or trespass.

4. This stipulation has been reached through good faith negotiations for the purpose of resolving legal disputes, including pending litigation. The parties agree that no offers and/or compromises made in the course thereof shall be construed as admissions against interest. This stipulation does not create a precedent for settlement of any other disputes or objections.

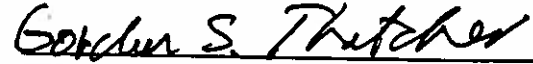
5. All parties agree to bear their own costs and attorney fees.

MOTION

The parties respectfully move this Court for an Order withdrawing BLM's objections to water right claim numbers 35-02460B and 35-07155 and dismissing, without prejudice, the United States as a party to the above-captioned Subcases. In support of this motion, the parties incorporate by this reference the above-recited Stipulation. The stipulation resolves BLM's objections to water right claim numbers 35-02460B and 35-07155 filed by Claimant and eliminates the need for the United States to participate as a party to the Subcases. A proposed Order is filed herewith.

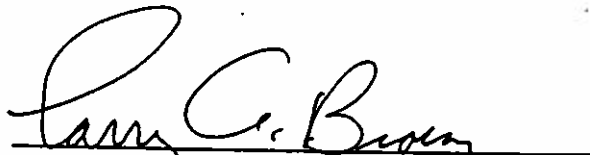
Respectfully submitted:

CLAIMANT:
THOMASON FARMS, INC.



JERRY RIGBY
Of Attorneys for Thomason Farms, Inc.

DATED: January 21, 1989

OBJECTOR:
UNITED STATES OF AMERICA


LARRY A. BROWN
Of Attorneys for the United States

DATED: 1/25/99

CERTIFICATE OF SERVICE

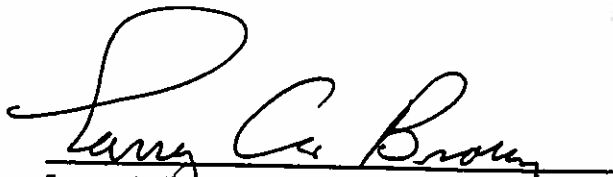
I certify that on Jan. 25, 1999, I served a true and correct copy of fore-going
**STIPULATION TO RESOLVE OBJECTIONS AND JOINT MOTION TO DISMISS
THE UNITED STATES AS A PARTY TO SUBCASES 35-02460B AND 35-07155 and
EXHIBITS 1 and 2** upon the following individuals by placing the document in the United States
Mail in Boise, Idaho, postage paid, and addressed as follows:

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

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

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

Jerry Rigby
Rigby, Thatcher, Andrus,
Rigby, Kam & Moeller, Chartered
25 North 200 East
Rexburg, ID 83440


Larry A. Brown

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

DATE: DEC-08-1998
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-024608

NAME AND ADDRESS: THOMASON FARMS INC
5293 S 4300 W
REXBURG ID 83440

SOURCE: GROUNDWATER

QUANTITY: 4.36 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-07155 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.36 CFS, A TOTAL COMBINED -
ANNUAL DIVERSION VOLUME OF 2344 AF.
ANNUAL DIVERSION VOLUME OF 2376 AF.

Fwp
13

PRIORITY DATE: 04/30/1956

POINT OF DIVERSION: T04N R36E S03 NESW Within JEFFERSON County
NWSW
NESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	4.36 CFS

PLACE OF USE:	IRRIGATION	Within JEFFERSON County			
	T04N R36E S02	Lot 4 (NWNW)10	SNNW 40	NWSW 40	SWSW 31
	S03	SWNE 40	SENE 40	SENW 40	NESW 39
		NWSW 39	SWSW 39	SESW 39	NESE 40
		NWSE 40	SWSE 37	SESE 39	
	S04	NESE 18	SESE 18		
	S03	SNNW 9			
	<u>589 ACRES TOTAL</u>				
	<u>394 ACRES TOTAL</u>				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 409 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 35-07155 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 589 ACRES IN A SINGLE
IRRIGATION OF A COMBINED TOTAL OF 394 ACRES IN A SINGLE
IRRIGATION SEASON.

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

IN THE NEAR FUTURE IOWR WILL RECOMMEND A GENERAL PROVISION

Stipulation to Resolve Objection: 35-024608, 35-07155
Exhibit 1

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

DATE: DEC-08-1998
PAGE: A-2

35-02460B (CONT.)

FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT NO. 35-07155 IS ALSO DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE.

FWP
pk

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

DATE: DEC-08-1998

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07155

NAME AND ADDRESS: THOMASON FARMS INC
5293 S 4300 W
REXBURG ID 83440

SOURCE: GROUNDWATER

QUANTITY: 2.00 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02460B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.36 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2344 AF.
ANNUAL DIVERSION VOLUME OF 2376 AF.

FWP
JL

PRIORITY DATE: 11/02/1970

POINT OF DIVERSION: T04N R36E S03 NESW Within JEFFERSON County
NWSW
NESE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	05-01 10-01	2.00 CFS

PLACE OF USE:	IRRIGATION	Within JEFFERSON County			
	T04N R36E S02	Lot 4 (NWNW)10	SWNW 40	NWSW 40	SWSW 31
	S03	SWE 40	SENE 40	SENE 40	SENE 39
		NWSW 39	SWSW 39	SESE 39	NESE 40
		NWSE 40	SWSE 37	SESE 39	
	S04	NESE 18	SESE 18		
	S03	SWNW 8			
	<u>589 ACRES TOTAL</u>				
	<u>994 ACRES TOTAL</u>				

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 237 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 35-02460B IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 589 ACRES IN A SINGLE
IRRIGATION OF A COMBINED TOTAL OF 994 ACRES IN A SINGLE
IRRIGATION SEASON.

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

IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION

Stipulation to Resolve Objection: 35-02460B, 35-07155

Exhibit 2

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

DATE: DEC-08-1998

PAGE: A-2

35-07155 (CONT.)

FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.

FWP
JB

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT NO. 35-024608 IS ALSO DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE.

Stipulation to Resolve Objection: 35-02460B, 35-07155

Exhibit 2

Page 2 of 2

**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 No. 35-02460B and 35-07155
)
) **ORDER WITHDRAWING UNITED**
) **STATES' OBJECTIONS and**
) **DISMISSING UNITED STATES AS A**
) **PARTY TO SUBCASES**
)

Based upon a stipulation resolving United States Department of the Interior, Bureau of Land Management (hereinafter "BLM") objections, the United States of America and Thomason Farms, Inc. filed a joint motion to withdraw BLM's objections to water right claim numbers 35-02460B and 35-07155, and dismiss the United States as a party, without prejudice, to the above-captioned Subcases.

Based upon the record herein, IT IS ORDERED that BLM's objections to water right claim numbers 35-02460B and 35-07155 are withdrawn. IT IS FURTHER ORDERED that the United States is dismissed as a party, without prejudice, to the above-captioned Subcases.

DATED this _____ day of _____, 1999.

TERRENCE A. DOLAN, Special Master

Submitted by:

Larry A. Brown
Larry A. Brown
Of Attorneys for the United States

Approved as to Form

Gordon S. Thatcher Gordon S. Thatcher
for Jerry Rigby
Of Attorneys for Thomason Farms, Inc.

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Department of Water Resources
Adjudication Bureau

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

A. Subcase 35-07155

(Insert water right number)

Case No. 39576

DOMESTIC AND
STOCK WATER RIGHT
OBJECTION

IRRIGATION

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:

R. Lee Leininger, 202 305-0242; 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: Thomason Farms, Inc.

Address: 5293 South 4300 West; Rexburg, ID. 83440

Name:

Address:

Name:

Address:

Name:

Address:

F.

VERIFICATION (Must be Completed)

State of Idaho)

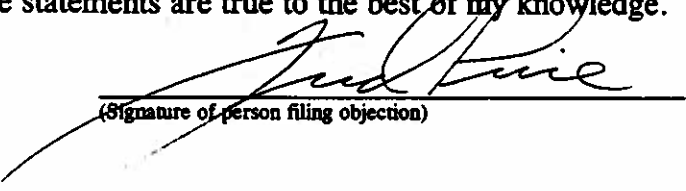
)ss.

County of Ada)

Fred Price, Water Rights Spec., duly sworn, upon oath, deposes and says:

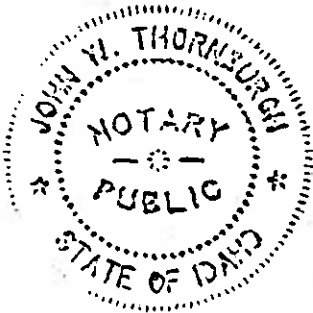
(Name of person filing objection)

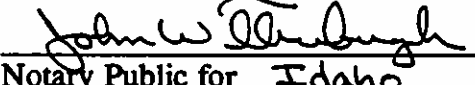
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: August 21, 1998




Notary Public for Idaho

Residing at: Boise

My Commission Expires: 5-16-2003

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07155

NAME & ADDRESS: THOMASON FARMS INC
5293 S 4300 W
REXBURG ID 83440

- POL ON BLM

- CLAIMANT IS NOT AUTHORIZED
TO FARM PUBLIC LAND.

- 5 ACRES

SOURCE: GROUNDWATER

QUANTITY: 2.00 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-024608 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.36 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 2376 AF.

PRIORITY DATE: 11/02/1970

POINT OF DIVERSION: T04N R36E S03

NESW
NWSW
NESE

Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
IRRIGATIONPERIOD OF USE
05-01 10-01QUANTITY
2.00 CFS

PLACE OF USE:

IRRIGATION

Within JEFFERSON County

T04N R36E S02
S03Lot 4 (NWNW)10
SWE 40
NESW 39
NESE 40
NESE 18SWNW 40
SENE 40
NWSW 39
NWSE 40
SESE 18NWSW 40
SWNW 5
SWSW 39
SWSE 37SWSW 31
SENE 40
SESW 39
SESE 39

BLM

S04

594 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 237 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.USE OF THIS RIGHT WITH RIGHT NO. 35-024608 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 594 ACRES IN A SINGLE
IRRIGATION SEASON.

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

Issue:

POL on BLM

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUN-26-1998
PAGE: A-382-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-07155 (CONT)

OTHER PROVISIONS: (CONT)

IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

RIGHT NO. 35-02460B IS ALSO DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE.



STATE OF IDAHO

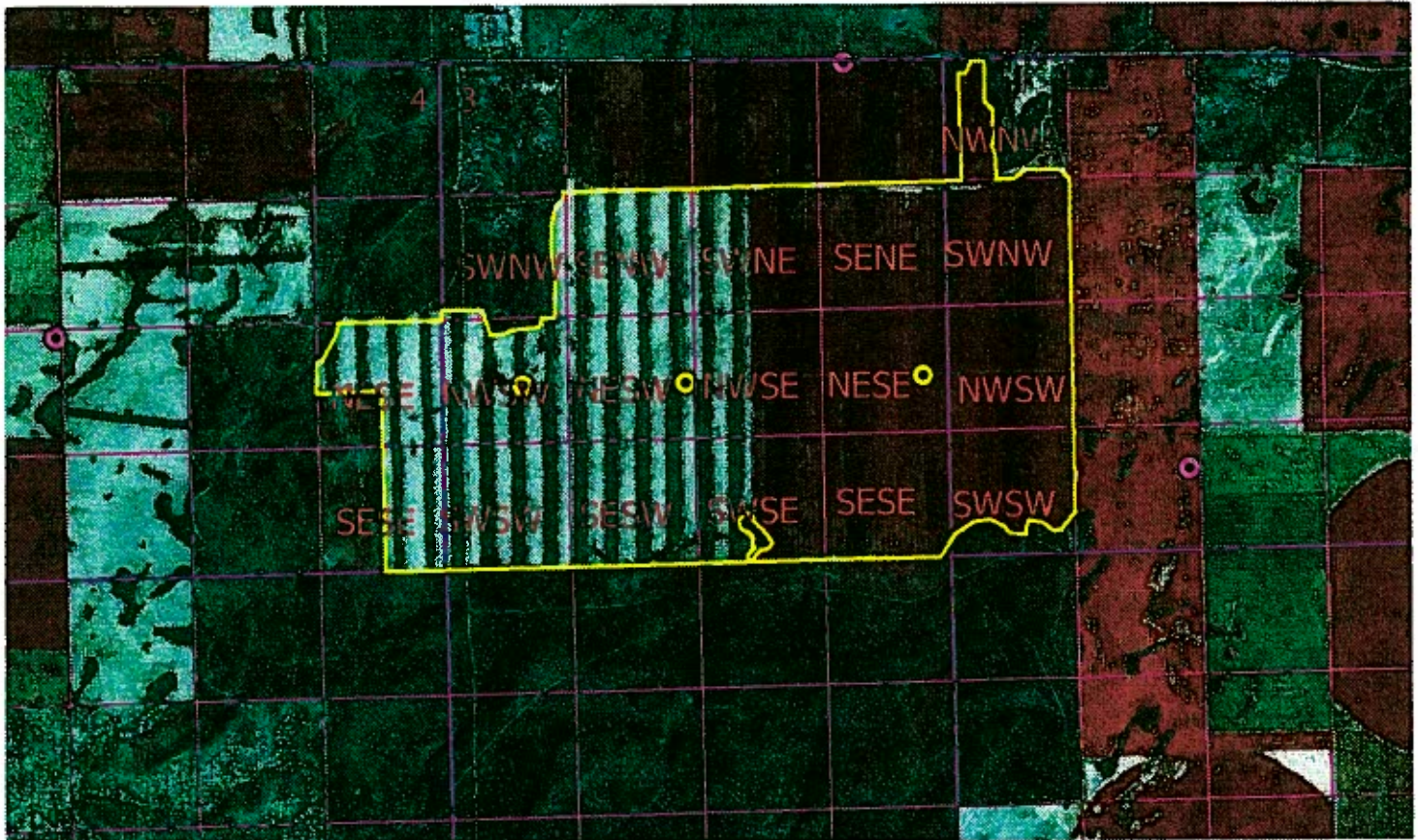
Department of Water Resources

Eastern Region

Water Right(s): 35-07155/35-02460B

Claimant: *Thomason Farms Inc.*

T04N R36E



0 1320 2640 3960 5280 6600 Feet

LEGEND



Point of Diversion



Place of Use



Section Line



Quarter-section line



GIS Place of Use Illustration
1987/1988 NAAPP photography
Prepared by: E. Carlson
Date: September 1998

AJ0749NP
No. R35-07155

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

DATE: 02/04/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMASON FARMS INC 5293 S 4300 W REXBURG ID 83440 (208) 356-5791	11/02/1970	IRRIGATION	04-01 10-31	2.00 CFS	
					TOTAL DIVERSION:	2.00 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T04N R36E S03 NE5W NW5W NE5E JEFFERSON County

Place of use Legal Description for: IRRIGATION

	NE	NW	SE	SW	NESE	SWSE	SUM
T R S	121.0	121.0	121.0	121.0	121.0	121.0	121.0
04N 36E 2	40	40	40	40	40	40	160
04N 36E 3	40	40	40	40	40	40	160
04N 36E 4	40	40	40	40	40	40	160
TOTAL ACRES							589.0

POU County: JEFFERSON

Other Rights: 35-024608

Conditions of Approval:

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

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 35-024608 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.36 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF ~~237~~ ⁵⁸⁹ AF.

POU1

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 237 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 35-024608 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF ~~504~~ ⁵⁸⁹ ACRES IN A SINGLE
IRRIGATION SEASON.

EXP

RIGHT NO. 35-024608 IS ALSO DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: 01/09/1992 Verified Date: Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag: C
Presumption Flag:

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE		SE		NW		SW		NE		SE		NW		SW		NE		SE		SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	

T04N R36E S 2

NO MATCHES FOR THIS POU IN AJ-POU-TEMP

A01000808	SNAKE RIVE	24				32																56
0100302	SNAKE RIVE																					56
A0100302	SNAKE RIVE	24				32																56
A0110036	SNAKE RIVE	24				32																56
3502460A	GROUNDWATE																					50
3502460B	GROUNDWATE																					105
A3502460B	GROUNDWATE																					121
R3502460B	GROUNDWATE																					121
3502666	GROUNDWATE																					60
A3502666	GROUNDWATE																					60
R3502666B	GROUNDWATE																					387
3502901	GROUNDWATE																					60
A3502901	GROUNDWATE																					387
R3502901	GROUNDWATE																					121
3507155	GROUNDWATE																					5
R3507155	GROUNDWATE																					5
3507156	GROUNDWATE																					5
A3507156	GROUNDWATE																					396
R3507156	GROUNDWATE																					396
3507410	GROUNDWATE																					387
A3507410	GROUNDWATE																					456
R3507410	GROUNDWATE																					456
--86 MAP--	C51a-X 41																					456
NO QTRS	MAPPING																					456

Lot01-27 Lot02-22 Lot03-35 Lot04-27

	NE	SE	SW	NW	NE	SE	SW	NW	SUM
HR-NUMBER	Lt	Lt	Lt	Lt	Lt	Lt	Lt	Lt	
SOURCE	Ac	Ac	Ac	Ac	Ac	Ac	Ac	Ac	SUN

T04N R36E S 3

NO MATCHES FOR THIS POU IN AJ-POU-TEMP

[illegible]

AGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A35-07155

11:37:59
10/25/91

ASST: MOORE
ADDRESS:
CITY: N/A
PHONE NUMBER: 208-300-0000
FAX: 208-300-0000
STATE: ID ZIP: 00000

OWNER CODE: 0
FIRST: LOWELL E.
LAST: THOMASON FARMS INC.
ADDRESS: 5298 SOUTH 4500 WEST
CITY: REXBURG
STATE: ID ZIP: 83440

FIELD EXAM REQUIRED?
ADJUDICATION REQUIRED DUE TO REMARKS?
DATE: 10/25/91
FIELD EXAMINER

REMARKS:
TRAVEL 2979.
THIS IS WHEN COMBINED WITH RT. 33-2350 SHALL PROVIDE NO MORE
THAN 3.5 AFA/AC.
P/D'S SAME FOR A35-024508/07155

INVEST PERSON:

DATE OF FIELD EXAM: 1/29/92

APPOINTMENT MADE: Y() N(X)

COMPANIED BY:

PHONE NUMBER: () - - - -
TIME: : A() P()
PHONE NUMBER: () - - - -

RELATIONSHIP TO CLAIMANT:

RECTIONS TO PRESENT / REMARKS:

Field Exam

CLAIM: A A35-07155 PRIORITY DATE: 11-02-1970 STAGE: 1

MR RECORD: A 35-07155 PRIORITY DATE: 11-02-1970 STAGE: 1

FIELD EXAM REQUIRED?

DOE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? () (X)

REMARKS:

RECOMMENDED PRIORITY DATE:

11-02-1970

FILED BY

[Signature]

DATE

1/28/92

AD CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TRP.	AGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
35-07155	04N	36E	3		NE	SW	1	JEFFERSON
35-07155	04N	36E	3		NW	SW		JEFFERSON
35-07155	04N	36E	1		NE	SE		JEFFERSON

OTHER AD CLAIMS WITH SAME AD POB

1 PREFIX R PREFIX
A35-024608 NONE
A35-07156

WR RECORDS IN SAME 40 ACRE TRACT

35-024603
35-024604

SOURCE: GROUNDWATER

TR13:

WR POINT OF DIVERSION AND SOURCE:

RIGHT	TRP.	AGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
35-07155	04N	36E	3		NW	SW		JEFFERSON
35-07155	04N	36E	3		NE	SE		JEFFERSON
35-07155	04N	36E	3		NW	SE		JEFFERSON
35-07155	04N	36E	3		NE	SW		JEFFERSON
35-07155	04N	36E	2		NW	SW		JEFFERSON

OTHER WR RECORDS WITH SAME WR POB

AD CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A35-024608 NONE
A35-07155

SOURCE: GROUNDWATER

TR12:

FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N) DATABASE FIELD
DUE TO SOURCE DISCREPANCY? (Y/N) Y EXAMINER
N -----

REMARKS:

three wells

COMMENDED POINT(S) OF DIVERSION AND SOURCE:

1/4 1/4

1/4

LOT

COUNTY

SOURCE: GROUNDWATER

TRIG:

DIVISION BY:

DATE:

1/28/92

1. ROOT WATER RIGHT NUMBERS: 435-07155

2. POOL LISTING

HP	NO	SEC	1/4	1/4	LOT	NAME	A ^d #ACRES	A ^R #ACRES	LANDSAT DATA	FIELD EXAM.	RECON. ACRES
4N	35E	3	N1	SM		THOMASON FARMS INC.	435-07155 / 39.0	35-07155 / 39.0			41.0
			N1	SM		THOMASON FARMS INC.	435-024508 / 7.0	35-024508 / 40.0			
4N	35E	3	N4	SM		THOMASON FARMS INC.	435-07155 / 39.0	35-07155 / 39.0			37.0
			N4	SM		THOMASON FARMS INC.	435-024508 / 20.0				
4N	35E	3	S4	SM		THOMASON FARMS INC.	435-07155 / 39.0	35-07155 / 40.0			32.3
			S4	SM		THOMASON FARMS INC.	435-024508 / 11.0				
4N	35E	3	S1	SM		THOMASON FARMS INC.	435-07155 / 39.0	35-07155 / 40.0			33.0
			S1	SM		THOMASON FARMS INC.	435-024508 / 11.0				
4N	35E	4	N1	SE		THOMASON FARMS INC.	435-07155 / 18.0	35-07155 / 39.0			41.0
			N1	SE		THOMASON FARMS INC.	435-07155 / 18.0	35-07155 / 40.0			31.3
4N	35E	4	S1	SE		THOMASON FARMS INC.	435-07155 / 18.0	35-07155 / 40.0			31.3
			S1	SE		THOMASON FARMS INC.	435-07155 / 18.0	35-07155 / 40.0			31.3
TOTAL ACRES							335-07155	192.30			215.00

RE EXAMINATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, YES (X) NO ()

FIELD EXAM REQUIRED?

DOE TO POI DISCREPANCY? (Y/N)

DATABASE EXAMINER
Y

RESCRIPTION FLAG:

MARKS:

ABD POI from 352460B

these used tied together

COMMENTS:

TOTAL ACRES:

594

REVIEWED BY:

DC

DATE:

1/28/92

• AD CLAIMED USES:

55-07155 PURPOSES
INVESTIGATION

MONTH/DAY
FROM 04-31 TO 11-01
10/31

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.000 CFS

• NR RECORDED USES:

55-07155 PURPOSES
INVESTIGATION

MONTH/DAY
FROM 05-31 TO 10-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.000 CFS
510.90 AF/A

RESUMPTION FLAG:

• FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATEBASE EXAMINER
N
N
Y

PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO NR STANDARDS OR OTHER?

MARKS:

Y() N(X)
Y(X) N()

EXPLAIN IN REMARKS, BELOW.

• DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y (☒) N (☐)

AD TOTAL CLAIMED DIVERSION RATE: 2.000 CFS
 NR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 CFS

AND IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. AND
 IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS
 CLAIMED AND AN EXOM IS NOT REQUIRED, EXPLAIN IN REMARKS. AND

FLOW MEASUREMENT REQUIRED?

YES TO STATE OR DIVERSION RATE DISCREPANCY? (Y/N) Y FIELD
 DATABASE EXAMINER

MEASUREMENT METHOD

FLOW MEASUREMENT
 SEE ATTACHED CALCULATIONS.

ARE OTHER WATER RIGHTS USED? Y (☒) N (☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAY: A35-07155

IF ALL RIGHTS WITH A SAME POW AND AN AMOUNT OF USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A35-07155	GROUNDWATER	THOMASON FARMS INC.	2.000	0.010		
A35-024508	GROUNDWATER	THOMASON FARMS INC.	4.360	0.010		

NO RIGHTS WITH SAME POW BUT NOT USED FOR IRRIGATION

1.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES 594 X 0.02 CFS/ACRE = 11.88 CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DUES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

2A. IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 430.0 AF/A

ACRES 594 X CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 1782 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 3F/A

ACRES 594 X DIVERSION VOL. AF/A FOR AREA 1 =

TOTAL DIVERSION VOLUME 2376 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

COMMENTS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRIGATION

04-01 11-01

DATABASE EXAMINER
2.000

DATABASE EXAMINER

~~DATABASE EXAMINER~~
~~40.0~~

TAL FOR THIS RIGHT

2.000

~~40.0~~

VIEWED BY:

DATE:

1/28/92

CHECK ONLY THE FOLLOWING THAT APPLY:

MEMBERSHIP
FREE/ABANDON
DIPLOMA DIV. ADJUDIC

ACCEPTED
AS CLAIMED
(X) ()
(X) ()
(X) ()
() ()

NEEDS
REVIEW
()
()
()

SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-07155

TOTAL DIVERSION RATE OF 42 SPLITS

DATABASE
2.000

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	35-07155	2.000	-	-	35-07155	2.000
TOTAL CFS					2.000	2.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)

DATABASE
Y

FIELD
EXAMINER

488631

INITIALS: *Johns* DATE: *1/20/02*
NAME OF FIELD EXAMINER: *DAVE CRISAL* TITLE: *WA*

CLAIM NUMBER: A35-01155

CLAIM ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
CLAIM DATE								
DATE OF FID	Y		Decker	Y				
DATE								
DATE OF USE	Y			Y				
V. AMOUNT FS/USUAGE								
ASSUMPTION USE								
REPOSSES								
REDO OF USE	Y			Y				
SIS OF CLAIM								
MARKS	Y			Y				

"VERIFIED BY" CODES

- TOPO MAP/ORTHO-PH = 1
- ASCS MAP = 2
- MATERMASTER RECORDS = 3
- MAPS PHOTOS = 4
- FIELD EXAM = 5
- OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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: A35-07155
Date Received: 1/06/1989
Receipt No: E005443
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THOMASON FARMS INC.
Address: 5293 SOUTH 4300 WEST
REXBURG, ID

208-356-5791

83440

2. Date of Priority: NOV 02, 1970

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	36E	3	NE	NE	NE	1	JEFFERSON
			NE	SW			JEFFERSON
			NW	SW			JEFFERSON
			NE	SE			JEFFERSON

5. Description of diverting works:

FOUR WELLS MAINLINE TO LATERALS WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A35-07155

Page 1

Date: 01/06/89

MICROFILMED

DEC 10 1992



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	36E	3	NE		SW		IRR	39.0
			NW		SW		IRR	39.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
							Section Acres	156.0
		4	NE		SE		IRR	18.0
			SE		SE		IRR	18.0
							Section Acres	36.0
							Total Acres	192.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
A35-02460B

14. Remarks:
TRANS. 2979.
THIS RT. WHEN COMBINED WITH RT. 35-2460 SHALL PROVIDE NO MORE
THAN 3.5 AFA/AC.
P/D'S SAME FOR A35-02460B/07156

15. Basis of Claim: LICENSE
Water Right Number: 357155

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 Organizations:

I do solemnly swear or affirm that I am President of Thomason Farms Inc., that I have signed the foregoing document in the space below as President of Thomason Farms Inc. and that the statements contained in the foregoing document are true and correct.

Nicholas J. Thomason
Signature of Authorized Agent

President Thomason Farms
Title and Organization

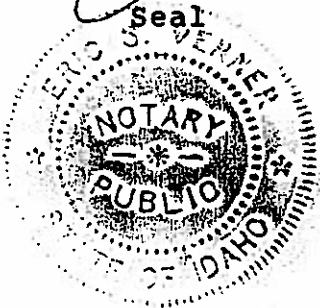
1/6/88
Date

State of Idaho
County of Sonneville SS.

Subscribed and sworn (or affirmed) before me this 16 day
of January 19 89

[Signature]
Notary Public

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994



4812

34

35

R36E

Substa

T5N

T4N

4792

POINT OF DIVERSION

3

2

4845

A35-07155

MICR
DE

4812

33

34

35

R36E

substa

T5N

T4N

4792

POINTS OF DIVERSION

3

2

4845

A35-07155

9

10

4851

Transfer No. 2979
Water Right No. 35-7155

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Thomason Farms, Inc. Phone 356-3376
Post Office address Rt. 1, Box 385 Rexburg, ID 83440

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)b. License No. 35-7155 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Bought on contract from Lowell C. Moore3. Source of water Groundwater tributary to _____4. Date of priority November 2, 1970

5. Water is used for the following purposes:

amount 2.0cfs for Irrigation purposes from 5/1 to 10/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. 2.0 cubic feet per second
&/or
b. 610.5 acre feet per annum7. Location of original point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3
Township 4N Range 36E, B.M. in Jefferson County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	36E	4													39			40	79
		3									39	39	40	40					158

This right when combined with right #35-2460
Shall provide no more than 3.5 afa per acre Total number of acres to be irrigated 237
on lands above.9. Describe any other water rights used for the same purpose as described above 35-2460

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D. REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 2.0 c.f.s. &/or 610.9 acre feet
- b. Description of diverting works Well, pump to mainline with sprinklers.
- c. Describe the reasons for the proposed changes Add points of diversion.

2. Change in point of diversion

Point of diversion NW 1/4 SW 1/4, Section 3 Township 4N
Range 36E, B.M., Jefferson County
Additional points NE 1/4 SE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4, Sec. 3, NW 1/4 SW 1/4 Sec. 2, T. 4N
R36E,

3. Change in place of use NO CHANGE

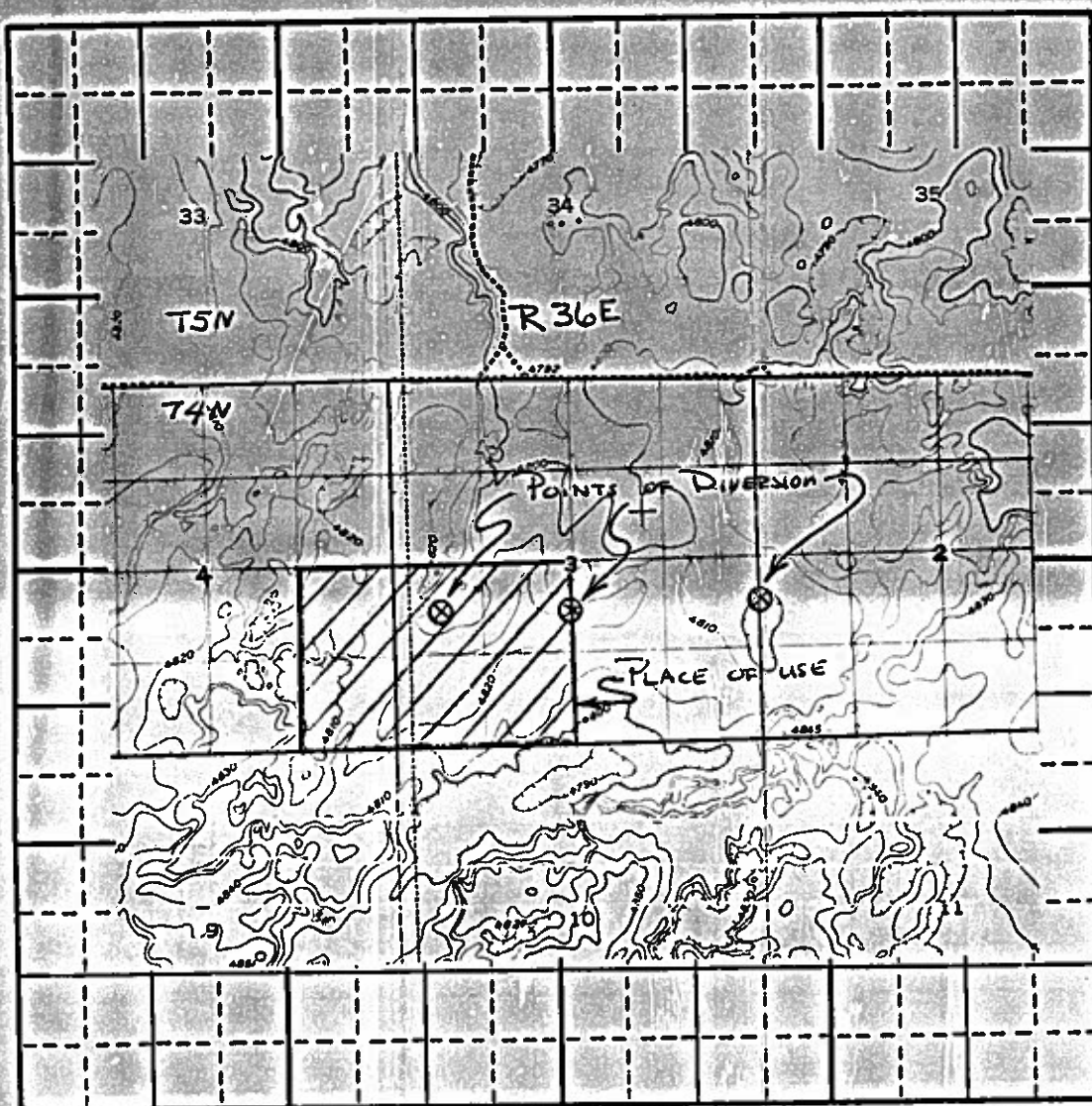
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes ☒ No ☐ If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None

Describe the lands place of use to which the right will be ir- rigated

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	36E	4													39			40	79
		3									39	39	40	40					158

Total number of acres to be irrigated 237

- Describe any other water rights used for the same purpose as described above. #35-2460
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

This transfer is to list all points of diversion that are combined into a common system to deliver water to this right.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 15 day of December, 1983

Long S. Thomson
(Signature of Applicant)

Philip W. Gann
(Notary Public)
Roxbury, Idaho

My commission expires 10-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 35-7155 and said application is hereby APPROVED, subject to the following limitations and conditions: This right when combined with right 35-2460 shall provide no more than 3.5 afa per acre for lands irrigated under this transfer.

Witness my hand this 6th day of April, 1984

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by AW Date 12-16-83 Protest filed by _____
Prelim. check by HWJ Fee \$50.00 #29771
Received by AW Date 12-16-83
Published in Jefferson Star
Pub. dates Dec 29 - Jan 5, 1984
Watermaster recommendation requested on N.A.
_____ rec'd. Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by AWJ

see back for
Overlap Period

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-7135

Notice is hereby given that Thomason Farm, Inc., Rexburg, Idaho, has applied to the Dept. of Water Resources for a change in the point of diversion of a groundwater source. The right sought to be changed is evidenced by License No. 45-7135 and is recorded as follows:

AMOUNT: 2.0 cfs

PRIORITY: 11/02/1970

POINT OF DIVERSION: NESE $\frac{1}{4}$ Sec. 3, T. 4N, R. 16E,
E. H. Jefferson County

The water is used to irrigate 20 acres within the ESE $\frac{1}{4}$ Sec. 4, SW $\frac{1}{4}$ Sec. 3, T. 4N, R. 16E, E. H.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NESE $\frac{1}{4}$ Sec. 3, NESE $\frac{1}{4}$ Sec. 3, NWSE $\frac{1}{4}$ Sec. 3, NWSE $\frac{1}{4}$ Sec. 3, T. 4N, R. 16E, E. H. Jefferson County.

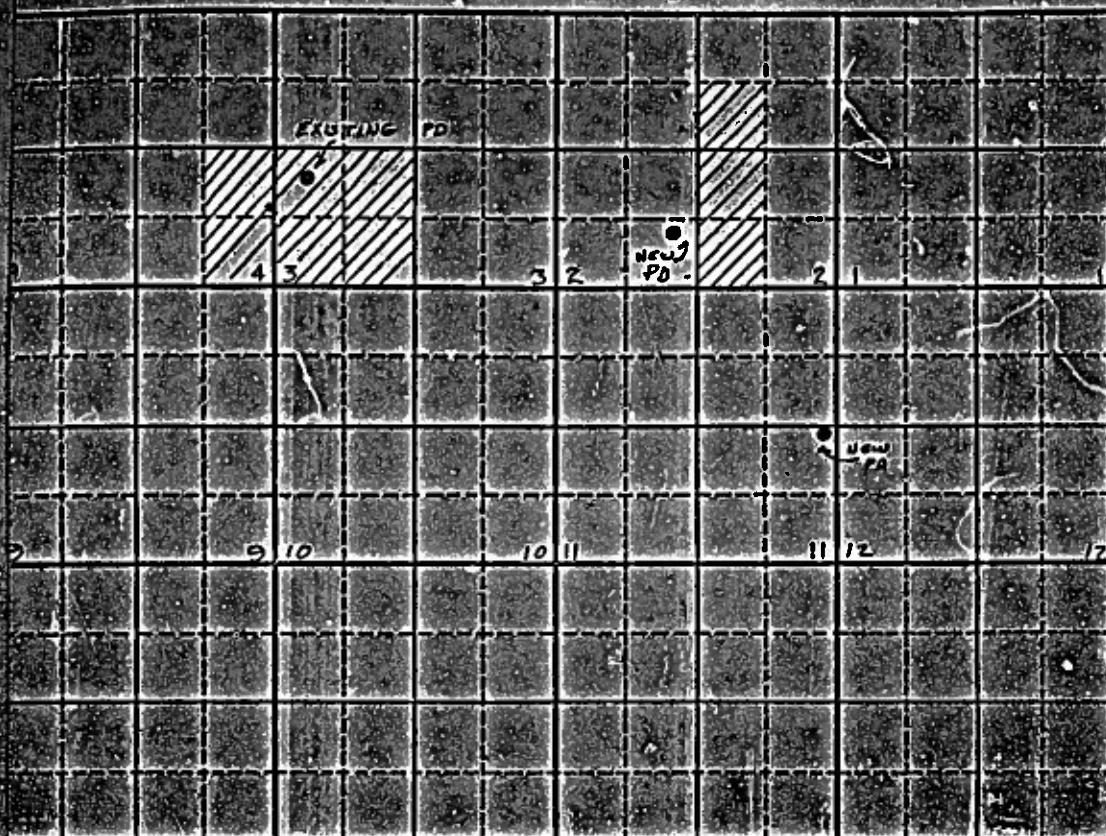
Any protests against the above proposed change of water right must be filed with the Dept. of Water Resources 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401, on or before January 16, 1984.

A. KENNETH DUNN

Director

Published in the Jefferson Star on 12/29/83 & 1/5/84.

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Idaho Falls this 29 day of March, 1941

[Signature]
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, _____, Director of the Department of Water Administration

hereby _____

Witness my hand this _____ day of _____, 1941

Director

T.
4
N

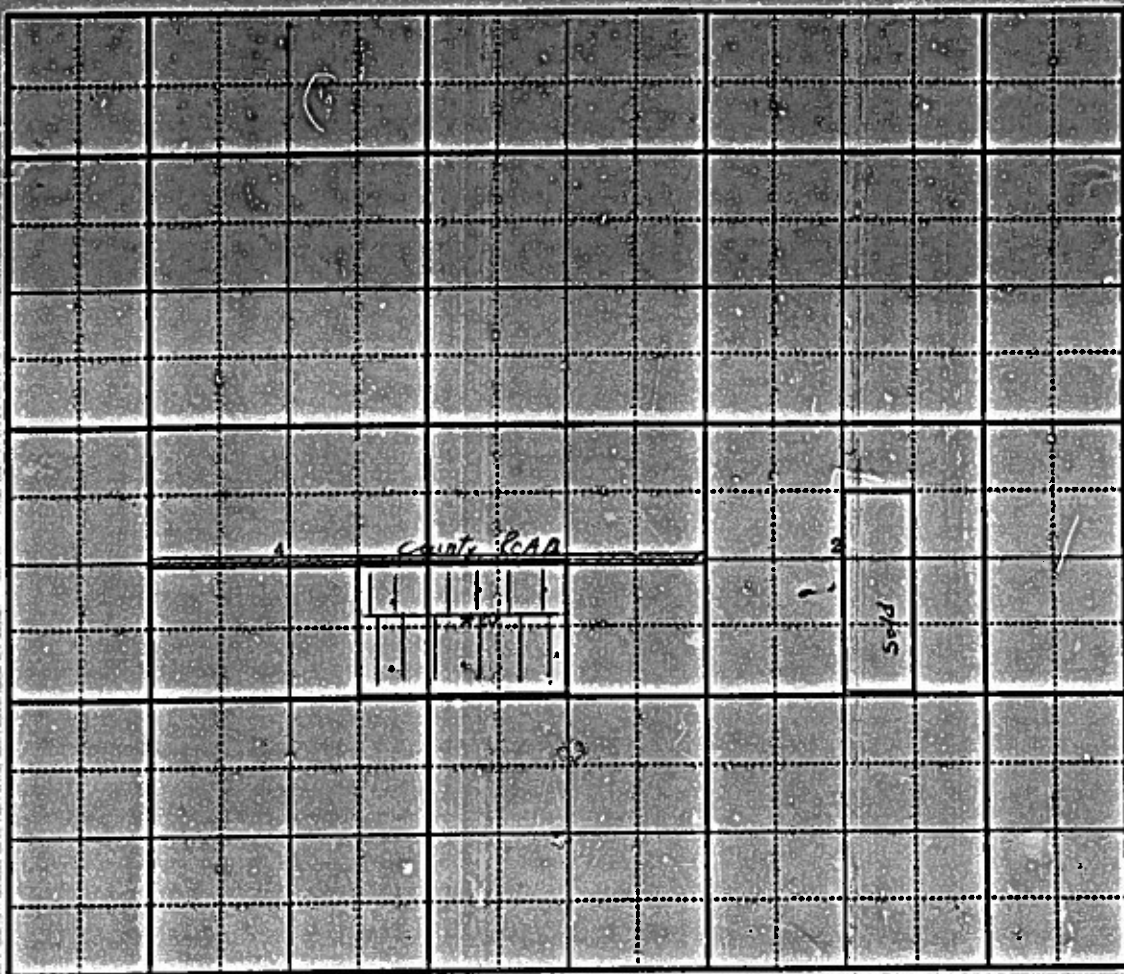


Diagram of System

burial main
7' 8" in long.

GATE VALVE (closed) and
7' 8" in long.

MICROMETER

30" x 16" steel main
30 ft. long.

10" pressure
gauge

Motor
pump

↑
N

NOT TO SCALE

10 pps RP

Overlap Review for bearing 35-7155

distance 35-2460 P/D different well ✓

P/D overlapping tracks in Sec 3
is in the built totaling 82 acres

$$\frac{4.89 \text{ d/s}}{459 \text{ ac}} = .0107 \text{ d/s/ac} \checkmark$$

This night 35-7155

$$\frac{2.0 \text{ d/s}}{237 \text{ ac}} = .0084 \text{ d/s/ac}$$

$$\begin{array}{r} 35-2460 \quad .0107 \\ 35-7155 \quad +.0084 \\ \hline \text{not overlapping} \quad .0191 \text{ d/s/ac} \end{array}$$

$$\begin{array}{r} \text{11 ~~Overlap~~ } \\ \text{just 11 ft to } 3.5 \text{ ac/ac} \\ \text{RA } 2/11/81 \end{array}$$