

February 27, 1998

**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:

March 27, 1998

Water right number:

35-07177

CLEMENT BROTHERS
PO BOX 99
LEWISVILLE ID 83431

Daytime Telephone Number:

Evening Telephone Number:

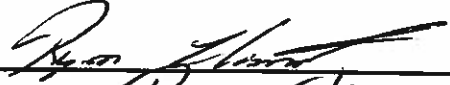
1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

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

DATE: 3-17-98

SIGNATURE: 

Please print your name: Ryan Clement

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 342-1616

RECEIVED
MAR 18 1998

Department of Water Resources
Eastern Region

DC

Water Right Number - R35-07177

Prefix Translation:

RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
CLEMENT BROTHERS
Last Name - First Name - Address -
1 - PO BOX 99
2 -
3 -
City- LEWISVILLE State- ID Zip- 83431
Phone - 208-754-4611

Priority Date - 07/10/1971
Region - 15 EASTERN
L - LICENSE
Status -

Source - GROUNDWATER
Tributary -

Twn Ring Sec Tract Lot Rflg County Point of Diversion
04N 37E 32 SW NW (51) JEFFERSON

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.380

Total Div. Rate - 1.380
Total Div. Volume - 1.380
Total Consumptive Use - 0.0
KW Usage -

Twn	Ring	Sec	Tract	Lot	Acres	Place of Use	Description	County
04N	37E	29	SW SW		18.0	01	IRRIGATION	(51) JEFFERSON
04N	37E	29	SE SW		18.0	01	IRRIGATION	(51) JEFFERSON
04N	37E	32	NE NW		39.0	01	IRRIGATION	(51) JEFFERSON
04N	37E	32	NW NW		35.0	01	IRRIGATION	(51) JEFFERSON
04N	37E	32	SW NW		39.0	01	IRRIGATION	(51) JEFFERSON
04N	37E	32	SE NW		40.0	01	IRRIGATION	(51) JEFFERSON
04N	37E	32	NE SW		40.0	01	IRRIGATION	(51) JEFFERSON
04N	37E	32	NW SW		39.0	01	IRRIGATION	(51) JEFFERSON
04N	37E	32	SW SW		38.0	01	IRRIGATION	(51) JEFFERSON
04N	37E	32	SE SW		39.0	01	IRRIGATION	(51) JEFFERSON

Total Acres: 345.0

- - - Diversion Means - WELL AND PUMP TO SPRINKLER LINES

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - 35-02416

Water right number - R35-07177

Prefix Translation: RESEARCH

Remarks

QNT USE OF THIS RIGHT WITH RIGHT NO. 35-02416 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.38 CFS.
USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1380 AF.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 35-02416 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 345 ACRES IN A SINGLE
IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 334 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP RIGHT NO. 35-02416 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

No Old Water Right Numbers Found

CO5 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

Decree Plaintiff Decree Defendant Decree Date
00/00/0000

Date: 01/17/1992 User Id: DCARLSON Subject: COPIED FROM REMARKS
THIS RT. WHEN COMBINED WITH RT. A35-02416 SHALL NOT EXCEED 835
GALE W. CLEMENT-PARTNER AFA CONSUMPTIVE USE.
T. ROSS CLEMENT-PARTNER

Audit fields
12/01/97 00CARLSON

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 01/17/1992	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	- 12/05/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E004939	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:46:20
10/25/91

AGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A35-07177

AST: CLEMENT BROS.

FIRST:

ADDRESS: P.O. BOX 97

ITY: LEWISVILLE

STATE: ID ZIP: 83431

HOME NUMBER: 208-754-4611

OWNER CODE: C

LEAD EXAM REQUIRED?

DATE: 01/03/92

FIELD
EXAMINER

ERRATA REQUIRED DUE TO REMARKS?

Y

CLAIM REMARKS: THIS RT. WHEN COMBINED WITH RT. A35-02416 SHALL NOT EXCEED 835

AFA CONSUMPTIVE USE.

GALE H. CLEMENT-PARTNER

T. ROSS CLEMENT-PARTNER

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

PHONE NUMBER: () -

DATE OF FIELD EXAM: 1/15/92

APPOINTMENT MADE: Y() V()

TIME: : A() P()

COMPLETED BY:

PHONE NUMBER: () -

RELATIONS TO CLAIMANT:

INSTRUCTIONS TO PROPERTY / REMARKS:

Office Review

A. AD CLAIM: # 855-07177 PRIORITY DATE: 07-10-1971 STAGE: L
B. WR RECORD: # 85-07177 PRIORITY DATE: 07-10-1971 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINED

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

REMARKS:

RECOMMENDED PRIORITY DATE:
07-10-1971

REVIEWED BY: DC

DATE: 11/11/92

AS CLAIM POINT OF DIVERSION AND SOURCE:

ALSHI	T.P.	AGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
15-07177	04N	37E	32		SW	WM		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ PDS
R PREFIX
A35-02416
NONE

HR RECORDS IN SAME 40 ACRE TRACT
A35-02416

SOURCE: GROUNDWATER

TRIS:

HR POINT OF DIVERSION AND SOURCE:

RIGHT	T.P.	AGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
15-07177	04N	37E	32		SW	WM		JEFFERSON

OTHER HR RECORDS WITH SAME HR PDS
AJ CLAIMS IN SAME 40 ACRE TRACT
R PREFIX
A35-02415
NONE

SOURCE: GROUNDWATER

TRIS:

FIELD EXAM REQUIRED?

DOE TO PDS DISCREPANCY?	(Y/N)	DATEBASE	FIELD EXAMINER
DOE TO SOURCE DISCREPANCY?	(Y/N)	Y	
	N		

MARKS:

center 8 1/2 sec 32

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
THP. R35. SEC. 1/4 1/4

1/4

LOT

COUNTY

SOURCE: GROUNDWATER

TRIS:

REVIEWED BY:

DC

DATE:

1/16/92

PRESUMPTION FLAG: 105

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

345

REVIEWED BY:

PK

DATE:

1/17/91

AD CLAIMED USES:

PURPOSES
35-07177 IRRIGATION

MONTH/7
FRQ 04-01 TO 11-01

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.380 CFS

WR RESTORED USES:

PURPOSES
35-07177 IRRIGATION

MONTH/7
FRQ 05-01 TO 10-30

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.380 CFS 498.00 AF/A
1.380 CFS 498.00 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 Y

PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

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

EXPLAIN IN REMARKS, BELOW.

1. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? ☒ (Y) ☐ (N)

A) TOTAL CLAIMED DIVERSION RATE: 1.580 CFS
B) TOTAL RIGHT TOTAL DIVERSION RATE: 1.580 CFS

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

FLOW MEASUREMENT REQUIRED?

ONE TO THREE OR DIVERSION RATE DISCREPANCY? (Y/N) ☒ N ☐ Y
FIELD
DATE: EXAMINER

FLOW MEASUREMENT

MEASUREMENT METHOD SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A35-02415

6. LIST ALL RIGHTS WITH A SAME FLOW AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DTU. RATE	DTU. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A35-07177	GROUNDWATER	CLEMENT BROS.	1.580	0.036		
A35-02415	GROUNDWATER	CLEMENT BROS.	4.000	0.012		
A01-00302	SNAKE RIVER	BUTTE & MARKET LAKE CANAL CO.	120.000	0.005		
A01-10016	SNAKE RIVER	BUTTE & MARKET LAKE CANAL CO.	344.590	0.015		

7. LIST ALL RIGHTS WITH SAME FLOW BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A35-10151	DOMESTIC	CLEMENT BROS.	FROM 01-01 TO 12-31	0.040 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1B. CALCULATIONS

1A. IRRIGATION RATE

ACRES X 0.02 CFS/ACRE = CFS

(TAKEN FROM P/O REVIEW)

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

SEE IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 035.0 AF/A

ACRES 345 X CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 1035 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 345 X DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 1380 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRIGATION

04-01 11-01

741084.51
1.330
1.330

DATABASE EXAMINER

~~DATABASE EXAMINER~~
~~856.0~~
~~855.0~~

WILL FOR THIS RIGHT

VIEWED BY: DC

DATE: 1/17/91

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FOREST/BLANDON _____
ADDITIONAL DIV. AMOUNT _____
ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
(X) ()
() ()
() ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-07177
TOTAL DIVERSION RATE OF WP SPLITS 1.380
EXAMINER _____
CFS _____

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WP RIGHT NUMBERS	DIVERSION RATE
-	A35-07177	1.380	-	-	35-07177	1.380

TOTAL CFS 1.380

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

REMARKS:

AUTHENTICATION: _____
SIGNATURE: *Steve Carlson* DATE: 1/12/92
NAME OF FIELD EXAMINER: Steve Carlson TITLE: *lt*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:46:20
10/25/91

USE: 12
STANDARD INFORMATION

CLAIM NUMBER: A35-07177

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
IDENTITY DATE								
DATE OF BIRTH	Y		11/12/11	Y				
DATE OF DEATH								
DATE OF JURY	Y			Y				
U. S. ARMY F. S. VOLUME								
INDUPTIVE USE								
INDUPTIVE								
RECORD OF USE	Y			Y				
DATE OF CLAIM								
MARKS	Y			Y				

VERIFIED BY CODES

- TOPO MAP/ORTHOPHOTO = 1
- ASCS MAP = 2
- AIRMASTER RECORDS = 3
- WAPP 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.

DATE: 04/03/98
PAGE: 1

(REGIONAL)

DIVERSION
VOLUME

835.00 AFA

Stage: LICENSE

JEFFERSON County

334.0

Other Rights: A35-02416

Remarks: GEN THIS RT. WHEN COMBINED WITH RT. A35-02416 SHALL NOT EXCEED 835

AFA CONSUMPTIVE USE.

GALE W. CLEMENT-PARTNER

T. ROSS CLEMENT-PARTNER

CHANGED ADDRESS PER REQUEST/JH/4-3-98

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
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Misc: **Water District Number:** **Field Inspection Flag:**

Presumption Flag:

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 18 1998

Department of Water Resources
Eastern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 35-02392, 35-02416, 35-02600, 35-027
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Clement Brothers
P.O. Box 99, Lewisville ID 83431
4. New Owner/Claimant(s) Clement Enterprises
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address P.O. Box 99
City, State and ZIP Code Lewisville, ID 83431
New Telephone Number (208) 522-2523
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) [Signature]
- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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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: A35-07177
Date Received: 10/11/1988
Receipt No: E004939
Received By: MLC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLEMENT BROS.
Address: P.O. BOX 99
LEWISVILLE, ID 83431
208-754-4611

2. Date of Priority: JUL 10, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	37E	32	SW		NW		JEFFERSON

5. Description of diverting works:
WELL AND PUMP TO SPRINKLER LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.380		

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

8. Total consumptive use is 835.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	37E	29	SW	SW		IRR	19.0
			SE	SW		IRR	19.0
Section Acres							38.0

A35-07177

Page 1

Date: 10/17/88

MICROFILMED

DEC 10 1988



10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	37E	32	NE		NW		IRR	35.0
			NW		NW		IRR	24.0
			SW		NW		IRR	39.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	39.0
			SW		SW		IRR	39.0
			SE		SW		IRR	40.0
							Section Acres	296.0
							Total Acres	334.0

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:
A35-02416

14. Remarks:

THIS RT. WHEN COMBINED WITH RT. A35-02416 SHALL NOT EXCEED 835
AFA CONSUMPTIVE USE.
GALE W. CLEMENT-PARTNER
T. ROSS CLEMENT-PARTNER

15. Basis of Claim: LICENSE
Water Right Number: 357177

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): John W. Clement Date: 11-29-88
_____ Date: _____

For Organizations:

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

John W. Clement
Signature of Authorized Agent
Partner, Clement Brothers
Title and Organization
11-29-88
Date

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 29 day
of Nov 19 88

[Signature]
Notary Public

Seal

Residing at Armen, IL

A35-07177

Page

My Commission Expires Nov
3 Date: 10/17/88

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DEC 10 1992

1496 (1589)
14631

30
19.0

21
32 33

A35-07177

Pump
#3

32 29.7

32 7

32 33
4

R37E

Map 0-15

TYN R37E
Sec 32 +

FILED
O 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A35-07187
Date Received 5-23-89
Receipt Number E007821NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Thayne Gneiting Phone (208) 785 4120Mailing Address 190 N. 400 W. Blackfoot, Ida Zip 832212. Date of Priority (Only one per claim) Sep 27 1971 Month/Day/Year3. Source of water supply (Check one) (☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 1 N Range 33 ESection 6 NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____, BM.,County of Bingham

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. _____

Pump Well Depth 650 Ft.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Stockwater purposes from Jan 1 ^{Month/Day} to Dec 31 ^{Month/Day} amount 0.073 ^(cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.073 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Stockwater 400 HdRECEIVED
MAY 23 1989MICROFILMED
DEC 10 1992

10. Place of use is: Township: 1 N Range 34 E

Section 6, NW 1/4 of _____ 1/4, Govt. Lot _____, B.M.,

County of Bonneville for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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. None ()

14. Remarks: I have a 100 year Lease on Ground

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 35 7187

By signing I/We acknowledge reading the notice on the back of this claim form.
I/We wish to receive for a small annual fee monthly copies of the docket sheet.
YES _____ NO ✓

16. Signature (s)

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) Thayne Munting Date 5/10/89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____

County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 18th day of May 1989

SEAL

Notary Public Verese Munting

Residing at Blackfoot

My Commission Expires 992

Last Name _____ Ident No. _____

MICROFILMED

Copies: White-State, Yellow-Claimant
DEC 10 1992

CLAIMANT'S NAME GNEITING CLAIM IDENT. NO. A35-07187

DATE RECEIVED 5/23/89 CK # _____ AMOUNT \$ _____

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	<u>X</u>	_____	*
2. Is a priority date entered?	<u>X</u>	_____	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	<u>X</u>	_____	*
3. (a) Is a source entered?	<u>X</u>	_____	*
(b) Is a tributary to entered? (if required) N/A <u>X</u>	_____	_____	_____
4. Is the legal description of the p.d. sufficient?	<u>X</u>	_____	*
5. Is there a description of the diverting works?	<u>X</u>	_____	_____
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	<u>X</u>	_____	*
Is the period of use included?	<u>X</u>	_____	_____
Is a quantity claimed for each use?	<u>X</u>	_____	*
7. Is a total quantity claimed entered?	<u>X</u>	_____	_____
8. If required is a consumptive use entered?	N/A <u>X</u>	_____	_____
Is the consumptive use correct?	N/A <u>X</u>	_____	_____
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	N/A <u>X</u>	_____	*
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	_____	*
11. Is (are) the county(ies) entered?	<u>X</u>	_____	_____
12. Is the ownership of p.u. checked?	<u>X</u>	_____	_____
13. Are other water rights listed or "none" indicated?	_____	<u>X</u>	_____
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	N/A <u>X</u>	_____	_____
15. Is the basis of the claim indicated?	<u>X</u>	_____	_____
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	N/A <u>X</u>	_____	_____
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	<u>X</u>	_____	*
18. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	_____	*
19. Was this claim filed on time, or was an extension granted?	<u>X</u>	_____	*
20. Is the fee enclosed correct?	Exempt <u>X</u>	_____	*
21. If this claim is based on an existing water right, has the identification number been entered?	N/A <u>X</u>	_____	_____
22. Should this claim be data entered?	<u>X</u>	_____	_____

Claim checked by: TO Date: 6/29/89

Claim must be returned to claimant: (Yes) X (No)

Claimant must be notified of modifications: (Yes) X (No)

Receipt Prepared by: _____ Date: _____

Claim data entered by: SS-7-19-89 Date: _____

Sent to claimant by: _____ Date: _____

Checked by: _____ Date: _____

Comments: (10) CORE LICENSED P/U TIN, R33E, SEC 1 NE 1/4

TIN, R34E, SEC 6

(13) NONE

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DEC 10 1992

X

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: A35-07187
Date Received: 5/23/1989
Receipt No: E007821
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THEYNE GNEITING 208-785-4120
Address: 190 N. 400 W.
BLACKFOOT ID 83221

2. Date of Priority: SEP 27, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	33E	1		NE	NE		BINGHAM

5. Description of diverting works:
PUMP AND WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.073		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/400 HD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	34E	6	NE	NW		STOCK	
			NW	NW		STOCK	
			SW	NW		STOCK	
			SE	NW		STOCK	

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11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:
I HAVE A 100 YEAR LEASE ON GROUND

15. Basis of Claim: LICENSE

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 _____

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DEC 10 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7177 Priority (late proof) July 10, 1971 Amount 1.38 cfs

THIS IS TO CERTIFY, that BROWNINGS, INC., of Idaho Falls, Idaho, has complied with the terms and conditions of Permit No. 35-7177 issued pursuant to Application for Permit dated June 18, 1971 and has submitted proof to the Department of Water Resources on August 22, 1976 that he has applied water to a beneficial use. Examination by the Department indicates that the works have a capacity for the diversion of 5.38 cfs of water from a groundwater source tributary to _____ and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from May 1, to October 30	at 1.38 cfs and	498 acre feet
	from to	at cfs and	
	from to	at cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.38 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 498 acre feet per year, said waters to be diverted within the SW¹/₄ NW¹/₄ Sec. 22, Twp. 4N, Rge. 37E, B. M., in the County of Jefferson.

Description and location of 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	
4N	37E	29																	38
		32						35	24	39	40	40	39	39	40				296

Total number of acres irrigated 334

The total rate of diversion and volume of water diverted under this right when combined with License No. 35-2416 shall not exceed 5.38 cfs nor 1253 acre feet per annum.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-221 Idaho Code, or the applicable Idaho law. This right may be forfeited by five years of non use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, attested at Boise, Idaho, this 18 day of December, 1978.

Stephen Elwood
Director

T
4N

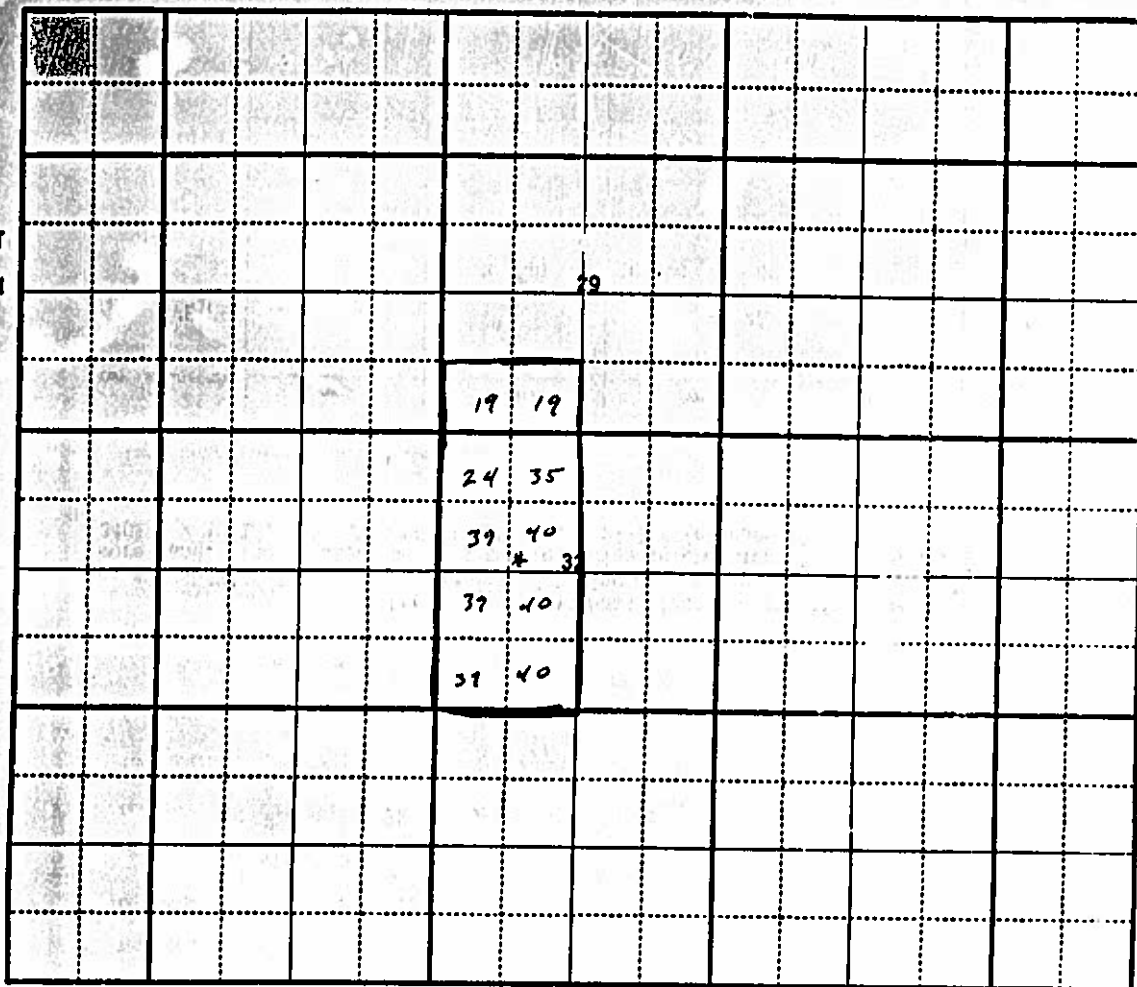
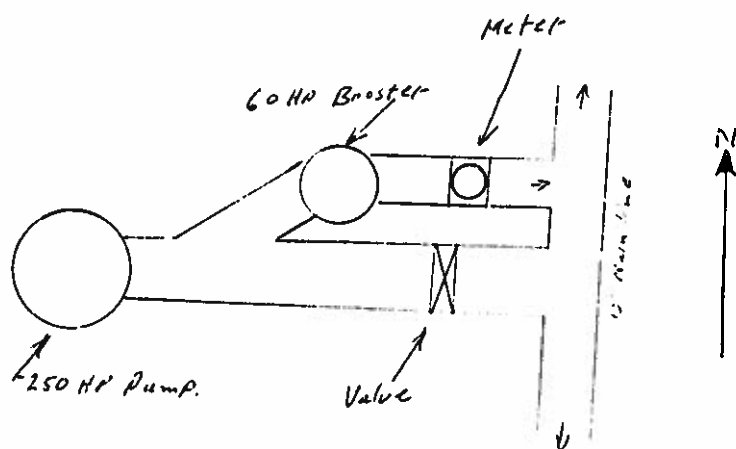
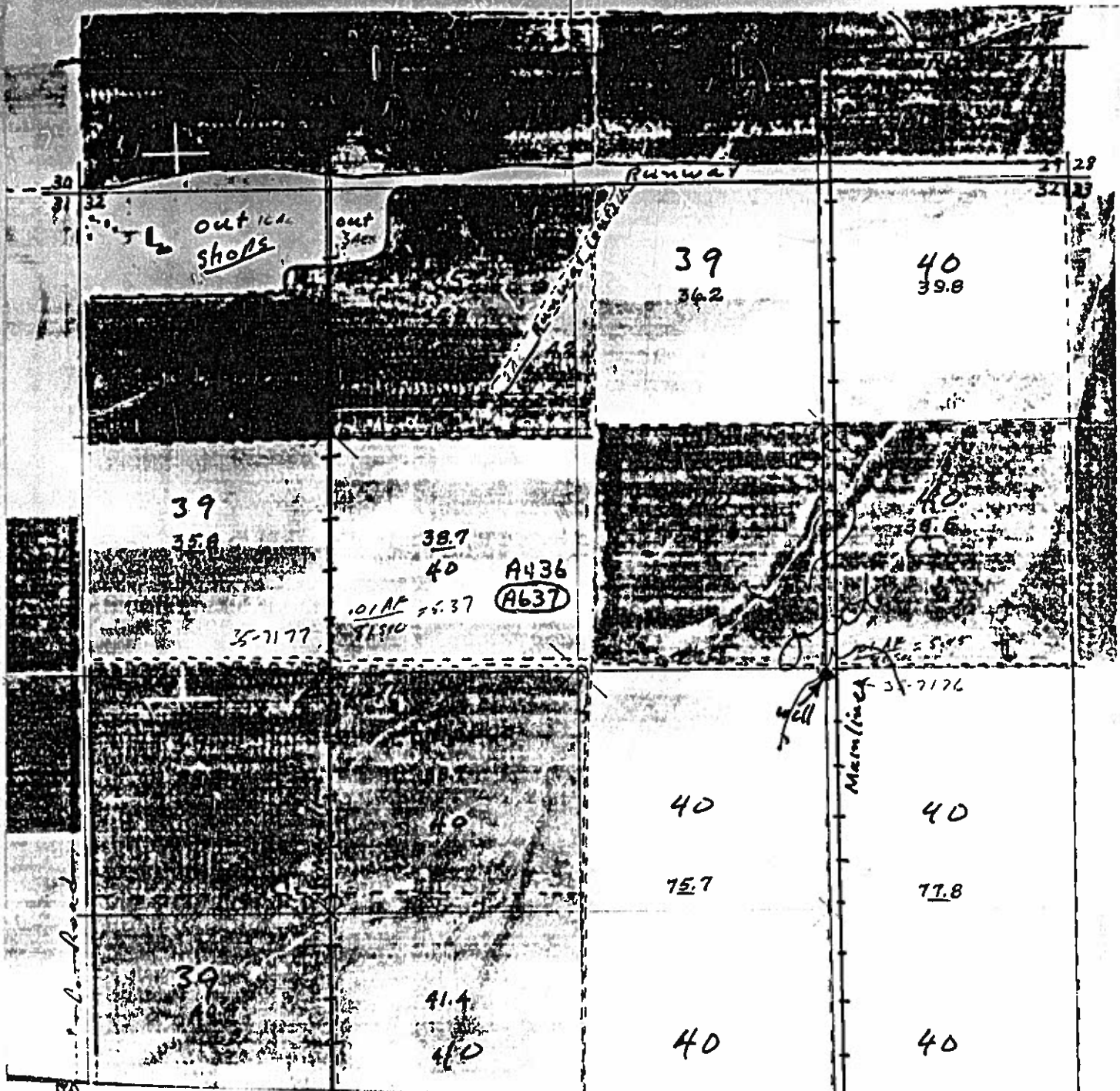


Diagram of System



1st 2/1/77



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	
4N	37E	29											19	19					38
		32					35	24	39	40	40	39	39	40					296

LH 2/7/11
 G. Xamun's land, recommendations.
 Total number of acres irrigated 234
 "NOT TO SCALE"

DATE OF EXAM 8-24-76

ACREAGE
Found 334
Recommended 334

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.38 c.f.s. V = 500.9 AF/Ann. from May 1 to Oct 30
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured 5.38 Method of measurement In-line meter

Total Q recommended 1.38 Meter No. 76-10-2146 Type McAlister Condition OK

Total V recommended 500.9 AF/Ann. (1169 when Combined with 35-2416)

Recommended Amendments:

P.D. ✓ SW 1/4 NW 1/4 Sec 7 E T 4N R 37E
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

$$101 \text{ AF/81.50} = \frac{435.6}{81} = 5.38 \text{ c.f.s.}$$

5.38 Capacity this exam
41.02 Capacity of line 35-2416 $V = (1.38)(1.4835)(183) = 500.9 < (3.5)(3.14)(1169)$
1.38 Recommended Q

$$V = (1.38)(1.4835)(182) = 499.1$$

SYSTEM DESCRIPTION:

Pump: Footbank - Morse Pump - 1/2" Nipple Plat
Motor: 250 HP Footbank Morse TYPE 27 Kva
Booster: 8x10-12 60-1/2" Pump with 60 HP Westinghouse motor
Number Plate Observed
Discharge to N-3 10" Mainline

REMARKS:

System & load shown by Fulton Housner.

Examiner's Signature Loren A. Holman Date 2-7-77

Checked by Anthony P. Kozlowski Date 2/9/77

Approved by _____ Date _____

A132 (1584)
A637

30 29 190

29 29
32 33

A35-07177

T
4N

Pump
#3

32 29.7

32.7

32 33
5 4

R37E
Map 0-15

TYN R37E
Sec 32 +



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 3, 1998

CLEMENT ENTERPRISES
PO BOX 99
LEWISVILLE ID 83431

RE: CHANGE IN OWNERSHIP FOR A35-02392, A35-02416, A35-02600, A35-02742, A35-07176, A35-07177

Dear Mr. Clement:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim