

10/17/2006

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

RIGHT NUMBER: 63-21348B

NAME AND ADDRESS: SCOTT R NICHOLSON
PO BOX 690
MERIDIAN ID 83680-0690

SHERRI C NICHOLSON
PO BOX 690
MERIDIAN ID 83680-0690

SOURCE: UNNAMED DRAINS

TRIBUTARY: WARM SPRINGS CREEK

QUANTITY: 0.460 CFS
65.30 AFY

Right Nos. 63-353A, 63-360A, 63-7911, 63-7912, 63-21348A, 63-21348B
and 21608 are limited to a total combined diversion rate of 3.42 cfs.

When notified by the Department, the right holder shall install and maintain a
measuring device of a type acceptable to the Department as part of the
diverting works.

PRIORITY DATE: 04/01/1947

POINT OF DIVERSION:
T01S R02W S8 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 04/30	0.320 CFS
	05/01 06/30	0.370 CFS
	07/01 11/15	0.460 CFS

The use of water for irrigation under this right may begin as early as March
1 and may continue to as late as November 15, provided other elements of
the right are not exceeded. The use of water before April 1 under this
remark is subordinate to all water rights having no subordinated early or late
irrigation use and a priority date earlier than the date a partial decree is
entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T01S R02W S08 SESE 14.50
14.5 ACRES TOTAL

Right Nos. 63-353A, 63-360A, 63-7911, 63-7912, 63-21348A, 63-21348B
and 21608 are limited to the irrigation of a combined total of 171 acres in a
single irrigation season.

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

The right holder shall accomplish the change authorized by this transfer
within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is
cause for the Director to rescind approval of the transfer.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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: A63-21348B
Date Received: 3/ 1/1990
Receipt No: X777777
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: E. K. ALLEN 208-382-4122
Address: HC 71 BOX 2025
CASCADE ID 83611

2. Date of Priority: APR 1, 1947

3. Source: UNNAMED DRAINS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	02W	8	NE	SE			CANYON

5. Description of diverting works:
25 AND 15 HP PUMPS AND SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	04/30	0.320		
IRRIGATION	05/01	06/30	0.370		
IRRIGATION	07/01	11/15	0.460		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	8	SE	SE		IRR	14.5

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	14.5
					Total Acres	14.5

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM COMBINES 0.30 CFS FROM 63-00353 4/1 TO 4/30, 0.35 CFS FROM 63-00354 5/1 TO 6/30, 0.43 CFS FROM 63-00355 7/1 TO 11/15 INTO THIS CLAIM WHICH VARIES THE CFS PER DATES ABOVE. THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-21348, FEE PAID UNDER RECEIPT NO. W010144. KW 6/11/91.

CLAIM AMENDED PER TRANSFER NO. 3818 APPROVED 11/24/92. NOTE: AMOUNTS OF WATER UNDER EACH IRRIGATION SEASON ARE NOT CUMULATIVE PER ORIGINAL DECREE AND SHOULD NOT BE SHOWN AS SUCH ON APPROVED TRANSFER.

A MEASURING DEVICE AND LOCKABLE HEADGATE OF A TYPE APPROVED BY THIS DEPT. SHALL BE PERMANENTLY INSTALLED AND MAINTAINED AS A PART OF THE DIVERTING WORKS.

THE COMBINED ANNUAL VOLUME OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 65.3 ACRE FEET.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 3818 IN FILE. KW 5/16/94

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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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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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
WATER RIGHT NOS. 63-00353B/00354B/00355B

This is to certify that: **E K ALLEN**
HC 71 BOX 2025
CASCADE ID 83611

has requested that a change of water rights be recorded as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
Right 63-00353B: IRRIGATION	04/01 - 04/30	0.32
Right 63-00354B: IRRIGATION	05/01 - 06/30	0.37
Right 63-00355B: IRRIGATION	07/01 - 11/15	0.46
	Total	1.15

Priority: 04/01/1947

Source: UNNAMED DRAINS tributary to: WARM SPRINGS CREEK

LOCATION OF POINT(S) OF DIVERSION:

NESE, Sec. 8, Township 01S, Range 2W, CANYON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>
01S	02W	8	SESE	14.5

Total number of acres irrigated: 14.5

This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

CONDITIONS/REMARKS:

1. A measuring device and lockable headgate of a type approved by this Department shall be permanently installed and maintained as a part of the diverting works.
2. The combined annual volume of water under Rights 63-00353B/00353B/00355B shall not exceed 65.3 acre feet.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

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TRANSFER OF WATER RIGHT
WATER RIGHT NOS. 63-00353B/00354B/00355B

5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 24th day of November, 1992

A. Mew Saylor
Chief, Water Alloc. Bureau

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 388

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant E.K. Allen Phone 392-4122
Post Office address HC 71 Box 2025 Cascade ID. 83611

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Access to new point of diversion
for new owner's land in S. 8 SESE.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
* <u>63-00353 B</u>	<u>4/1/1947</u>	<u>.50 cfs</u>	<u>Irrigation</u>	<u>4/1</u> to <u>7/30</u>
<u>63-00354 B</u>	<u>4/1/1947</u>	<u>.50 cfs</u>	<u>Irrigation</u>	<u>5/1</u> to <u>6/30</u>
<u>63-00355 B</u>	<u>4/1/1947</u>	<u>.50 cfs</u>	<u>Irrigation</u>	<u>7/1</u> to <u>11/15</u>

2. Total amount of water being transferred 1.50 cubic feet per second and/or _____ acre-feet per annum
3. Source of water Drain tributary to Warren Spring Creek
(local name only, not go over top)
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
				<u>NE SE 8</u>	<u>15</u>	<u>2W</u>	<u>Canyon</u>	<u>For 63-00353 B to 63-00355 B</u>

C. Lands irrigated or place of use:

B. Large trigrams or post-trigrams																			
Twp.	Rge.	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	
15	2W	8																25	25

* See 12/6/40 memo

Total acres 25

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Transfer No. _____

PART 1

6. General Information:

a. Description of diversion system 25" 15 hp pump & sprinkler. Pk on other
1085 acres N/A with sprinkler use.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

This transfer also serves to clarify date for 63-00353
through 63-00355 (see Memo 12/6/90). Additionally, the transfer will be
useful in analyzing SRRA claim A63-21748 & A63-21608 & A63-00354

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

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STRA

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 63-00353 Decreed to Ellen T. Sprout
In case of Carl E. Nicholson vs. Reynolds Irrigated District
dated 6/11/1956 in 7th Jue. Dist. Court county of Canyon
b. License No. _____ issued by the Idaho Department of Water Resources.
c. Claim No. _____ on file with the Idaho Department of Water Resources.
d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other

3. Source of water DRAINS tributary to Warm Springs Creek

4. Date of priority 4/1/1947

5. Water is used for the following purpose:

amount 2.40 cfs for irrigation purposes from 4/1 to 4/30
(cfs/ao-ft)
amount Rate not in decr for stockwater purposes from 4/1 to 4/30
(cfs/ao-ft)
amount " " " for domestic purposes from 4/1 to 4/30
(cfs/ao-ft)

6. Total amount of water under right 2.40 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/2	3/4	Sec.	Twp.	Rge.	County	Local name for diversion
				10	15	2W	Canyon	per dam information

8. Lands irrigated or place of use: ACRES/CR NOT IN DECREE

Twp.	Rge.	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	
15	2W	2					X		X	X					X	X	X		
		9									X	X							

Total acres

9. Describe any other water rights used for the same purpose as described above

63-00355

63-00354

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PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED PARTS B7C SHW. irrigated acres found
 (If the entire right is to be changed by the applicant, omit part B and C.) no transfer no decrease a. g. f. u.

1. amount .315 cfs for irrigation purposes from 4/1 to 4/10
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____
 amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		-	-	10	15	2W	Canyon	per decree

3. Lands irrigated or place of use:

Twp.	Rge.	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	
15	2W	8															14.5	14.5	

Total acres 14.5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 2.085 cfs for irrigation purposes from 4/1 to 4/10
 amount _____ for disturbance purposes from 4/1 to 4/10
 amount _____ for domestic purposes from 4/1 to 4/10

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		-	-	10	15	2W	Canyon	per decree

3. Lands irrigated or place of use:

Twp.	Rge.	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	
15	2W	8															.5	16.5	31
		9																	

$\frac{3.40 \text{ cfs}}{110.5 \text{ acres}} = .02172 \text{ cfs/acre}$, then $\times 14.5 = .315 \text{ cfs}$ Total acres 96
 $\times 96 = 2.085 \text{ cfs}$
2.400 cfs total

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THAS

Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 63-00354 Decreed to Ellen T. Sprout
In case of Carl E. Nicholson vs. Reynolds Irrigation District
dated 6/11/1956 in 7th Juv. Dist. Court county of Canyon
b. License No. _____ issued by the Idaho Department of Water Resources.
c. Claim No. _____ on file with the Idaho Department of Water Resources.
d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water DRAINS tributary to Warner Springs & Creek

4. Date of priority 4/1/1947

5. Water is used for the following purposes:

amount 2.80 cfs for irrigation purposes from 5/1 to 6/30
amount Rate not in decree for stockwater purposes from 5/1 to 6/30
amount " " " for domestic purposes from 5/1 to 6/30

6. Total amount of water under right 2.80 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	N	S	Sec.	Twp.	Rge.	County	Local name for diversion
		-	10	15	2W	Canyon	per decree information

8. Lands irrigated or place of use: ACRES/20 NOT IN DECREE

Twp.	Rge.	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	
15	2W	8						4 1/2			4 1/2	4 1/2				X	4 1/2	X	
								2				1/4							
		9										X	X						

9. Describe any other water rights used for the same purpose as described above

63-00355

Total acres

63-00353

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PART 2

Transfer No. _____

18. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No If yes, describe _____

19. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED IN TRACT 14.5 BEACON RIVER
(If the entire right is to be changed by the applicant, omit part B and C.)

* 1. amount .367 cfs for irrigation purposes from 5/1 to 6/30
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	N	W	W	Sec.	Twp.	Rge.	County	Local name for diversion
				10	15	2W	Canyon	per Beacon

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE %				NW %				SW %				SE %				Totals
			NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
15	2W	8																19.5	19.5

Total acres 14.5

20. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

* 1. amount 2.433 cfs for irrigation purposes from 5/1 to 6/30
amount _____ for stockwater purposes from 5/1 to 6/30
amount _____ for domestic purposes from 5/1 to 6/30
amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	N	W	W	Sec.	Twp.	Rge.	County	Local name for diversion
				10	15	2W	CANYON	per Beacon

3. Lands irrigated or place of use:

Twp.	Rge.	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	
15	2W	8						2.4									.5	16.5	31
								14											14
		9											28	37					65

* $\frac{2.80 \text{ cfs}}{14.5 \text{ acres}} = .02534 \text{ cfs/acre}$; then $\times 14.5 = .367 \text{ cfs}$ Total acres 96
 $\times 96 = 2.433 \text{ cfs}$
2.800 total

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 63-00355 Decreed to Ellen T. Sprout
In case of Carl G. Nicholson vs. Raymond Zamudio District
dated 6/11/1956 in 7th Jud. Dist. court county of Canyon
b. License No. _____ issued by the Idaho Department of Water Resources.
c. Claim No. _____ on file with the Idaho Department of Water Resources.
d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other

3. Source of water Drains tributary to Warm Springs Creek

4. Date of priority 4/1/1947

5. Water is used for the following purpose:

amount 9.50 cfs for irrigation purposes from 7/1 to 7/15
amount Rate not to exceed for stockwater purposes from 7/1 to 1/15
amount " for domestic purposes from 7/1 to 1/15

6. Total amount of water under right 3.50 cubic feet per second and/or _____ acre-foot per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
				10	15	2W	Canyon	per drain information

8. Lands irrigated or place of use: ACRES/QQ - INT in DECREE

Twp.	Rge.	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	
15	2W	9					44		23						X	X			
		9									X	X							

9. Describe any other water rights used for the same purpose as described above

63-00354

Total acres 63-00353

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PART 2

Transfer No. _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

2. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED *IN TRANSFER OF DEEDS RIGHT*
(If the entire right is to be changed by the applicant, omit part B and C.)

amount	45,247	for	1 migration	purposes from	7/1	to	11/6
(cib/so-7)							
amount		for		purposes from		to	
(cib/so-7)							
amount		for		purposes from		to	
(cib/so-7)							

2. Point(a) of Diversion:

[illegible]2. **Lands irrigated or place of use:**[illegible]

Total acres 14.5

G. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

2. 1/2 amount for 3-040 for navigation purposes from 7/1 to 11/5
 amount for 3-041 for stockholder purposes from 7/1 to 11/5
 3.04 amount for domestic purposes from 7/1 to 11/5

2. Point(s) of Diversion:

[illegible]

2. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
15	2W	8						24	14	6	12						.5	16.5	31
		9										28	37						65

$\frac{5.50' \times 10^3}{110.5 \text{ acres}} = .05167 \text{ cfs/acre}$, then $\times (4.8 \times 96) = .459 \text{ cfs}$

Total score 96

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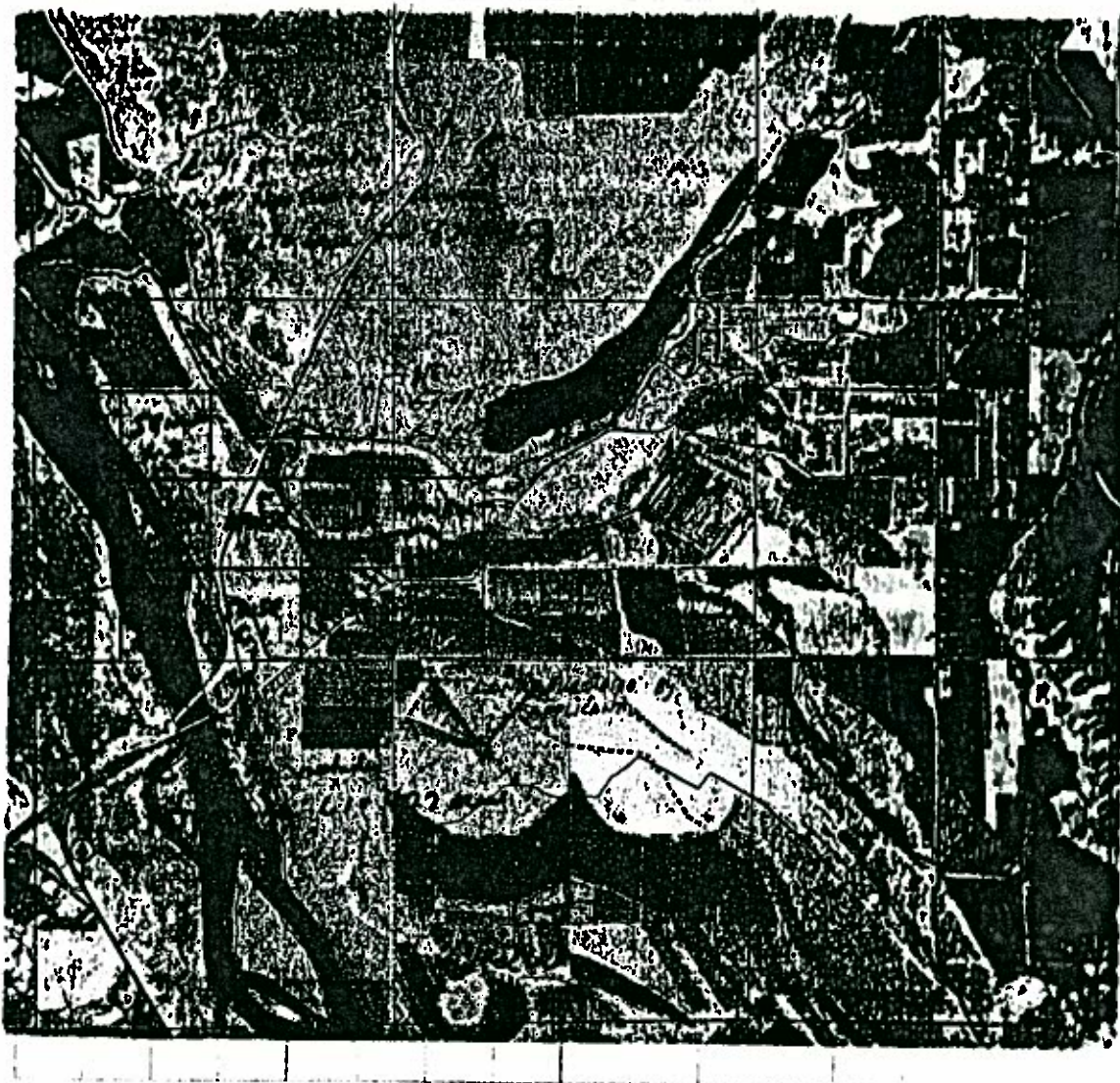
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Transfer No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

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Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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.

Ernest M. Geller
(Signature of Applicant)

Subscribed and sworn to before me on this 11th day of December, 1992.
Notary Public - State of Idaho
Residing at Cascade, Idaho

Brian L. Boulden
(Notary Public)

My commission expires 2-11-94

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 5 attachments
Received by RH Date 1/13/91 Protest filed by _____
Prelim. check by SL Fee \$50
Receipted by LH Date 11-14-90 # W12859
Published in Press-Tribune Copies of protest forwarded by _____
Pub. dates 2/6 & 2/13/91 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denied
rec'd. _____ by DET

Copy of transfer sent to lien holder _____

MICROFILMED
JUL 27 1994

POOR ORIGINAL

MEMORANDUM

TO: Files 63-00353/00354/00355
FROM: Sharla
DATE: October 2, 1992
RE: Transfer Review (No. 3818)

The above referenced transfer proposes to change the point of diversion under a portion of each of these rights.

Advertising was completed correctly. Steve Lester, in a memo revised 1/23/91, has summarized the computation and confirmation of acres. He recommends that the transfer be approved for 14.8 confirmed acres. On the back sides of the Part 2's of the transfer application, Steve has shown the breakdown of the amounts of water to be listed under each right in the transfer. Attachment D located in the file is a change of ownership of a beneficial use adjudication claim. The document substantiates that a transfer of 25 acres was made to Mr. Allen. Based on the acreage confirmation supplied by Steve, it is more than likely that this claim will be recommended for less acres as well. The transfer approval is being prepared from Steve's recommendations and will contain the following conditions:

- T07 The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
A measuring device and lockable headgate of a type approved by this department shall be permanently installed and maintained as a part of the diverting works.

The combined annual volume of water under Right Nos. 63-00353B/00354B/00355B shall not exceed 65.3 acre feet.

MICROFILMED

JUL 27 1994

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: A63-21348B
Date Received: 3/ 1/1990
Receipt No: X777777
Received By: DE-KW

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: E. K. ALLEN 208-382-4122
Address: HC 71 BOX 2025
CASCADE, ID 83611

2. Date of Priority: APR 1, 1947

3. Source: DRAINS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	02W	8	SE	SE			CANYON

5. Description of diverting works:
40HP PUMP, SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	04/30	0.300		
IRRIGATION	05/01	06/30	0.350		
IRRIGATION	07/01	11/15	0.430		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	8	SE	SE		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	25.0
					Total Acres	25.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM COMBINES 0.30 CFS FROM 63-00353 4/1 TO 4/30, 0.35 CFS FROM 63-00354 5/1 TO 6/30, 0.43 CFS FROM 63-00355 7/1 TO 11/15 INTO THIS CLAIM WHICH VARIES THE CFS PER DATES ABOVE.
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A63-21348, FEE PAID UNDER RECEIPT NO. W010144.
KW 6/11/91.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree 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/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 _____

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

☒ Water Right Number(s): A63-21348

☒ Name and Address of Former Claimant(s): Frankas D. & Frank L. Engle

9450 Ferry Rd.

Melba ID. 83641

☒ New Claimant(s): E.K. Allen

HC 71 Box 2025

☒ New Mailing Address: _____

Cascade Edwards 83611

☒ New Telephone Number: (208) 382-4122

☒ Does the change in ownership result in a splitting of the water right claimed? X yes no
If yes, then describe the portion of the water right that is now claimed by the new owner:

25 ACRES OF THE 40 ACRES CLAIMED IN THE SE SE^{of} SECTION

8, T1S - R2W.

☐ Attach proof of ownership

Describe proof attached: _____

(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

☒ Signature of New Claimant(s): Emmett R Allen

☒ Date: 10-4-90

MICROFILMED

SEP 03 1992

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: A63-21348
Date Received: 3/01/1990
Receipt No: W010144
Received By: CE Edh

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: FRANK L. ENGLE 208-495-2701
Address: 9450 FERRY RD.
MELBA, ID 83641

OR

Name: FRANCES D. ENGLE 208-495-2701
Address: 9450 FERRY RD.
MELBA, ID 83641

2. Date of Priority: APR 01, 1947

3. Source: DRAINS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	02W	8	SE	SE			CANYON

5. Description of diverting works:
40HP PUMP, SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	04/30	0.900		
IRRIGATION	05/01	06/30	1.050		
IRRIGATION	07/01	11/15	1.310		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	8	SE	SE		IRR	40.0
						Section Acres	40.0
		9	SW	SW		IRR	36.0
						Section Acres	36.0
						Total Acres	76.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM COMBINES 0.9 CFS FROM A63-00353 4/1 TO 4/30
1.05 CFS FROM A63-00354 5/1 TO 6/30
1.31 CFS FROM A63-00355 7/1 TO 11/15
INTO THIS CLAIM WHICH VARIES THE CFS PER DATES ABOVE

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

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

Signature of Claimant(s): Frank Engel Date: 12-17-90

Date: _____

State of Idaho)
County of LDA) ss.

Subscribed and sworn (or affirmed) before me this 17th day
of Dec 19 90
R. J. [Signature]
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: A63-21348
Date Received: 3/01/1990
Receipt No: WGL 6/44
Received By: DLB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK L. ENGLE 208-495-2701
Address: 9450 FERRY RD.
MELBA, ID 83641
OR
Name: FRANCES D. ENGLE 208-495-2701
Address: 9450 FERRY RD.
MELBA, ID 83641

2. Date of Priority: APR 01, 1947

3. Source: DRAINS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	02W	8	SE	SE			CANYON

5. Description of diverting works:
40HP PUMP, SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.520		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	8	SE	SE		IRR	40.0
						Section Acres	40.0
		9	SW	SW		IRR	36.0
						Section Acres	36.0
						Total Acres	76.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM COMBINES 0.5 CFS FROM A63-00353
0.5 CFS FROM A63-00354
0.52CFS FROM A63-00355
INTO THIS CLAIM WHICH IS 0.02 CFS/ACRE

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree 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 Y 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): Frank S. Engle Date: 3-1-90

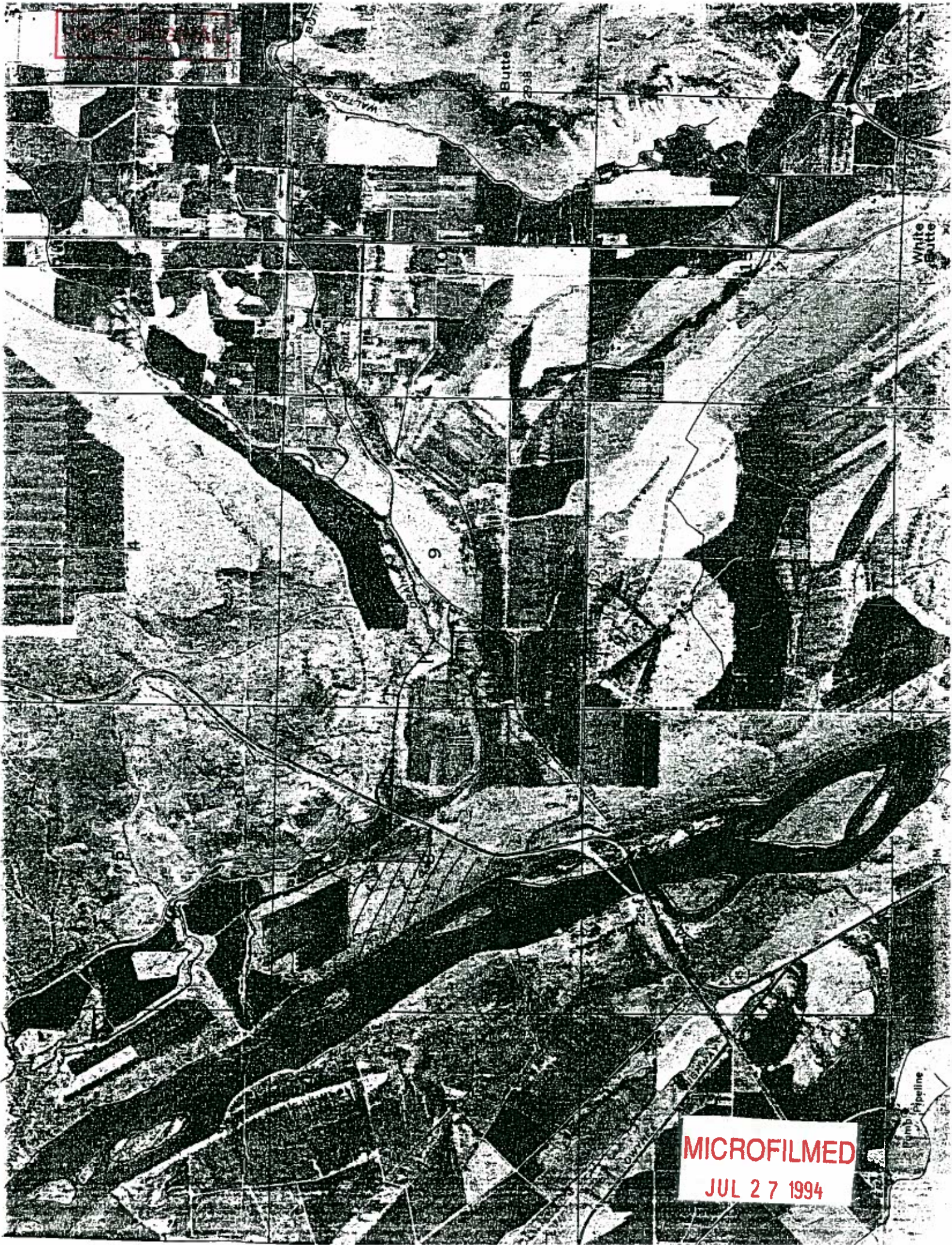
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of MAR 19 90
[Signature]
Notary Public

Seal

Residing at _____
My Commission Expires _____



100-20-11

Butte
2938

White
Butte

9

MICROFILMED
JUL 27 1994

Pump Pipeline

POOR ORIGINAL

MICROFILMED
JUL 27 1994



Idaho Department of Water Resources

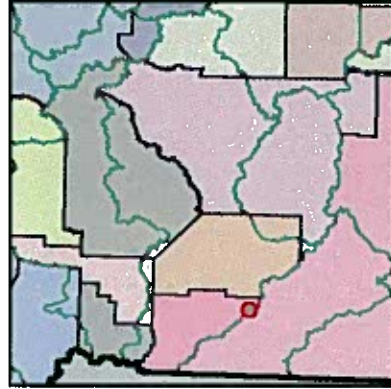
SRBA Recommendation:

63-21348B

(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



R02W



T01S

0 0.1 0.2 Miles

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

463-213488

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
---	---	---	------------------------	------------------------------------	----------------------------------	------------

PRIORITY*	_____	_____	_____	_____	_____	_____
PT. OF DIV.	_____	_____	_____	_____	_____	_____
SOURCE	_____	_____	_____	_____	_____	_____
PL. OF USE	_____	_____	_____	_____	_____	_____
DIV. AMOUNT CFS/AF	_____	_____	_____	_____	_____	_____
CONSUMPTIVE USE	_____	_____	_____	_____	_____	_____
NATURE OF USE	_____	_____	_____	_____	_____	_____
PERIOD OF USE	_____	_____	_____	_____	_____	_____
BASIS OF CLAIM	_____	_____	_____	_____	_____	_____
REMARKS	_____	_____	_____	_____	_____	_____

DATA ENTRY COMPLETED
BY _____ DATE _____

FINAL RECOMMENDATION
BY _____ DATE _____

IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____

VERIFICATION CODES
TOPO MAP/ORTHO PHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS:

Water Right Number - 63-003538

Prefix Translation:

WATER RIGHT

Old (0) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

+ - - - -

*** C - CURRENT OWNER ***
ALLEN

E K

1 - HC 71 BOX 2025
2 -
3 -City - CASCADE
Phone - 208-000-0000

State- ID Zip- 83611

*** O - ORIGINAL OWNER ***
SPROAT

ELLEN T

1 -
2 -
3 -
City -
Phone - 208-000-0000

State- ID Zip-

+ - - Priority Date - - +
04/01/1947+ - - Region - - - +
14 WESTERN+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - +
UNNAMED DRAINS+ - - Tributary - - - - +
WARM SPRINGS CREEK

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
01S	02W	8	NE SE	(27)	CANYON					

Code	Description	Period from	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	04/30		0.320	
+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - +						
0.320						

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01S	02W	8	SE SE	14.5	01	IRRIGATION		(27) CANYON
Total Acres:					14.5			

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - -

A measuring device and lockable headgate of a type approved by this Department shall be permanently installed and maintained as a part of the diverting works.
The combined annual volume of water under this right and right Nos. 63-003548 and 63-003558 shall not exceed 65.3 acre feet.

Water right number - 63-003539

Prefix Translation: WATER RIGHT

Old Water Right Numbers
Old Water Right Numbers
No Old Water Right Numbers found.

Conditions of Approval
The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Decree Plaintiff
CARL E. NICHOLSON
Decree Defendant
REYNOLDS IRR. DIST.
Decree Date
06/11/1956

Date: 08/10/1992 User Id: CURTIS Subject: Trans. 3818
Trans. 3818 was filed to change the point of diversion under this right and Rights 63-003548/003559.

Audit Fields - 10/02/92

Water Rights Dates and Flags Area
Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - Water District -
Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Transfer/Amended - P
Decree Date - 06/11/1956 Name Connector - POU Ownership Flag -
Presumption Flag -

Water Right Number - 63-003548

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
Last Name - First Name - Address -
E K ✓
1 - HC 71 BOX 2025 ✓
2 -
3 -
City- CASCADE
Phone - 208-000-0000
State- ID Zip- 83611

*** 0 - ORIGINAL OWNER ***
SPROAT

ELLEN T

1 -
2 -
3 -
City-
Phone - 208-000-0000

State- ID Zip-

Priority Date - 04/01/1947 ✓ + Region - 14 WESTERN + D - DECREED ✓ + Status -

Source - UNNAMED DRAINS ✓ + Tributary - WARM SPRINGS CREEK ✓

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
01S	✓ 02W	✓ 8	✓ NE SE	✓	(27)	CANYON	✓			

Code	Description	Period From	Water Use	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION	✓	05/01	✓	06/30	✓	0.370
Total Div. Rate -		+ - Total Div. Volume -		+ - Total Div. Capacity -		
0.370		✓				

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
01S	✓ 02W	✓ 8	✓ SE SE	✓	14.5	✓	01 IRRIGATION	(27) CANYON
Total Acres:					14.5	✓		

+ - - Diversion Means -
+ - - Non-Irrigation Use -
+ - - Other Rights for Same Use -
+ - - Remarks -

A measuring device and lockable headgate of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
The combined annual volume of water under this right and Right Nos. 63-003538 and 63-003558 shall not exceed 65.3 acre feet.

Water right number - 63-003548

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - -
+ - - - - Old Water Right Numbers - - - - -
+ - - - - No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.
T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.
T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

+ - - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - - - Decree Date - +
CARL E. NICHOLSON REYNOLDS IRR. DIST. 06/11/1956

+ - - - - Date: 08/10/1992 User Id: CURTIS Subject: Trans. 3818 - Comments - - - - -
Trans. 3818 was filed to the change the point of diversion under this right and Rights 63-003538/003558.

+ - - - - Audit Fields - 10/02/92

+ - - - - Water Rights Dates and Flags Area - - - - -
Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Shan Falls -
Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
Exam to S.O. Date - 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
Order Show Cause - 00/00/0000 Receipt Number - Water District -
Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Transfer/Amended - P
Decree Date - 06/11/1956 Name Connector - POU Ownership Flag -
Presumption Flag -

Water Right Number - 63-003558

Prefix Translation:

WATER RIGHT

Old (D) Number -

--- Last Name --- +

+ First Name - - +

+ Address - - - - -

*** C - CURRENT OWNER ***
ALLEN

E K

1 - HC 71 BOX 2025
2 -
3 -

City- CASCADE
Phone - 208-000-0000

State- ID Zip- 83611

*** O - ORIGINAL OWNER ***
SPROAT

ELLEN T

1 -
2 -
3 -
City-
Phone - 208-000-0000

State- ID Zip-

--- Priority Date --- +
04/01/1947

+ --- Region --- +
14 WESTERN

+ --- Stage --- +
0 - DECREED

+ --- Status --- +

--- Source --- +
UNNAMED DRAINS

+ --- Tributary --- +
WARM SPRINGS CREEK

TWN	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
01S	02W	8	NE SE	(27)	CANYON					

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		07/01	11/15		0.460	

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - +
0.460

TWN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01S	02W	8	SE SE	14.5	01	IRRIGATION		(27) CANYON
Total Acres:						14.5		

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Remarks -
A measuring device and lockable headgate of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
The combined annual volume of water under this right and Right Nos. 63-003538 and 63-003548 shall not exceed 65.3 acre feet.

Water right number - 63-003558

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - -
+ - - - - Old Water Right Numbers - - - - -
+ - - - - No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
+ - - - - T07 - The change authorized by this transfer shall be accomplished
+ - - - - - Within one (1) year of the date of this approval.
+ - - - - T08 - Failure to comply with the conditions of this transfer is cause
+ - - - - - for the director to issue an order to show cause why the approval
+ - - - - - of the transfer should not be rescinded.
+ - - - - T09 - Approval of this transfer does not preclude the opportunity for
+ - - - - - review of the validity of the water right(s) in the ongoing
+ - - - - - Snake River Basin Adjudication.

+ - - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - - Decree Date - +
CARL E. NICHOLSON REYNOLDS IRR. DIST. 06/11/1956

+ - - - - Date: 08/10/1992 User Id: CURTIS Subject: Trans. 3818
+ - - - - Trans. 3818 was filed to change the point of diversion under this right and Rights 63-003538/003548.

+ - - - - Audit Fields - 10/02/92

+ - - - - Water Rights Dates and Flags Area - - - - -
+ - - - - Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
+ - - - - Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -
+ - - - - Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
+ - - - - Exam to S.O. Date- 00/00/0000 Verified Date - 00/00/0000 DLE/Carey Act -
+ - - - - Order Show Cause - 00/00/0000 Receipt Number - Water District -
+ - - - - Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Transfer/Amended - P
+ - - - - Decree Date - 06/11/1956 Name Connector - POU Ownership Flag-
+ - - - - Presumption Flag -



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 12, 1991

RE: Notice of Claim No. A63-21348B

E. K. Allen
HC 71, Box 2025
Cascade, ID 83611

Dear Claimant:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the lands and appurtenant water right 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.

If you have any questions concerning the enclosed claim, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Kay Walker'.

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k
Enclosure

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Water Right Number: A63-21348

FIRST PAGE

Water Uses:

Use Code	Description	From	To	CFS	AFA
01	IRR	4/ 1	4/30	0.900 ①	
01	IRR	5/ 1	6/30	1.050 ②	
01	IRR	7/ 1	11/15	1.310 ③	
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(GOLD2=Update)

(GOLD4=Prev Screen)
(GOLD5=Next Screen)

(GOLD6=End of Data)

(Enter=Exit)
(GOLD8=Cancel)

$$\textcircled{1} \quad 0.90 \text{ cfs} \div 76 \text{ ac} = 0.01184 \text{ cfs/ac}$$

$$\begin{aligned} A63-21348B &= \swarrow \times 25 = 0.296 \approx 0.30 \text{ cfs} \\ A63-21348A &= \times 51 = 0.603 \approx 0.60 \text{ cfs} \end{aligned}$$

$$\textcircled{2} \quad 1.05 \text{ cfs} \div 76 \text{ ac} = 0.01381 \text{ cfs/ac}$$

$$\begin{aligned} A63-21348B &= \nearrow \times 25 = 0.345 \approx 0.35 \text{ cfs} \\ A63-21348A &= \times 51 = 0.704 \approx 0.70 \text{ cfs} \end{aligned}$$

$$\textcircled{3} \quad 1.31 \text{ cfs} \div 76 \text{ ac} = 0.01723 \text{ cfs/ac}$$

$$\begin{aligned} A63-21348B &= \nearrow \times 25 = 0.430 \approx 0.43 \text{ cfs} \\ A63-21348A &= \times 51 = 0.879 \approx 0.88 \text{ cfs} \end{aligned}$$

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kw 6/11/91

A63-21348

MEMORANDUM

TO: TRANSFER APPLICATION FOR 63-00353 THROUGH 63-00355
FROM: STEVE LESTER
DATE: DECEMBER 6, 1990 - REVISED 1/23/91
RE: CLARIFICATION OF DATABASE, ACRES, AND RATES

E.K. Allen filed a transfer application on SRBA Claim A63-21348, a claim filed by Frank and Frances Engle. Mr. Allen apparently bought 25 acres in Sec. 8 SESE and wants to relocate a diversion point for his acres. Claim A63-21348 is based on a combination of split portions of decreed rights 63-00353 through 00355. Decree file 63-T-1 covers these rights (see Attachment B).

DATABASE

The transfer serves to clarify database details for source, season of use, and point of diversion. The source (drains tributary to Warm Springs Creek) actually includes surface and ground water in a "...common and interdependent source..." and perhaps should be noted in the remarks section of the database. The tributary is a local name not recognized on a USGS quad.

The season of use in 63-00355 includes 7/1-11/15, not 7/1-3/31 as shown in the database. The original point of diversion is identified as T1S R2W Sec. 10 (tract not specified). See Part II of the decree for confirmation of season and P/D.

Although the decree does not explicitly state the duty of irrigation water, Part V of the decree can be interpreted to mean up to .02 cfs/acre: "...amount of water herein allotted...is required and necessary for the proper growing of crops...". Because all three decreed rights cover the same P/U, one can infer that the largest right, 63-00355 for 3.50 cfs, describes the maximum number of acres for all three rights. Assume that the rights cover no more than 175 acres based on a decree of .02 cfs/ac. Note that the rights cover different parts of the irrigation season and together include 4/1-11/15 (the latter interpreted from IDWR standards for the area).

COMPUTATION OF ACRES

Mr. Allen indicated per 1/23/91 telecon that he bought 25 acres located north of the pipeline/ditch that more or less bisects the tract. Note that in Sec. 8 SESE, irrigated land includes 14.5 acres north of the pipeline/ditch and 16.5 acres south of it. The transfer addresses a P/D change and will result in three split rights (63-00353 A & B etc.). The decree did not identify acres per tract. We can identify the acres/tract via the 1987 ASCS aerial photo (see Attachment A). To further interpret the photo, I met with Mike Anderson on 12/6/90 at the Canyon County ASCS office to discuss the photo and to look at other aerial information (slides of area offer better look at irrigated land). The acres listed on pages 4, 6, and 8 of the transfer derive from the meeting and photo interpretation and include 110.5 irrigated acres within the place of use of 63-00353 through 63-00355, which was determined from technical methods and 1987 data without visiting the P/U.

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In the future, SRBA field work related to the P/U may reveal additional irrigated land in some of the tracts, e.g. pasture irrigation that does not appear to be irrigated on the photos. The following list outlines possible discrepancies that may occur between photo interpretation and site visits (approx. 49 acres).

1. Sec. 8 SENW - 29 acres not irrigated in the last five years (per Mike Johnson).
2. Sec. 8 Lot 2 (NESW) - 4 acres same as #1.
3. Sec. 8 NWNWSE - 4 acres same as #1 & 2. Nos. 1-3 are west of Hwy. 45.
4. Sec. 8 E 1/2 NWSE - approx. 10 acres conceivably could or did at one time include pasture or other low intensity irrigation.
5. Sec. 8 NE 1/4 Lot 1 (SWSE) - same as #3 but approx. 2 acres. Nos. 4 and 5 are east of the highway.

According to photos and Mike Johnson's records, the land in Sec. 8 NWSE and SWSE east of Hwy. 45 has not been irrigated for many years. Much of it is a cinder cone area used for cinder extraction in construction, landscaping, and so on.

Attachment A delineates cropland in the tracts identified in rights 63-00353 through 00355 as well as SRBA claims A63-00355A, 21608, and 21348. The claims relate to split and combined parts * of the decreed rights. The transfer file will be helpful in analyzing the SRBA claims. Copies of this memo were filed with the above claims. (* see page 3)

CONCLUSION

These rights became quite confusing after reviewing the SRBA files. Possibly, a partial transfer of one or more of the rights occurred prior to 1987 via a verbal agreement between landowners but without a transfer approved by IDWR. This raises an adjudication issue that is perhaps outside of the scope of the current transfer application. If so, the P/D transfer could be linked to 14.5 acres in Allen's portion of the decreed rights without consideration of the SRBA claims. On the other hand, the interests of the involved parties, including IDWR, may be served by solving the riddle of these rights during the processing of this transfer.

Based on the former choice, the confirmed irrigated acres and rate per acre for each right are shown on application pages 4, 6, and 8. Therefore, the P/D transfer includes the following instead of the rates and 25 acres on page 1 of the application:

63-00353B	.32 cfs	for 14.5 acres,	
63-00354B	.37 cfs	for 14.5 acres,	
63-00355B	.46 cfs	for 14.5 acres	(total equals 14.5 acrs).

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Transfer 63-00353 through 63-00355, Page 3

* 63-00353 2.40 cfs irrig.

63-00354 2.80 " "

63-00355 3.40 " "

A63-00353A 0.88 cfs irrig. (from 63-00353)

A63-21608 1.00 " " (did not specify amount per right in split/combo)

A63-21348 1.52 " " (.5 from 00353, .5 from 00354, .52 from 355)

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