

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 43-144B
Date Received: 7/3/89
Receipt No: S008435
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

RODNEY HALL Phone: (208)645-2517
DORIS J HALL Phone: (208)645-2517
PO BOX 631
MALTA ID USA 83342

2. Date of Priority: 03/31/1886

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13S	26E	24	NW NE NW	CASSIA	

5. Description of diverting works:

APPROVED DISTRIBUTION DAM & WIER, DIRT DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	7/01	0.9	

7. Total Quantity Appropriated is:
0.9 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
13S	27E	18	SW SW 4	IRRIGATION	25
			SE SW	IRRIGATION	15
				Section Acres	40

13S	27E	19	NE	NW	1	IRRIGATION	40
			NW	NW		IRRIGATION	30
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	40
			SW	NW		IRRIGATION	42
			SE	NW		IRRIGATION	40
						Section Acres	232
13S	27E	24	NE	NE		IRRIGATION	35
			SE	NE		IRRIGATION	38
			SE	SW		IRRIGATION	25
			SW	SE		IRRIGATION	28
						Section Acres	126
13S	27E	25	NE	SE		IRRIGATION	20
			NW	NE		IRRIGATION	28
			NE	NW		IRRIGATION	25
						Section Acres	73
						Total Acres	471

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

PORTION OF 43-00144 DECREE.
CHANGE OF OWNERSHIP DATA ENTERED ON 2-16-2001 BASED UPON INFORMATION SUPPLIED BY
RODNEY HALL. KKC

15. Basis of Claim: Decreed



NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

MAR 27 1995

Department of Water Resources
Southern Region

DATE OF CLOSING: 1-6-1993

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) 04209, 04210
Assigned by IDWR: A43-10454, 10456, 10554, 04211, 02281, 00031, 00144B,
- [] Name and Address of Former Owner/Claimant(s)(Seller): Glen R. Kunau
1941 Miller Ave.
Burley, ID 83318
- [] New Owner/Claimant (Purchaser): Rodney N. &/or Doris J. Hall
- [] New Mailing Address: PO Box 631
Malta, ID 83342
- [] New Telephone Number: () 645 - 2517
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: Warranty Deed

(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 owner/claimant.)

- [] Signature of New Owner/Claimant(s) Rodney N. Hall Date 27 Mar 95

Date _____
- [] Signature of Former Owner/Claimant(s): _____ Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

June 28, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

RODNEY N HALL
PO BOX 631
MALTA ID 83342

RE: SRBA CHANGE OF OWNERSHIP
A43-04210, A43-10554, A43-00031, A43-00144B

Dear Mr. Hall:

I wanted to confirm our telephone conversation of June 22, 1995. When doing a change of ownership, I verify the property listed as being sold on the warranty deed is the same as the property listed on the water rights claim forms. It was during this process that I found that not all the property associated with the water rights listed above was listed on the warranty deed. Specifically, in Township 13S, Range 26E, Section 24 the SESW and the SWSE tracts and in Section 25 the NENW, NWNE, and the NESE tracts were not shown as having been purchased by you on the warranty deed. I am enclosing two maps showing the difference between the property listed on the warranty deed and the property listed on the water right claim forms.

If you have purchased from Mr. Kunau all the property outlined in blue on the enclosed map, you can do one of two things. You can supply me with a copy the warranty deed showing you as the new owner of the property circled in yellow (on the enclosed map) or you can have Mr. Kunau sign the enclosed Notice of Change of Ownership form where it is highlighted in green. If you can obtain Mr. Kunau's signature, I will not need a warranty deed. Please return the Notice of Change of Water Right Ownership form either with a warranty deed or Mr. Kunau's signature to the above address.

Thank you for helping me straighten this out, Mr. Hall. If you have any questions regarding this matter, please feel free to give me a call at 736-3033.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

enclosures

Scale: 2 inches equals 1 mile

135 26E

135 27E

133 26E

13

18

25

15

35

30

40

40

24

38

40

40

25

28

40

30

30

N

S

E

W

— This is all the property listed in water right claims listed in the ownership form.

Last Name

Ident No.

Copies: White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile

135 26E

BS 27E

13 26 13 212

13 18

24 19

25 30

This is the property listed on warranty deed as having been purchased by you.

Last Name

Ident No.

Copies: White-State, Yellow-Claimant

223631

WARRANTY DEED

For Value Received GLEN R. KUNAU and DONA KUNAU, husband and wife, an undivided one-half interest; and KRISTIE K. STAFFORD, KAREN PINDER, ROBERT J. KUNAU, SCOTT KUNAU, all married persons dealing with their sole and separate property, and RICHARD G. KUNAU, a single person, an undivided one-half interest

the grantors do hereby grant, bargain, sell and convey unto

RODNEY N. HALL AND DORIS J. HALL, husband and wife
P.O. Box 631, Malta, Idaho 83342

the grantees, the following described premises, to-wit:

TOWNSHIP 13 SOUTH, RANGE 27 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 18: Lot 4 and the SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 19: Lots 1 and 2, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ NE $\frac{1}{4}$

TOWNSHIP 13 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 24: E $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPT that part deeded to the Raft River Rural Electric Cooperative, Inc., a corporation, described as follows:

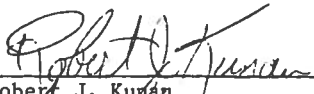
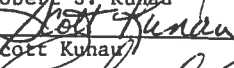
Commencing at the Northeast corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, running thence 100 feet South along the East boundary line of the said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence West 100 feet; thence North 100 feet to the North boundary line thereof; thence East along said North boundary line to the Point of Beginning.

TOGETHER with an easement for a roadway 20 feet wide, being 10 feet on the center line thereof extending over and across the said NE $\frac{1}{4}$ NE $\frac{1}{4}$ of the said Section 24, from the real estate herein above described to the existing roadway upon the said premises, together with the right of ingress and egress to the premises first above described over the existing roadway and the right of way hereby conveyed.

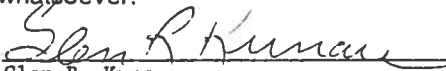
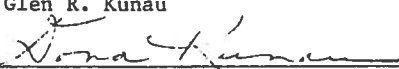
SUBJECT TO: General taxes for the year 1993 and subsequent years.

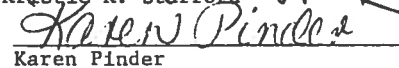
TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as above described, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 6, 1993


Robert J. Kunau

Scott Kunau

Richard G. Kunau


Glen R. Kunau

Dona Kunau

Kristie K. Stafford

Karen Pinder

STATE OF IDAHO, COUNTY OF CASSIA:

On this _____ day of _____, 19____, before me, a notary public in and for said State, personally appeared

known to me to be the person whose name within instrument, and acknowledged to me that

subscribed to the executed the same.

Residing at _____, Idaho. Comm. Expires _____

STATE OF
COUNTY OF

SS

On this 25th day of January 19 93, before me,
a notary public in and for said State, personally appeared
Richard G. Kunau known to me to be the
person whose name is subscribed to the within instrument, and
acknowledged to me that they executed the same.

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

[Signature]
Notary Public
Residing at
Comm. Expires 8/2/93

STATE OF Maryland
COUNTY OF Howard SS.

On this 16th day of January 19 93, before me,
a notary public in and for said State, personally appeared
Kristie K. Stafford known to me to be the
person whose name is subscribed to the within instrument, and
acknowledged to me that they executed the same.

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

[Signature]
Notary Public
Residing at Columbia MD
Comm. Expires My Commission Expires August 24, 1996

COMMONWEALTH OF THE BAHAMAS)
ISLAND OF NEW PROVIDENCE)
STATE OF CITY OF NASSAU) SS
COUNTY OF EMBASSY OF THE UNITED STATES)
OF AMERICA)

On this 14th day of January 19 93, before me,
a notary public in and for said State, personally appeared
Karen Pinder known to me to be the
person whose name is subscribed to the within instrument, and
acknowledged to me that they executed the same.

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

[Signature]
~~ROBIN L. HAASE~~ ROBIN L. HAASE, VICE CONSUL
Residing at NASSAU, N.P., BAHAMAS
Comm. Expires Indefinitely

RECORDED
FRANK D. KIRKMAN
CASSIA COUNTY CLERK
FEE 9.00 DEPUTY

1993 MAR 18 A 9 13

RECORDED AT THE REQUEST OF
CASSIA COUNTY ABSTRACT
FILM 242

11E9E22

STATE OF
COUNTY OF

ss

On this 25th day of January 19 93, before me,
a notary public in and for said State, personally appeared
Robert J. Kunau known to me to be the
person whose name is subscribed to the within instrument, and
acknowledged to me that they executed the same.

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

Paul C. Beel
Notary Public
Residing at
Comm. Expires 8/2/93

STATE OF Ohio
COUNTY OF Hamilton ss.

On this 20th day of January 19 93, before me,
a notary public in and for said State, personally appeared
Scott Kunau known to me to be the
person whose name is subscribed to the within instrument, and
acknowledged to me that they executed the same.

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

Rosina E. Perkins
Notary Public
Residing at
Comm. Expires ROSINA E. PERKINS
Notary Public, State of Ohio
My Commission Expires March 30, 1993

STATE OF
COUNTY OF

ss.

On this 25th day of January 19 93, before me,
a notary public in and for said State, personally appeared
Glen R. Kunau and Dona Kunau known to me to be the
person whose name is subscribed to the within instrument, and
acknowledged to me that they executed the same.

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

Paul C. Beel
Notary Public
Residing at
Comm. Expires 8/2/93

450

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: A43-00144B
Date Received: 6/26/1989
Receipt No: 5008435
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN R. KUNAU 208-678-5310
Address: 1941 MILLER AVE.
BURLEY, ID 83318

2. Date of Priority: MAR 31, 1886

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	26E	24	NW	NE	NW		CASSIA

5. Description of diverting works:
APPROVED DISTRIBUTION DAM & WIER, DIRT DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	07/01	0.900		

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

8. Total consumptive use is 162.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	18	SW	SW	4	IRR	25.0
			SE	SW		IRR	15.0
Section Acres							40.0

A43-00144B

Page 1

Date: 06/26/89

MICROFILMED

MAR 02 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	19	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW	1	IRR	30.0
			SW		NW		IRR	42.0
			SE		NW		IRR	40.0
								Section Acres
								232.0
		24	NE		NE		IRR	35.0
			SE		NE		IRR	38.0
			SE		SW		IRR	25.0
			SW		SE		IRR	28.0
								Section Acres
								126.0
		25	NW		NE		IRR	28.0
			NE		NW		IRR	25.0
			NE		SE		IRR	20.0
								Section Acres
								73.0
								Total Acres
								471.0

owned by John Kanan

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

A43-00031,00275A,04211,04210,02308,02281

14. Remarks:

PORTION OF 43-00144 DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

vs

JOBE ADAMS ET AL

Decree Defendant

A43-00144B

Page

2

Date: 06/26/89

MICROFILMED

MAR 02 1993

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): Elen R Kuman Date: June 29, 1989

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 29 day

of June 19 89

Lon W White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

Water Right Number - 43-00144 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

*** C - CURRENT OWNER ***
HITT JAMES B.
1 -
2 -
3 -
City-
Phone - State- Zip-

Priority Date - 03/31/1886 + - - - Region - 17 + - - - Stage - D - DECREED + - - - Status -

Source - CASSIA CREEK + - - - Tributary - RAFT RIVER

Twn Rng Sec Tract Lot RFlg County Point of Diversion - - - - -

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01 - IRRIGATION

1.800

Total Div. Rate - 1.800 + - Total Div. Volume - + - Total Div. Capacity - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
13S	26E	13	NE SE				01	IRRIGATION	31 CASSIA
13S	26E	13	SE SE				01	IRRIGATION	31 CASSIA
13S	26E	24	NE NE				01	IRRIGATION	31 CASSIA
13S	26E	24	SE NE				01	IRRIGATION	31 CASSIA

Total Acres:

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks - - - - - No Remarks found.

Conditions of Approval - - - - - No Conditions of Approval found.

Decree Plaintiff - - - + Decree Defendant - - - + Decree Date - +
ALBION-IDAHO LAND CO. JOBE ADAMS ET AL 10/18/1928

MICROFILMED
MAR 02 1993

WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - 43-00144

Adj. flag translation: Standard Water Right Number

- - - Audit Fields -

+ - - - - - 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	
Start Work Date	-	00/00/0000	Verified Date	-	04/23/1985	DLE/Carey Act	-		
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-	43C	
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-		
Decree Date	-	10/18/1928							

MICROFILMED
MAR 02 1993

Date Received

RECEIVED
JUN 09 1989

State of Idaho
Department of Water Resources

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

GLEN R. KUNAU

Name of Claimant

1941 MILLER AVE

Post Office Address

BURLEY ID 83318

City, State, Zip Code

CASSIA

County(s) where Place of Use is located

June 8 1989

Date Claim Originally Due

Cassia Cr. Decreed rights & wells
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

DAVE, I was able to finish 1/2 their filings
but line started backing up. Mr. Kunau
has been attempting to file since May. He
agreed to file this extension and will begin to
Claimant requests an extension to June, 1989.
finish next week.
lw

Glen R. Kunau
Signature

Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted denied,
and the filing deadline extended to 7/1, 1989.

Signed this 13 day of June, 1989.

DAVID B. SHAW
Director or his designated agent
MICROFILMED
JUN 22 1989

05/09/2001

**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: June 15, 2001

Water right number: 43-144B

DORIS J HALL
PO BOX 631
MALTA ID 83342
Telephone Number: (208)645-2517

RODNEY N HALL
PO BOX 631
MALTA ID 83342
Telephone Number: (208)645-2517

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

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

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

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

DATE:

12 Jun 01

SIGNATURE:

Rodney N Hall

Please print your name:

Rodney N Hall

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

RECEIVED
JUN 18 2001
Department of Water Resource
Southern Region

03/19/2001

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

RIGHT NUMBER: 43-144B

NAME AND ADDRESS: DORIS J HALL
RODNEY HALL
PO BOX 631
MALTA, ID 83342

SOURCE: CASSIA CREEK TRIBUTARY: RAFT RIVER

QUANTITY: 0.9 CFS

VERIFIED BY KKC

PRIORITY DATE: 03/31/1886

POINT OF DIVERSION: T13S R26E S13 SWSSEW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	0.90 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County					
T13S R26E S24		NENE	39	T13S R26E S24	SENE 38
T13S R27E S18	LOT 4	SWSW	49	T13S R27E S18	SESW 28
T13S R27E S19		NWNE	38	T13S R27E S19	SWNE 38
T13S R27E S19		NENW	40	T13S R27E S19	LOT 1 NWNW 48
T13S R27E S19	LOT 2	SWNW	47	T13S R27E S19	SENW 40

405 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 405 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS. 43-31, 43-144B, 43-10554, 43-2281, 43-4209, 43-12946, AND 43-4211

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 77 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Dept of Water Resources
Claims review notes and narrative

Date: 1-3-2001

File: 43-02281 and others kunau pu

Prepared by Kelly K Christensen

43-02281, 43-04209, & 43-04211

SYSTEM ANALYSIS (GROUNDWATER)
KUNAU CLAIMS

The current system is a common pipeline tying groundwater and surface water together to irrigate a permissible place of use (PP/U) found to be 405 acres. The groundwater system does not cover all of the ground included in the surface water rights. Two wells exist within this system and they were claimed through three different rights.

Claims A43-02281 and A43-04211 claim the well located in 13S, 27E, Sec 19, NWNW. Claim A43-04209 claims the well in 13S, 27E, Sec 19, SWNW.

ANALYSIS OF A43-02281

This claim matches the licensed right as transferred. A transfer was filed to correctly identify the point of diversion. A season of use of 3-15 to 11-15 was assigned to this right at that time. All of the claimed and licensed plus additional acreage is irrigated; therefore this right is recognized for its licensed place of use of 80 acres. In reviewing the documents in the microfiche, it appears that the system was developed in 1932 (see Proof of Beneficial use) for the licensed place of use. All information also points to only the licensed acres as being irrigated as of June of 1941.

ANALYSIS OF A43-04211

This claim is from the same well as A43-02281 but is for acres in the adjoining section to the west. That claim identifies 67 acres as the place of use. Within the two forties identified as the place of use I found 65 irrigated acres. Those 65 acres includes a dirt access road as part of the irrigated place of use. It does exclude the Raft River Rural Electric easement property.

The claim indicates a 1940 priority date. Circumstantial evidence on microfiche for 43-2281 would indicate that that ground was not irrigated in 1940. Further the licensing field exam would indicate that the capacity for the system in 1941 was approximately the licensed rate (a Parma water lifter rated at 2.00 cfs). The statutory claim states in item 5.B. that there was a hand dug well in 1940 and the well was deepened in the early 1950s. The assumption is that the current 150-hp motor was installed at that time. Based upon the information currently before me, I am recommending this right with a 1955 priority date, and at 1 inch per acre for the additional acres.

The system in 1955 is not known. Currently I found a 150-hp pump operating a sprinkler system. Lifting from 100 ft and against 40 psi would produce approximately 4.80 cfs at 70% efficiency. The combined diversion rates for 43-2281 and 43-42111 are 3.00 cfs. This is less than the theoretical calculation. Recommended rate is $65 \text{ ac} * 0.02 = 1.30 \text{ cfs}$ and the volume limitation is $65 \text{ ac} * 4 = 260 \text{ afa}$.

43-04209

This is the third groundwater right that is tied into the system. This well is located approximately ¼ mile south of the well described above. The original statutory claim described a place of use in the north ½ NW ¼ of sec 19 and the west ½ NW ¼ of sec 18. There is necessarily some overlap with the claimed place of use for 43-02281 based upon the number of acres claimed in the north ½ NW ¼ of sec 19.

	NWNW	NENW
Actual acres Lot 1	48.8 ac	39.6 ac
Irrigated acres	47.5	39.6
43-02281	30.0	10
43-04211	28.0	40
total claim acres	58	50

Although the NWNW quarter is over claimed by a minimum of 10.5 acres and the NENW quarter by 10.4 acres, the historical overlap of the systems is not known. It is my understanding that the original systems were independent of each other as far as the ditch systems used irrigated different lands. I am therefore recommending the irrigated acres within the claimed place of use less the 40 acres previously recognized under 43-2281 located in the N½NW¼ of sec 19. The found and recommended place of use is 217 acres. This recognizes acre shifting between quarter/quarters from the claimed place of use to the recommendation.

The claimed priority date is 1940, however the statutory claim indicates in item 5.B. that the well was deepened in 1955 and a 100-hp motor installed delivering water to the place of use through a pivot and sprinkler system. Assuming the 100 hp, at 70% efficiency, pumping at 100 ft against a 40-psi sprinkler system the system capacity would be 3.20 cfs. My recommendation is for the 1955 priority date at 3.20 cfs as developed at that time. The recommended volume limitation for this right is 217 ac * 4 = 868 afa. I am not recognizing the earlier priority date as the currently available information would indicate that a smaller diversion rate was perfected at that time (limited info available).

43-31 & 43-144B (CASSIA CREEK)**43-10554 & 43-4210 (RAFT RIVER)****SYSTEM ANALYSIS (SURFACE WATER)****KUNAU CLAIMS**

All three claims identify a common place of use that includes two separate locations. A change of ownership has been submitted that identifies a portion of the claimed place of use. The 'north' portion of the place of use claimed at 345 acres is identified as being sold to Rodney Hall and Glen Kunau maintains the 'south' portion ownership claimed at 126 acres. No information identifying the desired splitting of the rights has been submitted, therefore the claims are being recommended in Glen's name only.

43-10554 identified as 43-00143 (RAFT RIVER)

CLAIM VS DECREE COMPARISON.

Priority date	Diversion rate	Season of use	Place of use	
4-1-1883	3.40 cfs	4-1 to 10-1	471 acres within sections 18 & 19 in 13S, 27E and sections 24 & 25 in 13S, 26E	
4-1-1883	3.40 cfs	4-1 to 10-1	13S, 27E, Sec 19	Lt 2, W½NE¼, SE¼NW¼

As the claimed information agrees with the decreed information for most of the elements I am recognizing this right as being based upon 43-143.

The point of diversion was not decreed. The claimed place of use is a PP/U that includes the decreed place of use although the claimed place of use for government lots within Sec 18 and 19 are less than the lot acreage found to be irrigated.

Raft River runs south to north through two forty-acre tracts of the decreed place of use. The river channel has been straightened out since 1987. Although some additional acreage may have been added to the system of cultivated ground along the river channel, the number of 'new' acres have not been identified. I found 163 irrigated acres within the original decreed place of use and this is the limitation for this right.

A43-04210

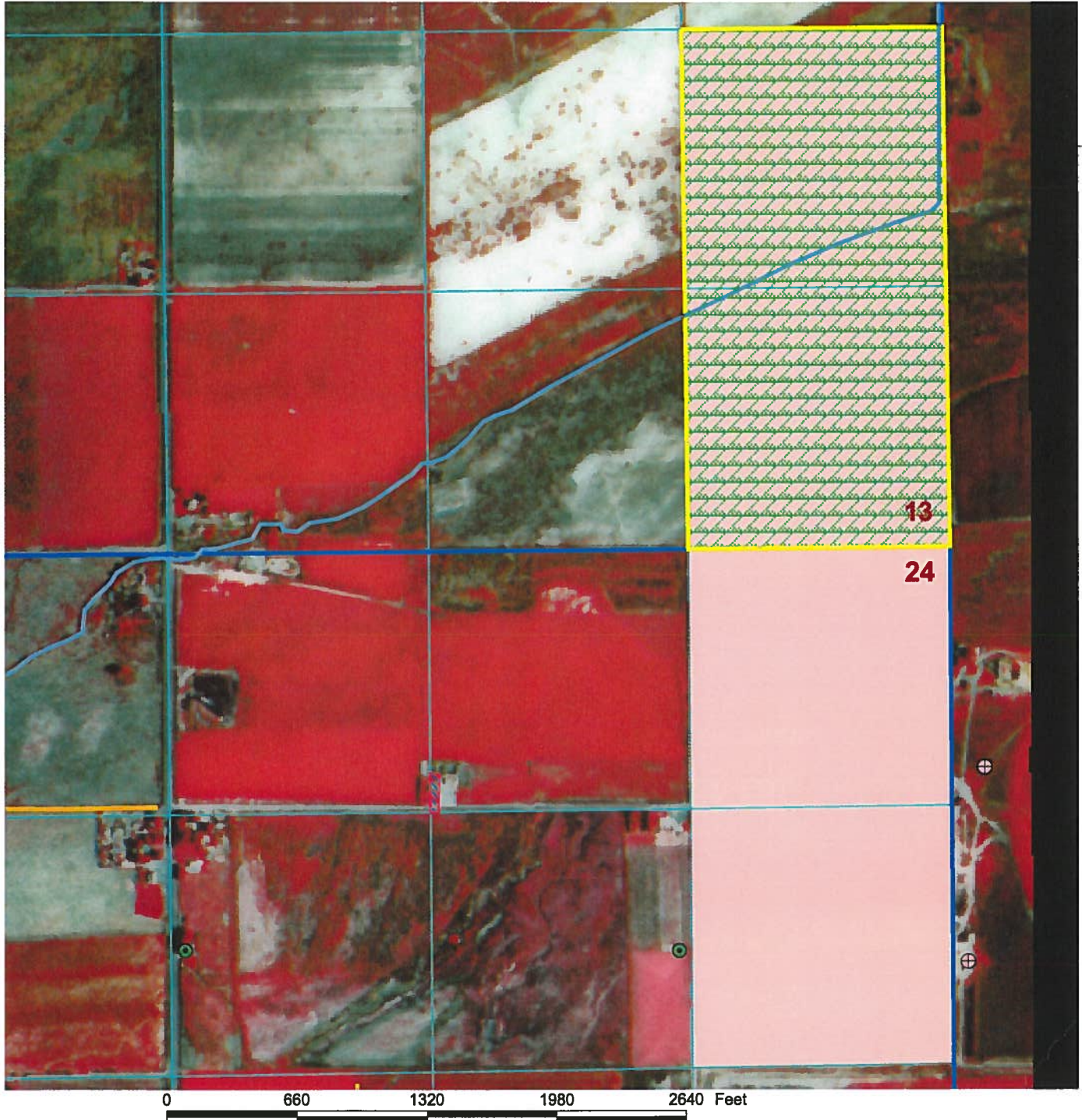
This claim is for Raft River water and is supplemental to other rights. The claim indicates that the water is piped to separate locations. Rodney Hall indicated that this right should be split between Kunau and Hall. As of the date of this review I have not received direction as to how the right should be split.

Evidence of priority was not submitted for this claim. The statutory claim indicates a 1940 priority date but as previously noted the 'southern' portion of the claimed place of use was not irrigated in 1968. Not enough information exists for me to recommend this right at this time.

RECOMMENDATION: DISALLOW - P01, NO LAWFUL APPROPRIATION SHOWN

IDAHO DEPARTMENT OF WATER RESOURCES

**CLAIMED P/U vs DECREED P/U
FOR 43-00144**



TWP 13S; RNG 26E
FIELD EXAM DATE AGENT

JPEG LAYOUT CREATED _____

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

-  DECREED P/U
-  CLAIMED P/U FOR A43-00144A
-  SECTION LINES
-  QUARTER QUARTER LINES

CASSIA Co.



SPLIT ANALYSIS FOR 43-00144

Prepared by KKC
5-25-99

D-0611-2 Basin: 43 Starting Water Right: 00144

S	O	S
E Water	Name	W Priority
L Right No.	Last, First	N Date
		STG/ STSSource
		Use Y
		Desc S
- 43-00144	HITT, JAMES B	C 03/31/1886 D/ CASSIA CREEK IRR WR
- A43-00144	SPLIT RIGHT	C 03/31/1886 /Z CASSIA CREEK IRR AJ
- A43-00144A	SPLIT RIGHT	
- A43-00144A	NYE, A D	C 03/31/1886 D/ CASSIA CREEK IRR AJ
- A43-00144A	NYE, ANN	C
- A43-00144B	KUNAU, GLEN R	C 03/31/1886 D/ CASSIA CREEK IRR AJ

