

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: **A43-00165C**
Date Received: 6/ 7/1989
Receipt No: S007625
Received By: 

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JD HUTCHISON 208-645-2534
Address: HC 72 BOX 2184
MALTA ID 83342
OR
Name: JOYCE HUTCHISON 208-645-2534
Address: HC 72 BOX 2184
MALTA ID 83342

2. Date of Priority: APR 1, 1871

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	7		SW	NE		CASSIA
		20		NW	SW		CASSIA

5. Description of diverting works:
HEADGATES TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/30	07/01	0.610		

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

8. Total consumptive use is 720.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 DAIRY

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	7	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 240.0

Total Acres 240.0

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:

SEE REMARKS.

14. Remarks:

TRANS. 2505 & 665.

THIS CLAIM IS A COMBINATION OF A PORTION OF THIS WR: 43-00165 ORIGINAL DECREE FOR 3.2 CFS, THIS PART FOR 0.61 CFS.

CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND IRRIGATION CO.) CLAIMANT NOW OWNS 4 PLACES AND SO HE MULTIPLIES THE FIRST FIGURE BY 4.

*****OTHER WATER RIGHTS*****

A43-00164B(43-00175) A43-00165C A43-00168C

A43-10789 A43-00172C A43-00169E

A43-00178D*****

CLAIM AMENDED TO CORRECT POINT OF DIVERSION AND PLACE OF USE.

5/20/97 jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/28/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS, ET. AL.

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): J. D. Hutchinson Date: 5-20-97

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of May 19 97

Jeanie Robertson
Notary Public

Seal

Residing at Twin Falls, Id.
My Commission Expires 9-23-2000

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

May 20, 1997 3:54pm

CUSTOMER

JD HUTCHISON & JAY HARPER

A43-00165C,
A43-00168C,
A43-00169E,
A43-00172C,
A43-00178D,
A43-10789,
A43-10792

SUBJECT: AMENDING CLAIMS...

phone call (.) walk-in (X)

Corey was working on a transfer with them and they noticed that the point of diversion was wrong on these claims and many did not have the place of use entered. Apparently there was an old transfer which changed the point of diversion but the old point of diversion was claimed. Mr. Hutchison amended these claims to correct the point of diversion and add the place of use where necessary...

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2. Date of Priority: APR 1, 1871

3. Source: RAFT RIVER Trib. to: SNAKE RIVER

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14S	27E	17	NW	SW	SW		CASSIA

5. Description of diverting works:
HEADGATES TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/30	07/01	0.610		

7. Total Quantity Appropriated is:
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8. Total consumptive use is 720.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 DAIRY

MICROFILME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14S	27E	7	SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							240.0
Total Acres							240.0

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:
SEE REMARKS.

14. Remarks:

TRANS. 2505 & 665.
THIS CLAIM IS A COMBINATION OF A PORTION OF THIS WR: 43-00165
ORIGINAL DECREE FOR 3.2 CFS, THIS PART FOR 0.61 CFS.
CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL
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A43-00164B(43-00175) A43-00165C A43-00168C
A43-10789 A43-00172C A43-00169E
A43-00178D*****

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/28/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS, ET. AL.
vs Decree Defendant

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): _____ 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 _____

MICROFILMED

MAR 02 1993

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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JOBE ADAMS, ET. AL.
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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): Jayce Hutchinson Date: 6/7/89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of June 19 89 Steve Collins
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

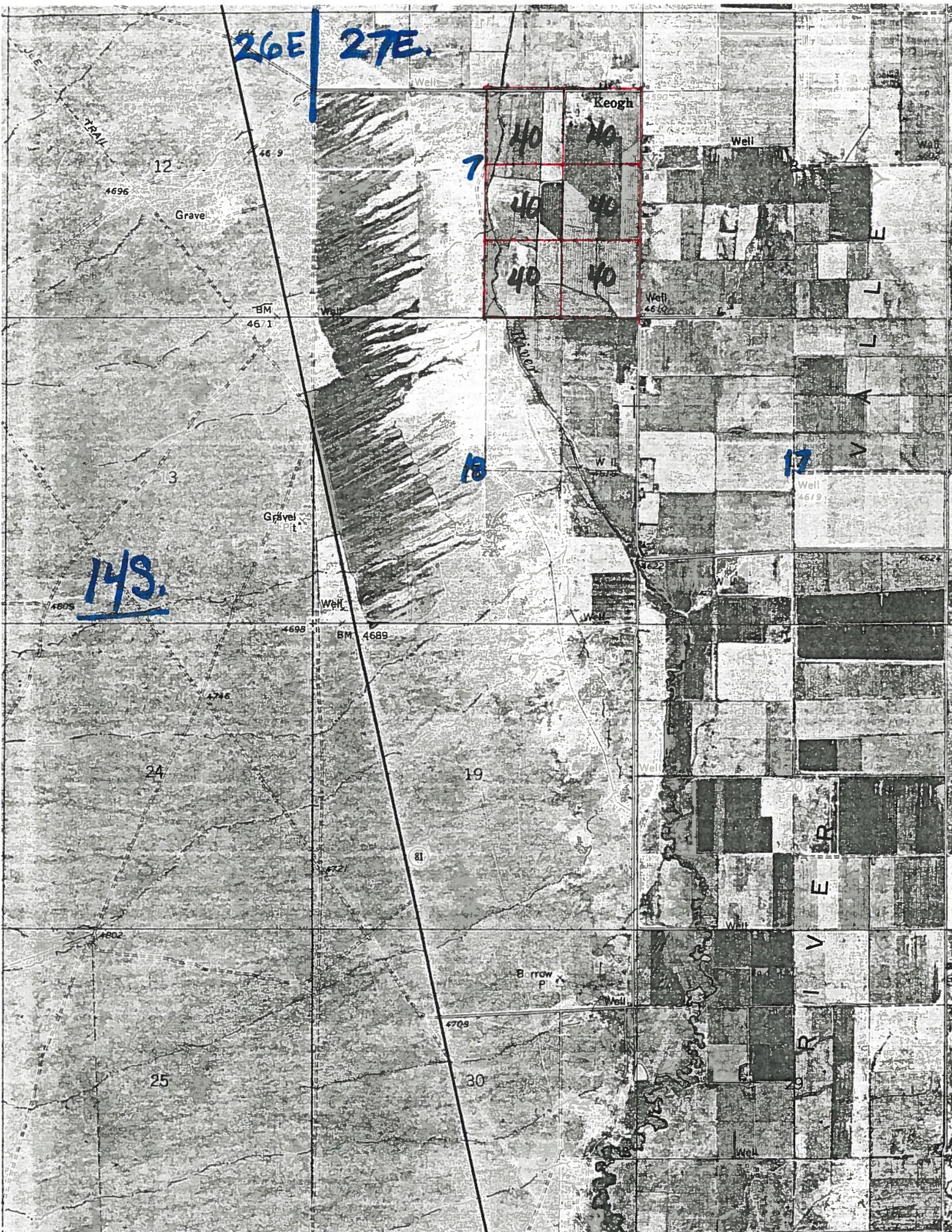
A43-00165C

J.D. Hutchison

43-02456 / #26768

43-0164 B	—	4.76"	.095	} ~~.19~~ .19 cfs
-0165 C	—	30.48"	.61 cfs	
~~-0175 *~~	—	4.76"	.095	
~~-0176 *~~	—	40.08"	.80	} 1.41
-0166 B	—	30.48"	.61	
-0168 C	—	91.44"	1.83	
-0172 C	—	30.48"	.61	
-0169 A E	—	68.56"	1.37	
		<u>301.04"</u>	<u>6.02 cfs</u>	
-0178 D	¹⁹¹¹ —	160"	3.2	

P.D.
NWSWSW
S.17



whitaker

~~156.3 Ac.~~~~108.5~~

48.3

120

145.

25E.

HOUSE

SW SE

RD. 1973

Stock
60 H/d

3
A43-10201

MAHA →
43-10203

A43-00344
-00345
-00346

1966

1966

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

12/07/2000

RIGHT NUMBER: 43-165C

NAME AND ADDRESS: JD HUTCHISON
JOYCE HUTCHISON
HC 72 BOX 2184
MALTA, ID 83342

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.61 CFS
75 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.58 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 916 AF. COMBINED RIGHT NOS.: 43-
00165C, 43-00168C, 43-00169E, 43-00172C, 43-00178D, 43-10789,
43-11291, & 43-11292.

WHEN COMBINED THE RIGHTS LISTED BELOW SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA. COMBINED RIGHT
NOS.: 43-00165C, 43-00168C, 43-00169E, 43-00172C, 43-00178D,
43-02367, 43-02456, 43-10789, 43-11291, & 43-11292.

PRIORITY DATE: 04/01/1871

POINT OF DIVERSION: T14S R27E S7 SWSWE Within CASSIA County
T14S R27E S20 NWNWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-30 07-01	0.610 CFS 75.0 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County			
T14S R27E S7	SWNE	38	T14S R27E S7 SENE 33
T14S R27E S7	NESE	39	T14S R27E S7 NWSE 40
T14S R27E S7	SWSE	40	T14S R27E S7 SESE 39

229 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 229 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00165C, 43-00168C, 43-00169E, 43-
00172C, 43-00178D, 43-02367, 43-02456, 43-10789, 43-11291, &
43-11292.

Water Right 43-165C

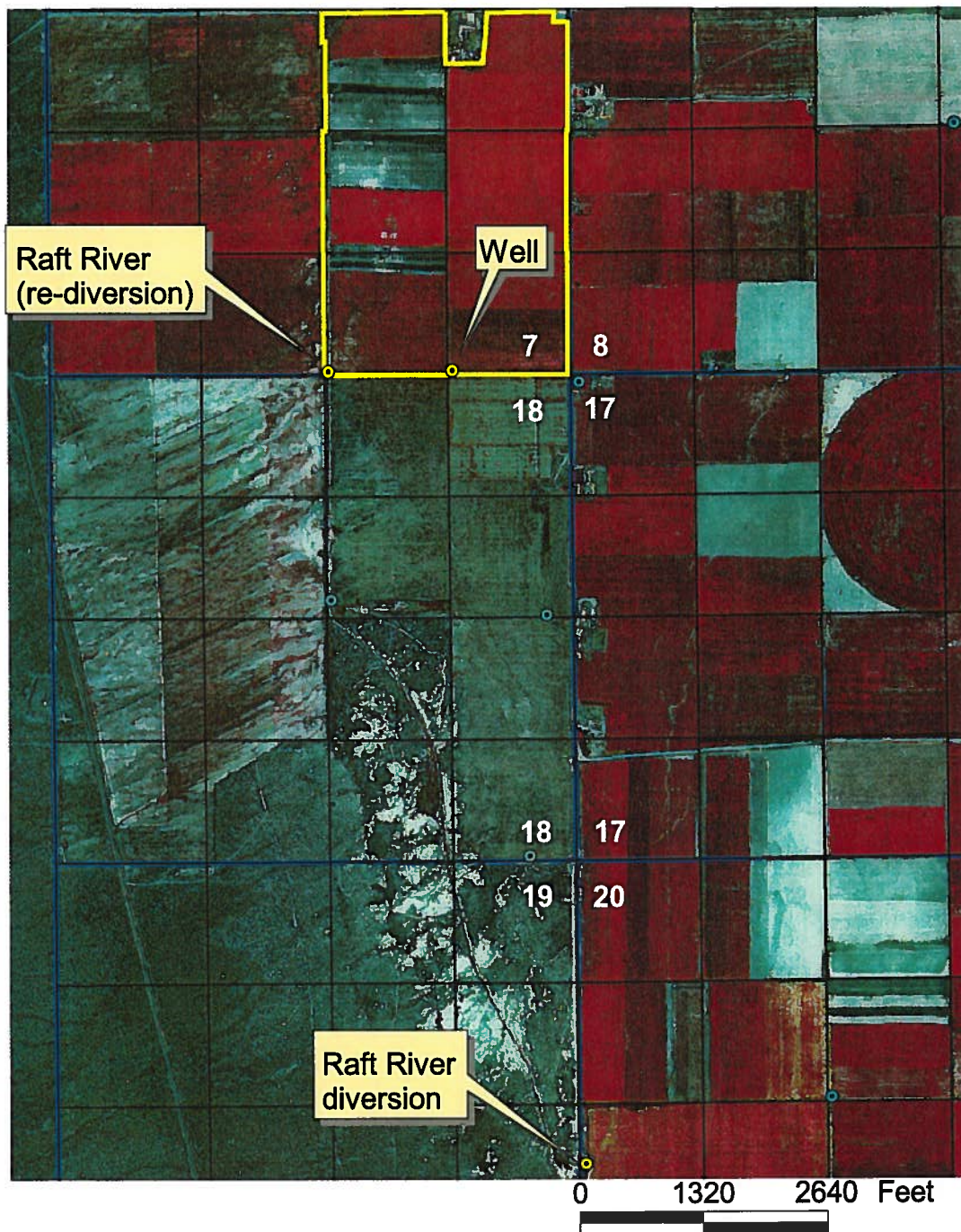
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 Department of Water Resources

43-00165C, 43-00168C, 43-00169E, 43-00172C,
43-00178D, 43-02367, 43-02456, 43-10789, & 43-10792



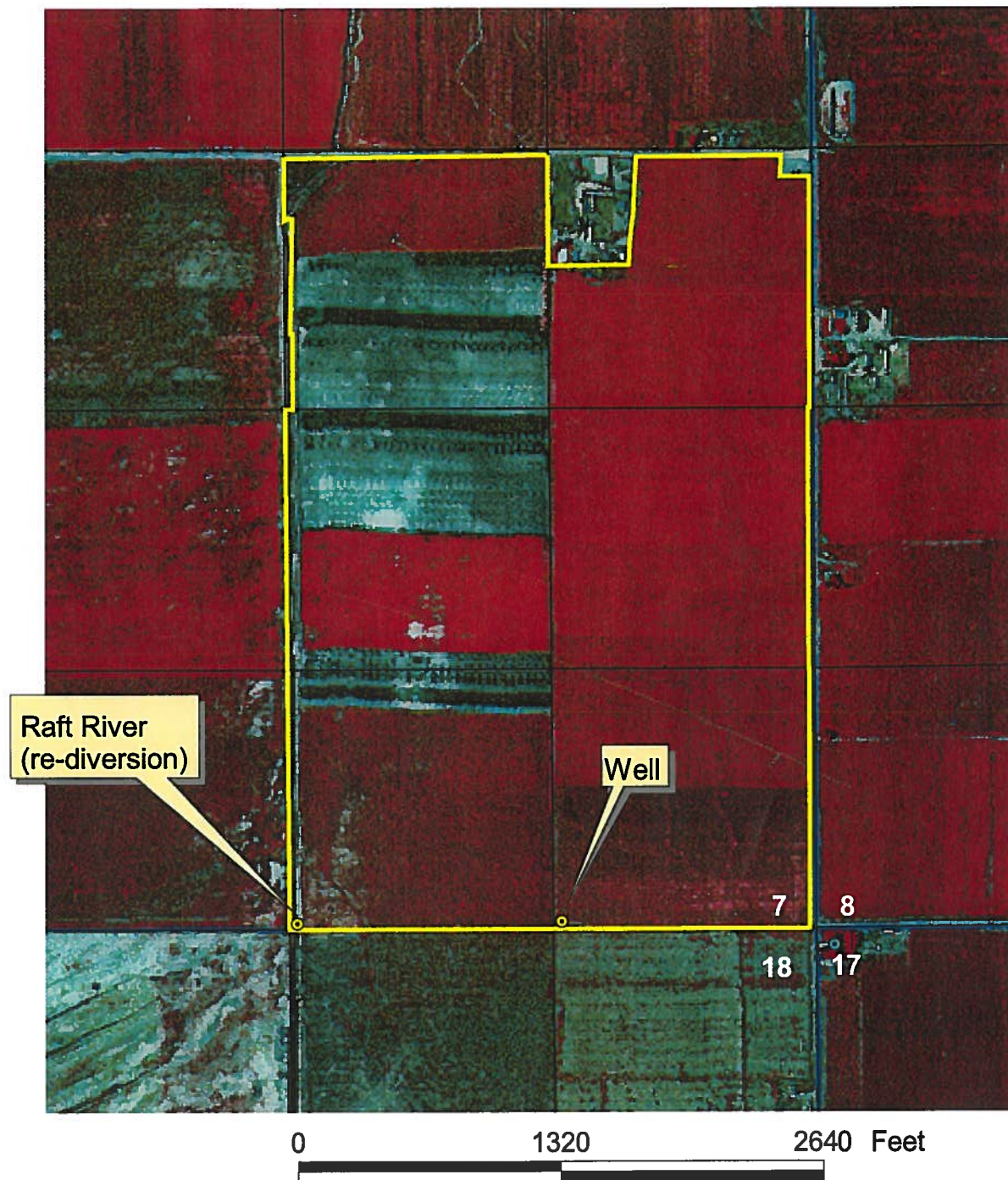
RECOMMENDED PLACE OF USE
DATA ENTRY ON DEC. 6, 2000
TWP 14S, RNG 27E, SEC. 7

- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

Idaho Department of Water Resources

43-00165C, 43-00168C, 43-00169E, 43-00172C,
43-00178D, 43-02367, 43-02456, 43-10789, & 43-10792



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- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation
1987/1988 Napp Photography
Prepared by Jeanie Robertson

Auther

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5140
WATER RIGHT NO(S). 43-00164B/43-00165B/43-00166B/43-00168B
43-00169D/43-00172B/43-00175B/43-00176B/43-00178D

RECEIVED

This is to certify that: J D HUTCHISON
JOYCE HUTCHISON
HC 72 BOX 2184
MALTA ID 83342

MAR 03 1998
Department of Water Resources
Southern Region

has requested a change to the above captioned water right(s). 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.

43-00164B ✓ 5140

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 43-00164B :			
Priority: 04/01/1871			
IRRIGATION	04/30 to 07/01	0.10 CFS	12.3 AF
Right No. 43-00165B :			
Priority: 04/01/1871			
IRRIGATION	04/30 to 07/01	0.61 CFS	75.0 AF
Right No. 43-00166B :			
Priority: 04/01/1871			
IRRIGATION	04/01 to 07/01	0.61 CFS	110.1 AF
Right No. 43-00168B :			
Priority: 04/01/1879			
IRRIGATION	07/01 to 10/01	1.83 CFS	333.9 AF
Right No. 43-00169D :			
Priority: 06/01/1879			
IRRIGATION	04/01 to 10/01	1.37 CFS	497.3 AF
Right No. 43-00172B :			
Priority: 04/01/1879			
IRRIGATION	04/01 to 10/01	0.61 CFS	221.4 AF
Right No. 43-00175B :			
Priority: 04/01/1871			
IRRIGATION	04/01 to 10/31	0.10 CFS	42.2 AF
Right No. 43-00176B :			
Priority: 04/01/1871			
IRRIGATION	04/01 to 07/01	0.80 CFS	144.4 AF
Right No. 43-00178D :			
Priority: 12/12/1911			
IRRIGATION	04/01 to 10/31	3.20 CFS	916.0 AF
TOTAL:		* 4.58 CFS	* 916.0 AF

TRANSFER NO. 5140
 WATER RIGHT NO(S). 43-00164B/43-00165B/43-00166B/43-00168B
 43-00169D/43-00172B/43-00175B/43-00176B/43-00178D

SOURCE
 RAFT RIVER

TRIBUTARY OF
 SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 7, Township 14S, Range 27E
 NWSW , Sec. 20, Township 14S, Range 27E
 CASSIA County

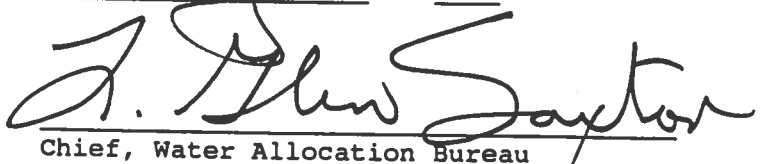
PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	27E	7	SWNE 38	SENE 33	NESE 39	
			NWSE 40	SWSE 40	SESE 39	229
Total number of acres irrigated:						* 229

CONDITIONS OF APPROVAL AND REMARKS

- * 1. Rights 43-00164B, 43-00165B, 43-00166B, 43-00168B, 43-00169D, 43-00172B, 43-00175B, 43-00176B and 43-00178D when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual diversion volume of 916.0 af at the field headgate, and the irrigation of 229.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 43B.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- * 4. The total instantaneous diversion of water from all points of diversion under Transfer 5140 shall not exceed 4.58 cfs, nor total combined annual volume of 916.0 af.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 February, 1998.


 Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 43-00164/165/166/168/169A/172/175/176 & 178B
 FROM: PAM SKAGGS/STATE OFFICE
 SUBJECT: TRANSFER 5140
 DATE: February 19, 1998

Transfer 5140 changes a point of diversion under a portion of the above referenced rights, splitting Rights 43-00164/165/166/168/172/175 & 176 into Parts A & B, and 43-00169A & 178B into Parts C & D.

Region review included a field exam and determination of actual irrigated acres recommending a total of 229 acres instead of 240 described on the application. The use of the rights was difficult to determine due to their frequent unavailability and a change in the river channel. The watermaster of Water District No. 43-B not only approved of this change, but encourages the use of the surface rights to whatever extent possible to conserve groundwater levels in this area.

These rights have non-standard seasons as decreed and as reaffirmed under previous Transfer Memorandum Decision and Order signed 03-31-75. The application (Attachment A) and region memo were inconsistent identifying the season for each right. The approval is based on the decree & MDO identified seasons. This changes the seasonal overlap of these rights as illustrated below.

Seasons:	4-1 to 4-30	4-30 to 7-1	7-1 to 10-1	10-1 to 10-31	
4-1-1871 Priority Rights					Days
43-00175	<--0.10-----	0.10-----	0.10-----	0.10---->	213
43-00176	<--0.80-----	0.80----			91
43-00166	<--0.61-----	0.61----			91
43-00164		<---0.10----			62
43-00165		<---0.61----			62
	1.51 cfs	2.22 cfs	0.10 cfs	0.10 cfs	
4-1-1879 Priority Rights					
43-00172	<--0.61-----	0.61-----	0.61-----		183
43-00168			<--1.83-----		92
	2.12 cfs	2.83 cfs	2.54 cfs	0.10 cfs	
6-1-1879 Priority Right					
43-00169A	<--1.37-----	1.37-----	1.37-----		183
	3.49 cfs	4.20 cfs	3.91 cfs	0.10 cfs	
12-12-1911 Priority Flood Right					
43-00178B	<--3.20-----	3.20-----	3.20-----	3.20---->	213
	6.69 cfs	7.40 cfs	7.11 cfs	3.30 cfs	
Limited to	4.58 cfs	4.58 cfs	4.58 cfs		

(0.02 cfs x 229.0 acres = 4.58 cfs maximum.)

Recommended conditions include watermaster control, measuring devices/lockable devices, multiple points of diversion, irrigation overlap, combined right limits and standard transfer conditions.

OCT 24 1997

FROM: Allen Merritt

DATE: October 24, 1997

TO: Transfer File No. 5140
 Water Right(s): Portions of 43-00164, 43-00165, 43-00166,
 43-00168, 43-00169, 43-00172, 43-00175,
 43-00176 and 43-00178

In the Name of: J D &/or Joyce Hutchison

SUBJECT: Review and Recommendation

This transfer proposes the change is point of diversion of several old decreed water rights from Raft River to allow the water to be pumped into a sprinkler system that presently is supplied water from groundwater.

It appears the sole source of water for the farm in recent years has been the groundwater. It is unknown whether the surface rights have been forfeited or not. Due to poor delivery records, the drought which made the rights un-available and the farming over of ditches by others which made the rights un-deliverable we have no clear and convincing evidence that the rights have been forfeited. Some SRBA claims in the basin have asserted that the old surface decrees have been moved to groundwater by unrecorded transfer; however, that assertion has not been made in this case. Since the source is somewhat unreliable, forfeiture is difficult to prove. Since the area is designated a critical groundwater area, I believe the groundwater pumpers should be encouraged to utilize the old surface rights to the extent possible to lessen the burden on the groundwater.

Review of the lands historically irrigated finds that 229 acres are irrigated as shown on the attached NAPP photo. Since the surface rights add up to more than 1"/acre and no justification has been submitted for more, I recommend the rights in total be limited to 1"/acre.

RECOMMENDATION

I recommend the transfer be approved in part as follows:

The lands irrigated shall be:

Twp.14S, Rge.27E, Section 7	SWNE	38
	SENE	33
	NESE	39
	NWSE	40
	SWSE	40
	SESE	39
Total		229

43-00164, 43-00165, 43-00166, 43-00168, 43-00169, 43-00172,
 43-00175, 43-00176, 43-00178 T# 5140

the rights recommended:

Right	Priority	Period of Use	Amount (cfs)
43-00164 part	04/01/1871	4/1 to 10/31	0.095
43-00175 part	04/01/1871	4/1 to 10/31	0.095
43-00166 part	04/01/1871	4/1 to 7/1	0.61
43-00165 part	04/01/1871	4/30 to 7/1	0.61
43-00176 part	04/01/1871	4/30 to 7/1	0.80
43-00168 part	04/01/1879	7/2 to 10/1	1.83
43-00172 part	04/01/1879	4/1 to 10/1	0.61
43-00169 part	06/01/1879	4/1 to 10/1	1.37
* 43-00178 part	12/12/1911	4/1 to 10/31	<u>0.39</u>
	Max total rate		4.58

Max rate	4/1 to 4/29	3.17 cfs
	4/30 to 7/1	4.58 cfs
	7/2 to 10/1	4.39 cfs
	10/2 to 10/31	0.58 cfs

Conditions of approval:

- Subject to SRBA
- Under control of watermaster of Water District 43-B.
- Lockable headgate with measuring device be constructed at the point of diversion and be maintained for use by the watermaster.
- When these surface rights are combined with groundwater rights they shall not provide more than 4.0 afa/acre nor more than 0.02 cfs/acre at any one time.

*Note that this right is reduced to limit use to no more than 1"/acre during the period of 4/30 to 7/1. This is generally the only time period the right would be good since it is a flood right.

MEMORANDUM

TO: J.D. Hutchison Transfer File

FROM: Corey Skinner *CS*

DATE: September 12, 1997

SUBJECT: Staff Review

The enclosed transfer application, filed by J.D. &/or Joyce Hutchison, seeks to change a point of diversion for portions of several decreed Raft River water rights. These particular portions of the decreed water rights involved with the enclosed transfer have been claimed by the Hutchisons in the SRBA. The proposed transfer would result in a splitting off of portions of the recorded decrees on the water right database.

The enclosed transfer is pretty straight forward, but several issues may complicate the process. Mr. Hutchison presently owns 240 acres located within Section 07 (T14S, R27E) and farms and irrigates about 235 acres + or - (there is a homestead near the north end of the property). If the enclosed transfer is approved it should be approved for the actual number of acres irrigated instead of the entire 240 acres that Mr. Hutchison owns as proposed.

Mr. Hutchison has a well (covered under licenses 43-02367 and 43-02456) at the south end of his property that he uses for irrigation. The groundwater licenses cover between 230 and 240 acres with a total licensed diversion rate of 3.78 cfs. These groundwater rights overlap with the place of use involved with the enclosed transfer. Due to the unreliability of the Raft River, the groundwater rights are the primary source of water for Mr. Hutchison's ground.

Mr. Hutchison's transfer application proposes changing a point of diversion of portions of Raft River water rights that have been claimed in the SRBA to be appurtenant to his 240 acres. Examination of the SRBA claims based on the original water right records revealed no obvious overclaiming or possible expansion issues. However, Mr. Hutchison's Raft River claims total 9.22 cfs for the 240 acres he owns (a little less is actually irrigated). This exceeds the typical allowance of an "inch to the acre".

However, closer examination of the Raft River water rights reveals that most of the rights have periods of use that do not cover the entire irrigation season. This results, in a reduction of the total amount of Raft River water for various times of the year. In addition, the largest right (43-00178 part) involved with this particular transfer has a rather late priority date (1911). There may also be possible arguments for conveyance loss. For these reasons, the larger rates may be somewhat justifiable.

09/12/97

Presently, Mr. Hutchison's Raft River SRBA claims reflect points of diversions located within the SWNE $\frac{1}{4}$ of Section 07 and the NWSW $\frac{1}{4}$ of Section 20 (T14S, R27E). Mr. Hutchison filed the enclosed transfer to change the Section 07 point of diversion (located at the bottom end of the Hutchison property) to a new, proposed point of diversion located along the south edge of Section 07 (located at the upper end of the Hutchison property). During an initial meeting to discuss the proposed transfer, Mr. Hutchison and Jay Harper (who was assisting Mr. Hutchison) mentioned that they would like to add this new point of diversion so that Mr. Hutchison could use his Raft River water. The enclosed transfer application also indicates that portion(s) of the rights involved with the transfer have experienced five consecutive years of non use. For these reason(s), the forfeiture of these water rights (or parts) could be a definite possibility.

3rd P.S.
On September ~~2nd~~, I visited the area involved with the proposed transfer and made the following observations:

- *The vast majority of the land that Mr. Hutchison owns is irrigated and farmed (grain was this year's crop).
- *Points of diversion exist out of Raft River in the SWNE $\frac{1}{4}$ of Section 07 and the NWSW $\frac{1}{4}$ of Section 20 as claimed.
- *The Raft River channel in this stretch was completely dry and is no longer located in the location indicated on the orthophoto and quad maps.
- *The point of diversion located in Section 07 did not appear to serve Mr Hutchison's property. This point of diversion is located on the lower end of Mr Hutchison's property and serves lands to the north.
- *The point of diversion located in Section 20 was located along the east edge of the 2350 East Road, and is located uphill from Mr. Hutchison's property.
- *A ditch ran northward from the Section 20 point of diversion towards Mr. Hutchison's property (located about 1.75 miles to the north).
- *This ditch was overgrown with vegetation and had a couple of field access roads crossing it.
- *One field access road had no culvert crossing, but was low enough that if the ditch backed up and raised enough, some water would flow over the crossing.

*The second field access road had a culvert crossing, but the ends of the culvert were plugged with enough dirt and debris that its capacity was greatly reduced.

*The ditch ran to the north, along the east side of the 2350 East road for about a mile below the point of diversion from Raft River before gradually ending. At about this point the 2350 East road intersects with the 2280 South road.

*Mr. Hutchison's property is located west of the 2350 East Road.

*No culvert crossing(s) existed at the intersection of the 2350 East road and the 2280 South Road that would enable any water from the ditch from the Section 20 POD to continue to the north or west towards Mr. Hutchison's property (located 0.75 mile away).

*No other points of diversion or ditches from Raft River were observed in the 1.75 mile stretch upstream of Mr. Hutchison's property.

*Photographs and field notes are included with this memorandum.

From my field observations, it appears that a case could be made for possible forfeiture of all, or part, of the water rights involved with the enclosed transfer application. It should be noted though, that Raft River is an unreliable source of water and water may or may not have been available for diversion in the past.

09/03/97
FIELD NOTES
BY A SKINNER

EXISTING POD (Serves lands to the North)

MR HUTCHISON'S
P.O.V

LEFT OF
PROPOSED
P.O.B

MR HUTCHISON'S
WELL

2350E
end of ditch
no culverts 2280S

RAFT
RIVER
CHANNEL

no
ditches
field
access
from
road
to R.R.
Channel

ditch looks
better
not much of
a ditch

EXISTING
UPPER WARR
DIVERSION

R
I
V
E
R



POINT OF DIVERSION
FROM RAFT RIVER
LOCATED IN THE NWSW $\frac{1}{4}$
OF SECTION 20 (T14S, R27E
ALONG THE 2350 EAST
ROAD. THIS DIVERSION
IS REFERRED TO AS
THE WARR UPPER
DIVERSION. ARROW INDICATE
HEADGATE SHOWN IN
PHOTO BELOW.



VIEW OF HEADGATE, LOOKING
DOWNSTREAM, INDICATED BY
ARROW IN PHOTO ABOVE.
LOW SPOT (INDICATED BY
ARROWS) IS A DITCH THAT
RUNS NORTHWARD ALONG
THE 2350 EAST ROAD
TOWARDS MR. HUTCHISON'S
PROPERTY LOCATED IN
SECTION 7 (T14S, R27E).

J.D. HUTCHISON TRANSFER
PHOTOS. TAKEN 09/03/97
BY C. SKINNER.



VEGETATION, AND THAT



VIEW LOOKING DOWN
DITCH THAT RUNS ALONG
2350 EAST ROAD TOWARDS
MR. HUTCHISON'S PROPERTY.
THIS PHOTO TAKEN ABOUT
 $\frac{1}{2}$ MILE BELOW THE
WARR UPPER DIVERSION.



VIEW OF UPSTREAM
END OF A CULVERT
AT A FIELD ACCESS
POINT LOCATED ALONG
DITCH SHOWN IN PHOTO
ABOVE. THIS PHOTO
TAKEN ABOUT $\frac{5}{8}$ OF
A MILE BELOW THE
WARR UPPER DIVERSION.



VIEW OF DOWNSTREAM
END OF SAME CULVERT
SHOWN IN PHOTO ABOVE.
NOTE THAT CULVERT
IS PLUGGED WITH
DIRT, DEBRIS, AND
VEGETATION, AND THAT
CULVERT OPENING
(INDICATED BY ARROW)
IS ONLY A FEW
INCHES WIDE.

J. D. HUTCHISON TRANSFER
PHOTOS. TAKEN 09/03/97
BY C. SKINNER.

J.12 HUTCHISON TRANSFER
PHOTOS. TAKEN 09/03/97 BY
C. SKINNER.



HUTCHISON
WELL



"POST"

ABOVE: VIEW LOOKING ACROSS RAFT RIVER CHANNEL (INDICATED BY SQUIGGLY ARROW)
TOWARDS MR. HUTCHISON'S PROPERTY (THE GRAIN FIELD IN THE BACKGROUND).
THE "POST" LABELED IN THE PHOTO(S) CORRESPONDS TO THE APPROXIMATE LOCATION
OF THE SOUTH $\frac{1}{4}$ POINT WHICH WOULD
BE THE APPROXIMATE LOCATION OF THE
NEW PROPOSED POINT OF DIVERSION.



"POST"

LEFT: VIEW LOOKING NORTH, DOWN THE
RAFT RIVER CHANNEL (INDICATED BY
SQUIGGLY ARROW). THE "POST" LABELED IN
THE PHOTO IS THE APPROXIMATE LOCATION
OF THE NEW POINT OF DIVERSION
PROPOSED BY MR. HUTCHISON.

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

Transfer No. 5140

30 1997 Department of Water Resources

PART 1

Applicant J. D. HUTCHISON AND/OR JOYCE HUTCHISON Phone 645-2534
 Postal address HC 72 Box 2184 City MALTA St ID Zip 83342

A. PURPOSE OF THE TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other SPLIT RIGHT(S)

2. Describe reason for the proposed changes: The proposed point of Diversion would allow me to use Raft River water and my under ground water in a more efficient and cost effective way.

B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE (or ☒ see Attachment A)

Right No.	Priority	Amount (cfs, ac-ft)	Nature of	Period of Use
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total diversion rate/volume being transferred: 9.22 cfs and/or _____ ac-ft per annum

3. Source of water: RAFT RIVER, tributary to: SNAKE RIVER (or ☐ see Attachment _____)

4. Points of diversion (or ☐ see Attachment _____):

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name / Local landmark
<u>14S</u>	<u>27E</u>	<u>20</u>		<u>NW</u>	<u>SW</u>		<u>CASSIA</u>	<u>EXISTING WARR UPPER</u>
								<u>DIVERSION</u>
<u>14S</u>	<u>27E</u>	<u>07</u>		<u>SW</u>	<u>SE</u>		<u>CASSIA</u>	<u>NEW DIVERSION</u>

5. Lands irrigated or place of use (or ☐ see Attachment _____): NO CHANGE

Twp	Rge	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>14S</u>	<u>27E</u>	<u>07</u>			<u>40</u>	<u>40</u>									<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>240</u>

Total acres 240

☐ Permissible place of use, actual acreage irrigated not to exceed _____ acres per year.

23

PART 1, CONTINUED

Transfer No. 5140

General information:

a. Description of new diversion system (or ☒ see Attachment B):

b. Remarks (or ☒ see Attachment C):

PLEASE READ THIS SECTION CAREFULLY

Is there a current lien, mortgage or deed of trust on the property? Yes ☒ No
If yes, please complete Part 2, item 6.

Has any portion of this right(s) undergone a period of 5 or more consecutive years of non-use? Yes ☒ No
If yes, please attach an explanation of circumstances and label it as noted in Part 2, item 9(g).

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 right(s), and that the information contained in this application is true to the best of my knowledge. I understand that I am responsible for the accuracy and completeness of the application even though I may have been assisted in the preparation of the application.

I understand that any willful misrepresentation made in this application may result in voiding the transfer approval.

Joyce Hutchison
(Signature and Title of Applicant)

Subscribed and sworn before me on this 30th day of July, 1997.

Janis Robertson
(Signature of Notary Public) Twin Falls, ID

(seal)

My commission expires: 9-23-2000

FOR DEPARTMENT USE ONLY

RECEIVED

JUL 31 1997

Transfer contains 23 pages and 5 attachments

Received by GLS Date 30 July 97 Fee \$100.00

Department of Water Resource
Southern Region

Receipted by GLS Date 30 JULY 97 # SOZ0418 0918 hrs.

PART 2, CONTINUED

9. Verification of diversion and beneficial use of water within the previous five year period. Some or all of the following items might apply: SOMETHING

- ☐ a) most recent agricultural program crop map or aerial photo showing irrigated land before the proposed change
- ☐ b) pump power records
- ☐ c) water master records and/or comments if use is within a water district
- ☐ d) ~~irrigation system records~~
- ☒ e) reports from other government agencies and/or qualified consultants
- ☐ f) affidavits from knowledgeable third parties familiar with the history of water use for the water right being transferred
- ☐ g) describe any defenses to forfeiture - CRP, extension of time, etc
- ☐ h) other....list other verification documentation for the water right below:

NA 10. For a change in nature of use of part or all of the water right, complete and attach Part 3 of the transfer application.

☒ 11. Identify any other documentation that clarifies the transfer application:

JUSTIFICATION FOR ~~AT~~ ~~LEAST~~ MORE THAN 1"
TO THE ACRE, AND RELATIONSHIP BETWEEN
RAFT RIVER WATER AND GROUNDWATER ON
240 ACRE PLACE OF USE.

ATTACHMENT C

(REAL JUSTIFICATION FOR THE ACRE.)

of 23

PART 2

TRAN. NO. 5140

DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-00164

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	0.50 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
RAFT RIVER	SNAKE RIVER

Priority: 04/01/1871

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 7, Township 14S, Range 27E
NWSW , Sec. 20, Township 14S, Range 27E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	27E	5	SWSW			
		6	Lot 2 (NWNE)	SWNE	SENE	
			Lot 3 (NENW)	NESW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		7	NENE	NWNE	SWNE	
			SENE	NESE	NWSE	
			SWSE	SESE		
		8	NWNW	SWNW	SENW	
			NESW	NWSW	SWSW	
			SESW			
		17	NENW	NWNW	SWNW	
			SENW	NESW	NWSW	
		18	NENE	SENE		

CONDITIONS/REMARKS:

1. SEE TRANSFERS #665 & 2505

ge. has any portion of this water right undergone a period of five or more consecutive years of non-use?
 If yes, describe _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED (PART OF A43-10792)
 (If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.095 cfs for IRRIGATION purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	7	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	07			X	X									X	X	X	X	

Total acres _____

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

1. amount 0.405 cfs for IRRIGATION purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	7	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	05											X						
14S	27E	06		X ^{10'}	X	X	X ^{10'}				X			X	X	X	X	X	
14S	27E	07	X	X															
14S	27E	08						X	X	X	X	X	X	X					
14S	27E	17					X	X	X	X	X	X							

14S 27E 18 X X

Total acres _____

— of 23

PART 2

TRAN 5140

DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-00165

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/30 to 07/01	3.20 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
RAFT RIVER	SNAKE RIVER

Priority: 04/01/1871

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 7, Township 14S, Range 27E
NWSW , Sec. 20, Township 14S, Range 27E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	27E	5	SWSW			
		6	Lot 2 (NWNE)	SWNE	SENE	
			Lot 3 (NENW)	NESW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		7	NENE	NWNE	SWNE	
			SENE	NESE	NWSE	
			SWSE	SESE		
		8	NWNW	SWNW	SENE	
			NESW	NWSW	SWSW	
			SESW			
		17	NENW	NWNW	SWNW	
			SENE	NESW	NWSW	
		18	NENE	SENE		

CONDITIONS/REMARKS:

1. SEE TRANSFERS #665 & 2505

2. has any portion of this water right undergone a period of five or more consecutive years of non-use?
If yes, describe _____

PORTION OF PORTION OF RIGHT BEING TRANSFERRED (SRBA CLAIM A43-201652)
(If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.61 cfs for IRRIGATION purposes from 4/30 to 07/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	07			X	X									X	X	X	X	

Total acres _____

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

1. amount 2.59 cfs for IRRIGATION purposes from 04/30 to 07/21
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	05											X						
14S	27E	06		X ²	X	X	X ³				X			X	X	X	X	X	
14S	27E	07	X	X															
14S	27E	08						X	X	X	X	X	X	X					
14S	27E	17					X	X	X	X	X	X							
14S	27E	18	X							X									

Total acres _____

DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-00166

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 07/01	3.20 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
RAFT RIVER	SNAKE RIVER

Priority: 04/01/1871

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 7, Township 14S, Range 27E
 NWSW , Sec. 20, Township 14S, Range 27E
 CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	27E	5	SWSW			
		6	Lot 2 (NWNE)	SWNE	SENE	
			Lot 3 (NENW)	NESW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		7	NENE	NWNE	SWNE	
			SENE	NESE	NWSE	
			SWSE	SESE		
		8	NWNW	SWNW	SENW	
			NESW	NWSW	SWSW	
			SESW			
		17	NENW	NWNW	SWNW	
			SENW	NESW	NWSW	
		18	NENE	SENE		

CONDITIONS/REMARKS:

1. SEE TRANSFERS #665 & 2505

has any portion of this water right undergone a period of five or more consecutive years of non-use?
If yes, describe _____

PORTION OF PORTION OF RIGHT BEING TRANSFERRED (PART OF SRBA CLAIM A45-10739)
(If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.61 cfs for IRRIGATION purposes from 04/01 to 07/01
(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) 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
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	07			X	X									X	X	X	X	

Total acres _____

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

1. amount 2.59 cfs for IRRIGATION purposes from 04/01 to 07/01
(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) 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
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	05											X						
14S	27E	06		X ^{LOT 2}	X	X	X ^{LOT 3}				X			X	X	X	X	X	
14S	27E	07	X	X															
14S	27E	08						X	X	X	X	X	X	X					
14S	27E	17					X	X	X	X	X	X							
14S	27E	18	X				X												

Total acres _____

_ of 23

PART 2

TRANS NO. 5140

DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-00168

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	07/01 to 10/01	9.60 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
RAFT RIVER	SNAKE RIVER

Priority: 04/01/1879

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 7, Township 14S, Range 27E
NWSW , Sec. 20, Township 14S, Range 27E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S 27E 5	SWSW			
6	Lot 2 (NWNE)	SWNE	SENE	
	Lot 3 (NENW)	NESW	SESW	
	NESE	NWSE	SWSE	
	SESE			
7	NENE	NWNE	SWNE	
	SENE	NESE	NWSE	
	SWSE	SESE		
8	NWNW	SWNW	SENW	
	NESW	NWSW	SWSW	
	SESW			
17	NENW	NWNW	SWNW	
	SENW	NESW	NWSW	
18	NENE	SENE		

CONDITIONS/REMARKS:

1. SEE TRANSFERS #665 & 2505

has any portion of this water right undergone a period of five or more consecutive years of non-use?
If yes, describe _____

PORTION OF PORTION OF RIGHT BEING TRANSFERRED (SRBA CLAIM A43-221630)

(If the entire right is to be changed by the applicant, omit part B and C.)

amount 1.83 cfs for IRRIGATION purposes from 07/01 to 10/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	07			X	X									X	X	X	X	

Total acres _____

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

1. amount 7.77 cfs for IRRIGATION purposes from 07/01 to 10/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	05											X						
14S	27E	06		X ¹⁻²	X	X	X ^{LOT 3}				X			X	X	X	X	X	
14S	27E	07	X	X															
14S	27E	08						X	X	X	X	X	X	X					
14S	27E	17					X	X	X	X	X	X							
14S	27E	18	X				X												

Total acres _____

of 23

PART 2

TRANS 5140

DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-00169A

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/01	7.20 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
RAFT RIVER	SNAKE RIVER

Priority: 06/01/1879

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 7, Township 14S, Range 27E
NWSW , Sec. 20, Township 14S, Range 27E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	27E	5	SWSW				
		6	Lot 2 (NWNE)		SWNE	SENE	
			Lot 3 (NENW)		NESW	SESW	
			NESE		NWSE	SWSE	
			SESE				
		7	NENE		NWNE	SWNE	
			SENE		NESE	NWSE	
			SWSE		SESE		
		8	NWNW		SWNW	SENW	
			NESW		NWSW	SWSW	
			SESW				
		17	NENW		NWNW	SWNW	
			SENW		NESW	NWSW	
		18	NENE		SENE		

CONDITIONS/REMARKS:

1. SEE TRANSFERS #665 & 2505

Has any portion of this water right undergone a period of five or more consecutive years of non-use?
 If yes, describe _____

PORTION OF PORTION OF RIGHT BEING TRANSFERRED (SRSA CLAIM A43-JJ169E)
 (If the entire right is to be changed by the applicant, omit part B and C.)

Amount 1.37 cfs for IRRIGATION purposes from 04/01 to 10/01
 (cfs/ac-ft) _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 Amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	07			X	X									X	X	X	X	

Total acres _____

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

1. amount 5.83 cfs for IRRIGATION purposes from 04/01 to 10/01
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	05											X						
14S	27E	06		X ^{Lot 2}	X	X	X ^{Lot 3}				X			X	X	X	X	X	
14S	27E	07	X	X															
14S	27E	08						X	X	X	X	X	X	X					
14S	27E	17					X	X	X	X	X	X							
14S	27E	18	X				X												

Total acres _____

of 23

PART 2

TRANS. 5140

DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-00172

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/01	3.20 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
RAFT RIVER	SNAKE RIVER

Priority: 04/01/1879

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 7, Township 14S, Range 27E
 NWSW , Sec. 20, Township 14S, Range 27E
 CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	27E	5	SWSW			
		6	Lot 2 (NWNE)	SWNE	SENE	
			Lot 3 (NENW)	NESW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		7	NENE	NWNE	SWNE	
			SENE	NESE	NWSE	
			SWSE	SESE		
		8	NWNW	SWNW	SENE	
			NESW	NWSW	SWSW	
			SESW			
		17	NENW	NWNW	SWNW	
			SENE	NESW	NWSW	
		18	NENE	SENE		

CONDITIONS/REMARKS:

1. SEE TRANSFERS #665 & 2505

as any portion of this water right undergone a period of five or more consecutive years of non-use?
yes, describe _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED (SRBA CLAIM A43-3072C)
(If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.6/cfs for IRRIGATION purposes from 04/01 to 10/01
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	07			X	X									X	X	X	X	

Total acres _____

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

1. amount 2.59 cfs for IRRIGATION purposes from 04/01 to 10/01
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	05											X						
14S	27E	06		X ^{Lot 2}	X	X	X ^{Lot 3}				X			X	X	X	X	X	
14S	27E	07	X	X															
14S	27E	08						X	X	X	X	X	X	X					
14S	27E	17					X	X	X	X	X	X							
14S	27E	18	X				X												

Total acres _____

of 23

PART 2

TRANS NO. 5140

DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-00175

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	0.50 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
RAFT RIVER	SNAKE RIVER

Priority: 04/01/1871

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 7, Township 14S, Range 27E
NWSW , Sec. 20, Township 14S, Range 27E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	27E	5	SWSW			
		6	Lot 2 (NWNE)	SWNE	SENE	
			Lot 3 (NENW)	NESW	SESW	
			NESE	NWSE	SWSE	
			SESE			
		7	NENE	NWNE	SWNE	
			SENE	NESE	NWSE	
			SWSE	SESE		
		8	NWNW	SWNW	SENE	
			NESW	NWSW	SWSW	
			SESW			
		17	NENW	NWNW	SWNW	
			SENE	NESW	NWSW	
		18	NENE	SENE		

CONDITIONS/REMARKS:

1. SEE TRANSFERS #665 & 2505

has any portion of this water right undergone a period of five or more consecutive years of non-use?
 If yes, describe _____

PORTION OF RIGHT BEING TRANSFERRED (PART OF SRBA CLAIM 443-10792)
 (If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.095 cfs for IRRIGATION purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	07			X	X									X	X	X	X	

Total acres _____

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

1. amount 0.405 cfs for IRRIGATION purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	05											X						
14S	27E	06		X	X	X	X				X			X	X	X	X	X	
14S	27E	07	X	X															
14S	27E	08						X	X	X	X	X	X	X					
14S	27E	17					X	X	X	X	X	X							
14S	27E	18	X				X												

Total acres _____

— of 23

PART 2

TRANS NO. 5140

DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-00176

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 07/01	4.21 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
RAFT RIVER	SNAKE RIVER

Priority: 04/01/1871

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 7, Township 14S, Range 27E
NWSW , Sec. 20, Township 14S, Range 27E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	27E	5	SWSW		SENE	
		6	Lot 2 (NWNE)	SWNE	SESW	
			Lot 3 (NENW)	NESW	SWSE	
			NESE	NWSE		
			SESE			
		7	NENE	NWNE	SWNE	
			SENE	NESE	NWSE	
			SWSE	SESE		
		8	NWNW	SWNW	SENE	
			NESW	NWSW	SESW	
			SESW			
		17	NENW	NWNW	SENE	
			SENE	NESW	NWSW	
		18	NENE	SENE		

CONDITIONS/REMARKS:

1. SEE TRANSFERS #665 & 2505

has any portion of this water right undergone a period of five or more consecutive years of non-use?
If yes, describe _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED (PART OF SRBA CLAIM A43-10759)
(If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.80 cfs. for IRRIGATION purposes from 04/01 to 07/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	07			X	X									X	X	X	X	

Total acres _____

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

1. amount 3.41 cfs for IRRIGATION purposes from 04/01 to 07/01
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	07	14S	27E	CASSIA	
		NW	SW	20	14S	27E	CASSIA	

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	
14S	27E	05											X						
14S	27E	06		X	X	X	X				X			X	X	X	X	X	
14S	27E	07	X	X															
14S	27E	08					X		X	X	X	X	X	X					
14S	27E	17					X	X	X	X	X	X							
14S	27E	18	X				X												

Total acres _____

of 23

PART 2

TRANS NO. 5140

DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 43-00178B

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	48.80 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
RAFT RIVER	SNAKE RIVER

Priority: 12/12/1911

CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S	26E	25	SESE			
	27E	30	Lot 4 (SWSW)	SESW		
		31	NENE	NWNE	NENW	
			SESW	NESW	SESW	
			NESE	NWSE	SWSE	
			SESE			
14S	27E	5	SWNW	SESW	NESW	
			NWSW	SWSW	SESW	
		6	Lot 1 (NENE)	Lot 2 (NWNE)	SWNE	
			SENE	Lot 3 (NENW)	SESW	
			NESW	SESE	NESE	
			NWSE	SWSE	SESE	
		7	NENE	NWNE	SWNE	
			SENE	NESE	NWSE	
			SWSE	SESE		
		8	NENW	NWNW	SWNW	
			SESW	NESW	NWSW	
			SWSW	SESW	NWSE	
			SWSE	SESE		
		17	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SESW	NESW	
			NWSW			
		18	NENE	SENE		

CONDITIONS/REMARKS:

1. TRANS. 665.

tion of this water right undergone a period of five or more consecutive years of non-use?

PORTION OF RIGHT BEING TRANSFERRED (SRPA CLAIM ABE-00178 D)
(If the entire right is to be changed by the applicant, omit part B and C.)

3.20 cfs for IRRIGATION purposes from _____ to _____

_____ for _____ purposes from _____ to _____

_____ for _____ purposes from _____ to _____

2. Point(s) of Diversion: NOT GIVEN IN DECREE

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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	
14S	27E	07			X	X									X	X	X	X	

Total acres _____

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

1. amount 45.6 cfs for IRRIGATION purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____

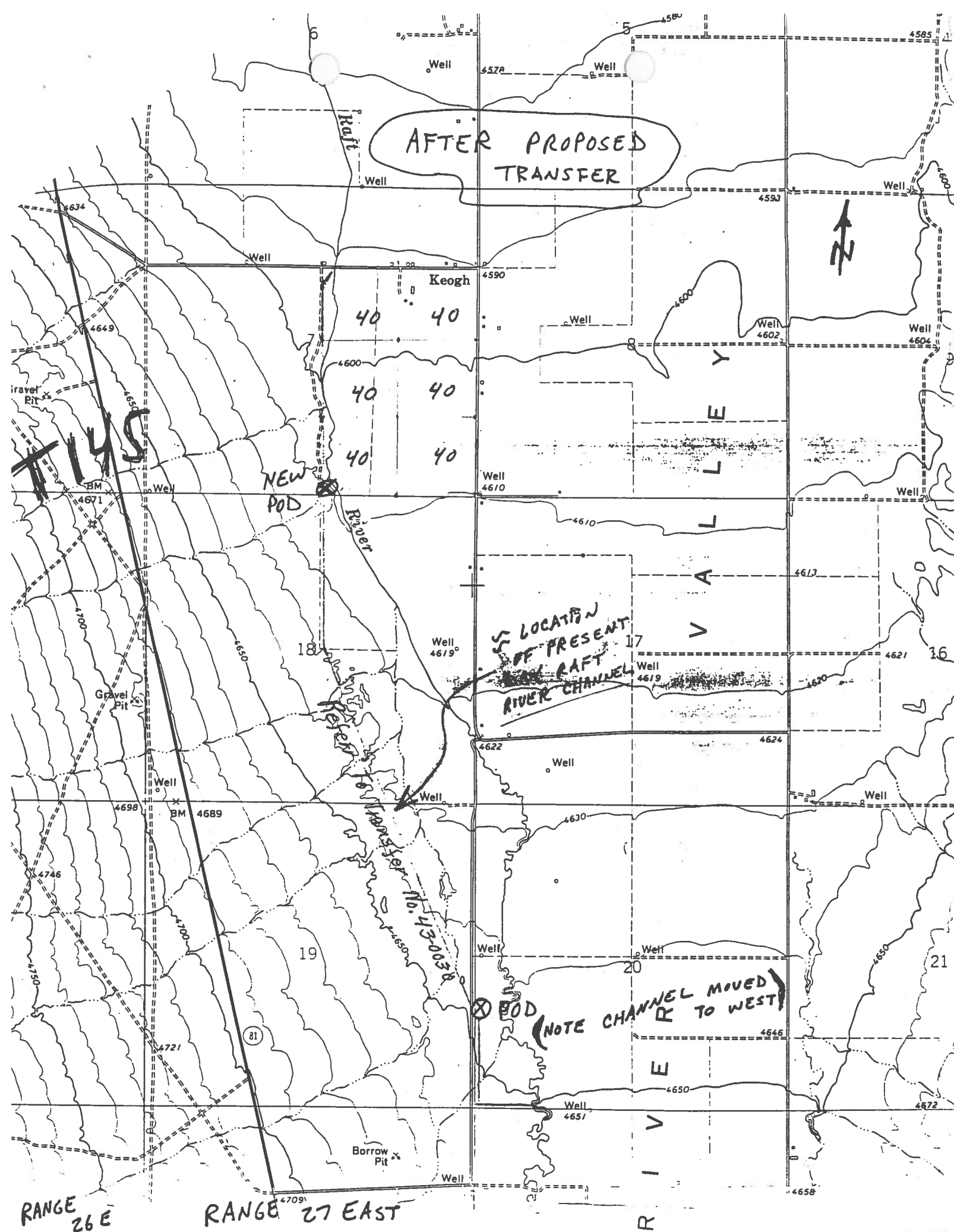
2. Point(s) of Diversion: NOT GIVEN IN DECREE

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
13S	26E	25	SESE	SESW		
	27E	30	Lot 4 (SWSW)	NWNE	NENW	
		31	NENE	NESW	SESW	
			SESW	NWSE	SWSE	
			SESE			
14S	27E	5	SWNW	SESW	NESW	
			NWSW	SESW	SESW	
		6	Lot 1 (NENE)	Lot 2 (NWNE)	SWNE	
			SENE	Lot 3 (NENW)	SESW	
			NFSW	SESW	NESE	
			NWSE	SWSE	SESE	
		7	NENE	NWNE		
		8	NENW	NWNW	SWNW	
			SESW	NESW	NWSW	
			SWSW	SESW	NWSE	
			SWSE	SESE		
		17	NENE	NWNE	SWNE	
			SENE	NENW	NWNW	
			SWNW	SESW	NESW	
			NWSW			
		18	NENE	SENE		



ATTACHMENT A

<u>Right #</u>	<u>Priority</u>	<u>Amount</u>	<u>Nature of Use</u>	<u>Period of Use</u>
B 43-00164(part)	04/01/1871	0.095 cfs	irrigation	04/01 to 10/31
B 43-00165(part)	04/01/1871	0.61 cfs	irrigation	04/01 to ~~10/31~~ ³⁰ 07/01
B 43-00166(part)	04/01/1871	0.61 cfs	irrigation	04/01 to ~~10/31~~ ^{07/01} 07/01
B 43-00168(part)	04/01/1879	1.83 cfs	irrigation	~~04/01~~ ^{07/01} to ~~10/31~~ ^{10/01} 10/01
D 43-00169(part)	06/01/1879	1.37 cfs	irrigation	04/01 to 10/01
B 43-00172(part)	04/01/1879	0.61 cfs	irrigation	04/01 to 10/01
B 43-00175(part)	04/01/1871	0.095 cfs	irrigation	04/01 to 10/31
B 43-00176(part)	04/01/1871	0.80 cfs	irrigation	04/01 to ~~10/31~~ ^{07/01} 07/01
D 43-00178(part) D	12/12/1911	3.20 cfs	irrigation	04/01 to 10/31

Proposed P.O.D.

Proposed Diversion
Structure

Proposed Pond
Proposed Pump

Deep Well
No. G-26768

Existing Main line

Farmstead

Old P.O.D.

T # 5140

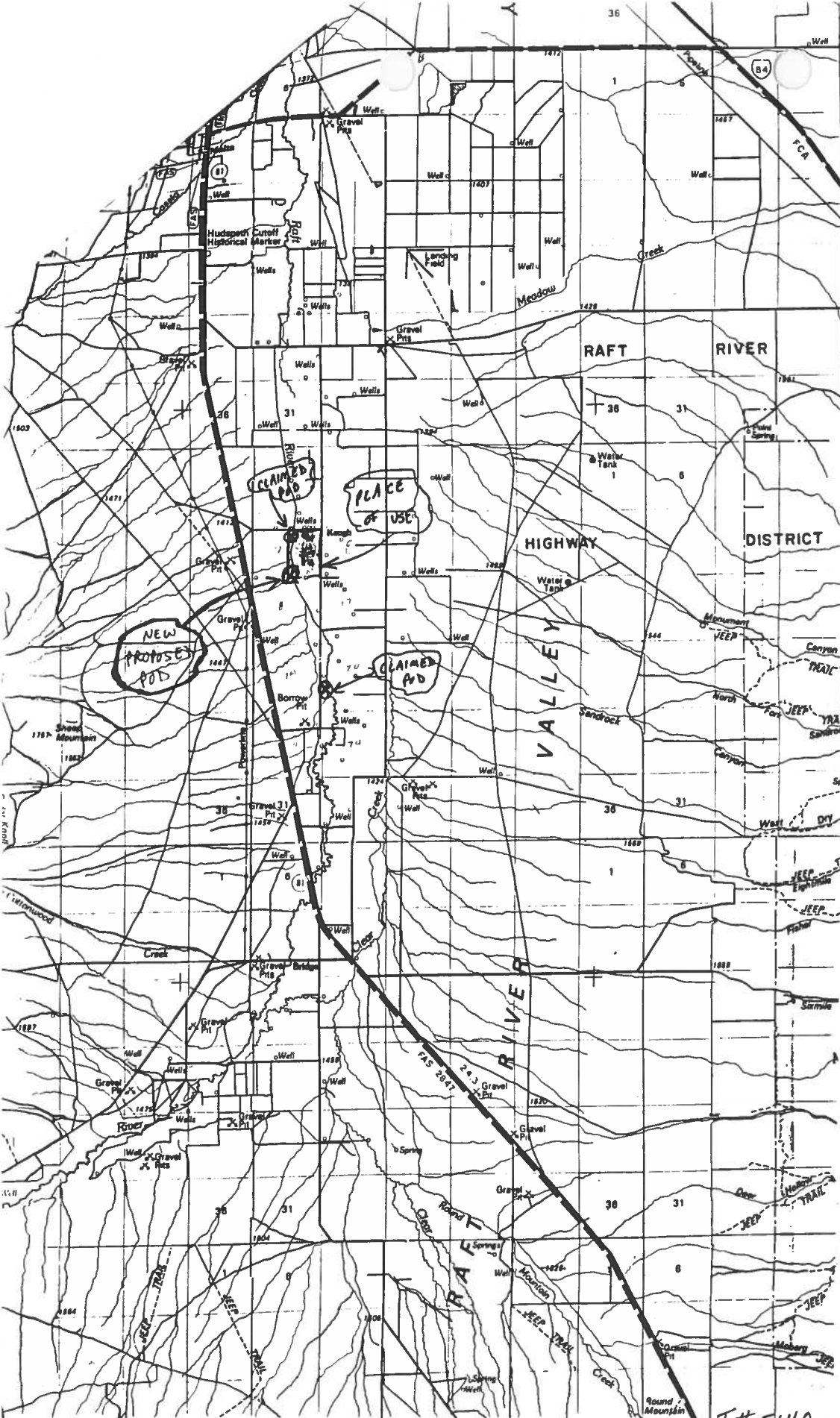


15.

River is an unreliable source of irrigation
iv. Through the late 80's and early 90's there
was little water for irrigation use. My neighbor
filled in my ditch from the diversion in Sec. 20
so he could install a sprinkler system.

It is important the surface water source and
underground source be at the same location so
the Power supply can be interchangeable. I would
use the Raft River water when it was available
and use underground water when needed, but
not at the same time.

The Advisory Committee of Water District 43-B
have encouraged me and other water-users to
develop their water systems in this way and
to use the water if only for a short time
each year. 1997 would have been a good year
to have this proposal in working condition.



T#5140

001663.2 cfs001764.21 cfs001689.6 cfs

10086

.381 cfs

10086

.501 cfs

10257

4.88? *

10257

4.88? *

10378

.25 cfs

10379

.56 cfs

10378

.19 cfs

10381

.074 cfs

10387

1.69 cfs

10381

.565 cfs

10606

.88? *

10607

.75 cfs? *

10606

0.88? *

10788

.3006 cfs

00168 A

1.14 cfs

10788

.2286

10789

.8016 cfs

00168 B

.686 cfs

10789

.6096 cfs

00168 C

1.83 cfs

1.2258 cfs2.2828 cfs3.694 cfs001690017200178

A

7.2 cfs3.2 cfs

A

3.2 cfs

B

5.6 cfs

00172 A

.381 cfs

B

48.8 cfs

169C

1.52 cfs

00172 B

.229 cfs

00178 C

3.0 cfs

69D

.914 cfs

10257

4.88? *

00178 D

3.2 cfs

157

4.88? *

00172 C

0.61 cfs

00178 E

7.87 cfs

169E

~~4.5 cfs~~ ~~1.37 cfs~~

10379

.19 cfs

00178 F

48.8 cfs

379

.45 cfs + .52 cfs

10387

.565 cfs

00178 G

2.1 cfs

07

.27 cfs

10607

.75? *

10608

1.6 cfs

7.756 cfs1.225 cfs

00178 H

2.14 cfs

USDA
FMHA

00178 A

3.2 cfs

~~00178~~

10567

2.1 see attch

10257

4.88

00165

3.2 cfs

A 0.38 cfs

B 0.229 cfs

C 0.61 cfs

10378 0.19 cfs

10257 4.80 ? no breakdown given *

10381 0.565 cfs

10606 0.88 ? *

1.226 cfs

00164

0.50 cfs

10085 ~~0.02719 cfs~~ 0.0595 cfs

10257 4.88 cfs ? no breakdown given *

10378 0.03 cfs

10381 .008 cfs

10791 .0356 cfs

10792 .095 cfs

0.2719 cfs

00175

0.50 cfs

10085 .0595

10378 .02

10381 .008

10606 .88 ? *

10791 .0356

10792 .095

.2819 cfs

Q. D. Hutchison

14S, 27E Section 7

200 to 240 acres

SE $\frac{1}{4}$
S $\frac{1}{2}$ NE $\frac{1}{4}$

three 80's
240 acres

~~Section 7~~

SE $\frac{1}{4}$

43-00164
43-00165
43-00166
43-00167
43-00168
43-00169A
43-00172
43-00175
43-00176
43-00178B
43-02367 ✓
43-02456 ✓

S $\frac{1}{2}$ NE $\frac{1}{4}$

~~43-00164~~ 43-00164
~~43-00165~~ 43-00165
~~43-00166~~ 43-00166
~~43-00167~~ 43-00167
~~43-00168~~ 43-00168
~~43-00169A~~ 43-00169A
~~43-00172~~ 43-00172
~~43~~ 43-00175
43-00176
43-00178B
43-02367 ✓
43-02456 ✓

05/13/97

SE $\frac{1}{4}$

43-00169E
43-02367
43-02456
43-10792

S $\frac{1}{2}$ NE $\frac{1}{4}$

43-00169E Q.R.
43-02367 Q.R.
43-02456 Q.R.
43-10792 Q.R.

~~N2 P1~~

43-00165C Q.R.
43-00163C Q.R.
43-00172 Q.R.
43-00178 Q.R.
43-1073 Q.R.

43-10011 domestic and

State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

September 15, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

J.D. Hutchison
HC 72 Box 2184
Malta, ID 83342

Dear Mr. Hutchison:

I have conducted a preliminary review of the transfer application that you submitted involving your Raft River water rights. You should be receiving notification from our office, in the not to distant future, regarding when your proposed water right transfer will be advertised. After my preliminary review, I would like to make the following comments for your consideration.

The Raft River water rights you have claimed total 9.22 cubic feet per second (461 miner's inches) for your 240 acres. Under Idaho law, the Department can recommend up to 0.02 cubic feet per second (1.0 miner's inch) per acre, unless the applicant can show justification for a larger rate per acre. You may want to submit some information detailing why you require more than 0.02 cubic feet per second (1.0 miner's inch) per acre.

On September 3rd, I visited the area involved with your proposed water right transfer. I observed that there is an old ditch from the "Warr Upper Diversion" that leads to your property to the north. This particular ditch runs along the east side of the 2350 East road. However, I observed that this ditch gradually ends just south of the 2280 South road. I did not observe any culverts near the 2350 East and 2280 South intersection that could carry any water from this ditch to your property located to the northwest. I also observed that there were no other ditches that appeared capable of delivering Raft River water to your property.

As we discussed in my office, water rights can be forfeited if they experience five consecutive year's of non use. Based on my field observations, it appears that the possibility of forfeiture of your water rights may be considered when the final review of your application is conducted. You may want to submit some information addressing the possible forfeiture of your water rights, or at least be prepared to address this particular issue.

T-#5140

umber 15, 1997

AGE 2

I have included a copy of a memo that details my preliminary review of your application and my observations during my field visit. The topics mentioned in this letter are discussed in my memo.

If you have any questions, or if I can be of any assistance, feel free to contact me at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

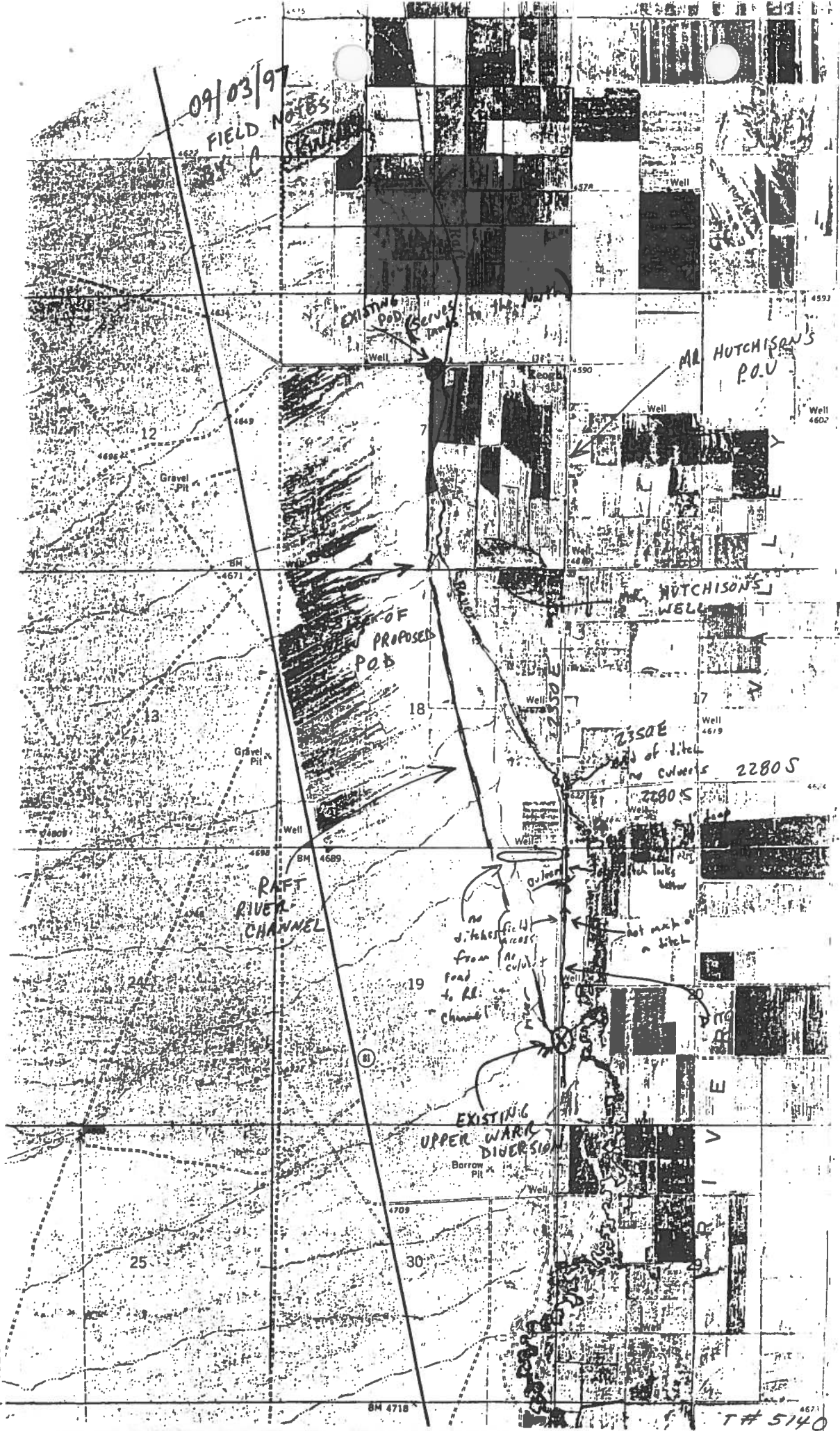
Corey Skinner, EIT
Dam Safety Section

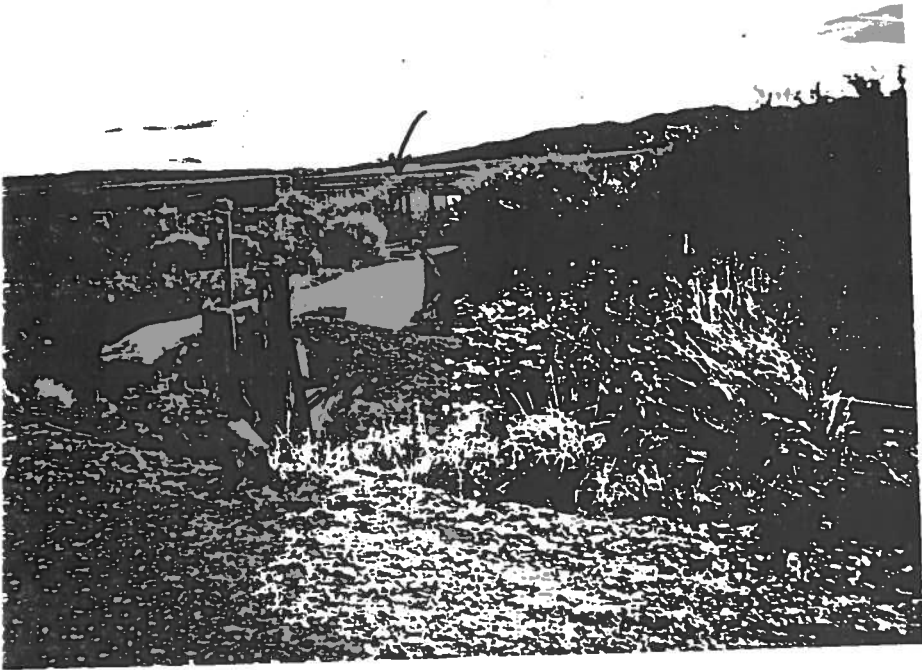
Enclosures

09/03/97

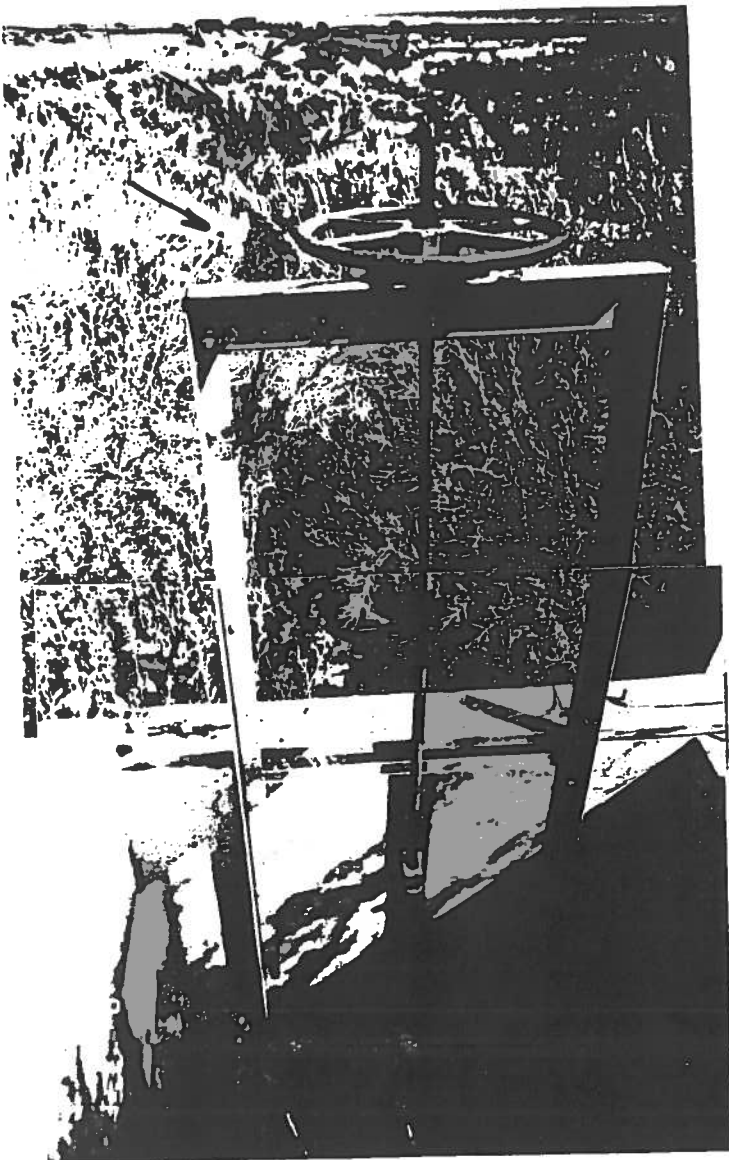
FIELD NOTES

BY C. SKIN





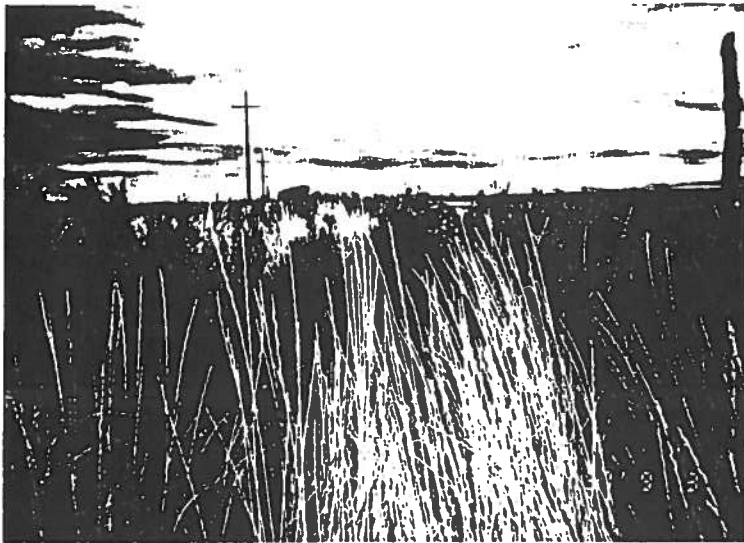
POINT OF DIVERSION
FROM RAFT RIVER
LOCATED IN THE NWSW $\frac{1}{4}$
OF SECTION 20 (T14S, R27E)
ALONG THE 2350 EAST
ROAD. THIS DIVERSION
IS REFERRED TO AS
THE WARR UPPER
DIVERSION. ARROW INDICATES
HEADGATE SHOWN IN
PHOTO BELOW.



VIEW OF HEADGATE, LOOKING
DOWNSTREAM, INDICATED BY
ARROW IN PHOTO ABOVE.
LOW SPOT (INDICATED BY
ARROWS) IS A DITCH THAT
RUNS NORTHWARD ALONG
THE 2350 EAST ROAD
TOWARDS MR. HUTCHISON'S
PROPERTY LOCATED IN
SECTION 7 (T14S, R27E).

J.D. HUTCHISON TRANSFER
PHOTOS. TAKEN 09/03/97
BY C. SKINNER.

T # 5140



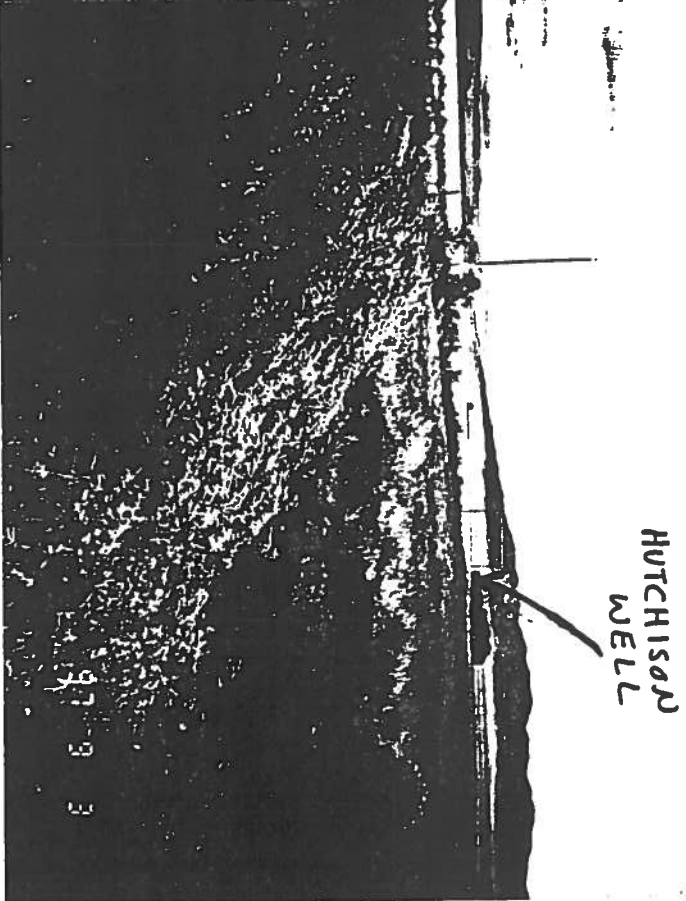
VIEW LOOKING DOWN
DITCH THAT RUNS ALONG
2350 EAST ROAD TOWARDS
MR. HUTCHISON'S PROPERTY.
THIS PHOTO TAKEN ABOUT
 $\frac{1}{2}$ MILE BELOW THE
WARR UPPER DIVERSION.



VIEW OF UPSTREAM
END OF A CULVERT
AT A FIELD ACCESS
POINT LOCATED ALONG
DITCH SHOWN IN PHOTO
ABOVE. THIS PHOTO
TAKEN ABOUT $\frac{5}{8}$ OF
A MILE BELOW THE
WARR UPPER DIVERSION.



VIEW OF DOWNSTREAM
END OF SAME CULVERT
SHOWN IN PHOTO ABOVE.
NOTE THAT CULVERT
IS PLUGGED WITH
DIRT, DEBRIS, AND
VEGETATION, AND THAT
CULVERT OPENING
(INDICATED BY ARROW)
IS ONLY A FEW
INCHES WIDE.



J.D. HUTCHISON TRANSFER
PHOTOS. TAKEN 09/03/97 BY
J. SKINNER.

HUTCHISON
WELL

ABOVE: VIEW LOOKING ACROSS RAFT RIVER CHANNEL (INDICATED BY SQUIGGLY ARROW)
TOWARDS MR. HUTCHISON'S PROPERTY (THE GRAIN FIELD IN THE BACKGROUND).
THE "POST" LABELED IN THE PHOTO(S) CORRESPONDS TO THE APPROXIMATE LOCATION

OF THE SOUTH $\frac{1}{4}$ POINT WHICH WOULD
BE THE APPROXIMATE LOCATION OF THE
NEW PROPOSED POINT OF DIVERSION.

LEFT: VIEW LOOKING NORTH, DOWN THE
RAFT RIVER CHANNEL (INDICATED BY
SQUIGGLY ARROW). THE "POST" LABELED IN
THE PHOTO IS THE APPROXIMATE LOCATION
OF THE NEW POINT OF DIVERSION
PROPOSED BY MR. HUTCHISON.

AD. HUTCHISON NOTES

05/13/97

POU T14S, R27E SECTION 07 SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$
 $\approx$ 240 acres

~~RAFT RIVER~~

RAFT RIVER

A43-00165 C	0.61 CFS
A43-00168 C	1.83 CFS
A43-00169 E	1.37 CFS
A43-00172 C	0.61 CFS
A43-00178 D	3.20 CFS
A43-10789 *	1.41 CFS * (PARTS OF DECREES ⁰⁰¹⁶⁶ 00176)
A43-10792 *	<u>0.19 CFS</u> * (PARTS OF DECREES ⁰⁰¹⁶⁴ 00175)

TOTAL = 9.22 CFS

POU T14S, R27E SECTION 07 SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$
 = 230 acres

ROUND WATER

A43-02367	2.18 CFS
A43-02456	<u>1.60 CFS</u>

TOTAL = 3.78 CFS

COMMENTS

- * APPEARS TO BE NO PROBLEMS WITH COMPETING CLAIMS.
- * ACTUAL HEADGATE LOCATION? POU FROM RAFT RIVER
- * OVER ONE INCH TO THE ACRE.
- * FORFEITURE.

T# 5140

J.D. HUTCHISON
RAFT RIVER DIVERSION
RATES.

04/01 TO 04/30 $\Rightarrow$ 6.78 cfs *

^{04/30}
~~05/01~~ TO 07/01 $\Rightarrow$ 7.39 cfs *

^{07/01}
07/02 TO 10/01 $\Rightarrow$ 7.20 cfs *

^{10/01}
~~10/02~~ TO 10/31 $\Rightarrow$ 3.39 cfs *

* 1911 water
accounts for
3.2 cfs of
flow rates

IDAHO

CASSIA

Report ID: ASCS-156EZ

U.S. Dept. of Agriculture

Aqri. Stab. & Conserv. Svc.

Abbreviated 156 Farm Record

FARM 3145

Prepared: 03/02/94

Crop Year: 94

Page: 2

No. of Tracts: 9

Current Year

TRACT NO.	FARMLAND	CROPLAND	IRRIGATED	HEL	027	A027	W	CW	FW	PC	HW	HW	FW	NG	CWTE	CWNA	PCW
-----------	----------	----------	-----------	-----	-----	------	---	----	----	----	----	----	----	----	------	------	-----

CROPLAND

1	160.0	144.4	Y	Y	Y	H			N
---	-------	-------	---	---	---	---	--	--	---

IDENTIFIER EE26 S19.20 T13 R27

OWNER 1 - C HAR CATTLE CO

1595	15.0	10.5	10.5	N	N	N	Y	N	N	N
------	------	------	------	---	---	---	---	---	---	---

IDENTIFIER DD26 S25 T13 R26

OWNER 1 - PETER GRUSH

1603	180.0	172.1	172.1	Y	Y	Y	Y	N	N	N
------	-------	-------	-------	---	---	---	---	---	---	---

IDENTIFIER EE30 S6.7 T14 R27

OWNER 1 - DOUG NYE

1694 240.0 219.8 219.8 N N N N N N N

IDENTIFIER EE30 S7 T14 R27

OWNER 1 - JAY DEE HUTCHISON.

1643	260.0	251.6	251.6	N	N	N	Y	N	N	N
------	-------	-------	-------	---	---	---	---	---	---	---

IDENTIFIER EE30 S5.8 T14 R27

OWNER 1 - DECLO STKE WLF FRM

5700 972.0 742.9 742.9 Y Y Y N H

IDENTIFIER S-19,24,25,30 T-13 R-27 DD26-28

OWNER 1 - C BAR CATTLE CO

87%	90.0	77.5	77.5	N	N	N	Y	N	N	—	N
-----	------	------	------	---	---	---	---	---	---	---	---

IDENTIFIER S-13 T-13 R-26 DD26

OWNER: 1 - A D NYE

8747	300.0	289.1	289.1	N	N	N	Y	N	N	—	N
------	-------	-------	-------	---	---	---	---	---	---	---	---

IDENTIFIER S-13 T-13 R-26.S-18 T-13 R-27 DD26

OWNER 1 - A D NYE

8748	70.0	69.3	69.3	N	N	N	Y	N	N	—	N
------	------	------	------	---	---	---	---	---	---	---	---

IDENTIFIER S-13 T-13 R-26 DD26

OWNER: 1 - A D NYE

3
49.3

HEL/NW

4
7.8

5
54.5

NHEL/NW

NW

NW

T.1604

AW

NW 1/2
NW 1/4
NW 1/4
NW 1/4

2
49.6
NW

5
58.4
2560
T.1645

AW

1
111.6

NHEL/NW

2
108.2

7 8 58.1

10 12 NW

T.1606

AW

279

NW

5
25.9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:41:29
10/22/99
20

PAGE: 20
PROFILE REPORT

CLAIM NUMBER: A43-0D165C

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JD HUTCHISON	04/01/1871	IRRIGATION	04-30 07-01	0.610 CFS	
C	JOYCE HUTCHISON					
TOTAL DIVERSION:					0.610 CFS	
-CONSUMPTIVE-USE:					.1	

12.3 AF
720.00 AFA

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T14S R27E S07
S20

SWSWSE
SWNE
NW NWSW

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
14S	27E	7	:				:				:				:	
				40			:				:	40			:	240.0
TOTAL ACRES															240.0	

POU County: CASSIA

229 Ae.

Non-Irrigation Uses: S/100 DAIRY

Other Rights: SEE REMARKS.

Remarks: GEN TRANS. 2505 & 665.

THIS CLAIM IS A COMBINATION OF A PORTION OF THIS WR: 43-00165 ORIGINAL DECREE FOR 3.2 CFS, THIS PART FOR 0.61 CFS. CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND IRRIGATION CO.) CLAIMANT NOW OWNS 4 PLACES AND SO HE MULTIPLIES THE FIRST FIGURE BY 4.

*****OTHER WATER RIGHTS*****

A43-00164B(43-00175) A43-00165C A43-00168C

A43-10789 A43-00172C A43-00169E

A43-00178D*****

CLAIM AMENDED TO CORRECT POINT OF DIVERSION AND PLACE OF USE.

5/20/97 jr

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag: D

Cond. Coale C18
Remarks:
POU 1 E14 229 ac. w/all
QNT E27 4.58 #91
E28 .02 #4A
w/all

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:36:09
10/22/99

PAGE: 19
QUICKLOOK INFORMATION

19
CLAIM NUMBER: A43-00165C

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y N							
POINT OF DIV	Y Y							
SOURCE	Y N							
PLACE OF USE	Y Y							
DIV. AMOUNT CFS/VOLUME	Y Y							
CONSUMPTIVE USE	/							
PURPOSES OF USE	Y N							
PERIOD OF USE	Y N							
BASIS OF CLAIM	Y N							
REMARKS	Y Y							

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC

—

—

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—

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SD-0611-2 Basin: 43 Starting Water Right: 00165

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	43-00165			00/00/0000	/Z			WR
	43-00165A	WARR, CHARLES	C	04/01/1871	D/	RAFT RIVER	IRR	WR
X	43-00165B	HUTCHISON, J D	C	04/01/1871	D/	RAFT RIVER	IRR	WR
		HUTCHISON, JOYCE	C					
	A43-00165	SPLIT RIGHT COMBINED RIGHT	C	04/01/1871	/Z	RAFT RIVER SPLIT RIGHT COMBINED RIGHT	IRR	AJ
	A43-00165A	ELISON, LANO ELISON, LOIS	C	04/01/1871	D/	RAFT RIVER	IRR	AJ
	A43-00165B	HARPER, ALAN J HARPER, BEVERLY K	C	04/30/1871	D/	RAFT RIVER	IRR	AJ
	A43-00165C	HUTCHISON, JD HUTCHISON, JOYCE	C	04/01/1871	D/	RAFT RIVER	IRR	AJ

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
 (Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

Conditions of Approval:
- Snake River Basin Adjudication.

Remarks: GEN Rights 43-001648, 43-001658, 43-001668, 43-001688, 43-001690, 43-001728, 43-001758, 43-001768 and 43-001780 when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual diversion volume of 916.0 af at the field headgate, and the irrigation of 229.0 acres.
Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
The total instantaneous diversion of water from all points of diversion under Transfer 5140 shall not exceed 4.58 cfs, nor total combined annual volume of 916.0 af.

Dates: App. Received: 07/30/1997 Priority Date: 04/01/1871
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 43B Field Exam Fee:

Comments: Date: 02/18/1998 User-ID: PSKAGGS Subject: TRANSFER 5140
Transfer 5140 adds a point of diversion under a portion of Rights 43-00164/165/166/168/172/175 & 176, splitting each right into Parts A & B, and Rights 43-00169A & 178B, splitting each right into parts C & D.

Audit: 09/18/97 MBALDWIN 09/18/97 MBALDWIN 02/18/98 PSKAGGS 02/18/98 PSKAGGS