

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: A43-02276
Date Received: 6/20/1989
Receipt No: S008308
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: REID S. STEWART 801-753-2027
Address: 1655 SUNSET DR.
LOGAN, UT 84321
AND/OR
Name: RUTH O. STEWART 801-753-2027
Address: 1655 SUNSET DR.
LOGAN, UT 84321

2. Date of Priority: SEP 19, 1935

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15S	26E	24		SW	NW		CASSIA
				SE	SW		CASSIA
				SW	SE		CASSIA

5. Description of diverting works:
WELLS, PUMPS, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.810		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 423.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

A43-02276

Page 1

Date: 06/20/89

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MAR 03 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15S	26E	24	SE		NE		IRR	5.0
			NE		SE		IRR	30.0
			NW		SE		IRR	25.0
							Section Acres	60.0
	27E	19	NW		NW	1	IRR	20.0
			SW		NW	2	IRR	49.0
			NW		SW	3	IRR	12.0
							Section Acres	81.0
							Total Acres	141.0

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:

A43-00128A, 00129, 00130, 00131, 04035

14. Remarks:

2 WELLS HAVE BEEN ADDED AS ADDITIONAL POINTS OF DIVERSION DUE
TO THE INTERCONNECTING OF ADJACENT IRRIGATION SYSTEMS AS IS
CONTEMPLATED UNDER SB 1065.

15. Basis of Claim: LICENSE

Water Right Number: 18180

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 _____

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

RECEIVED

JUN 12 1989

Department of Water Resources
Southern Region Office

43-2276

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

CIVIL CASE NUMBER: 39576

Ident. Number 443-02276

Date Received _____

Receipt Number _____

This document prepared by:
BARNETT INTERMOUNTAIN WATER CONSULTANTS
106 WEST 500 SOUTH, SUITE 101
BOUNTIFUL, UT 84010
(801) 292-4662
Please contact us for technical inquiries.

Please type or print clearly

1. Name of Claimant (s) Reid S. and/or Ruth O. Stewart Phone (801) 753-2027

Mailing Address 1655 Sunset Drive, Logan, Utah Zip 84321

2. Date of Priority (Only one (1) per claim) Sept. 19, 1935

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 15S Range 26E Section 24,
_____ 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Cassia

Additional points of diversion if any: also two wells in SW SE & SW NW Sec 24 T15S R26E.

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Wells, pumps, and pipelines to place of use.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar 15 to Nov 15 amount 2.81 or _____

For Domestic purposes from Jan 1 to Dec 31 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.81 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 423 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic use for one family.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15S	26E	24				5									30	25			60
15S	27E	19						20	49	12									81

Total number of acres irrigated 141

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

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
43-128A, 129, 130, 131, and 4035 or None ()

14. Remarks:

Waters uses under this claim are identical to those listed under the
statutory claim for the right with the exception that two wells have
been added as additional points of diversion due to the interconnecting
of adjacent irrigation systems as is contemplated under SB 1065.

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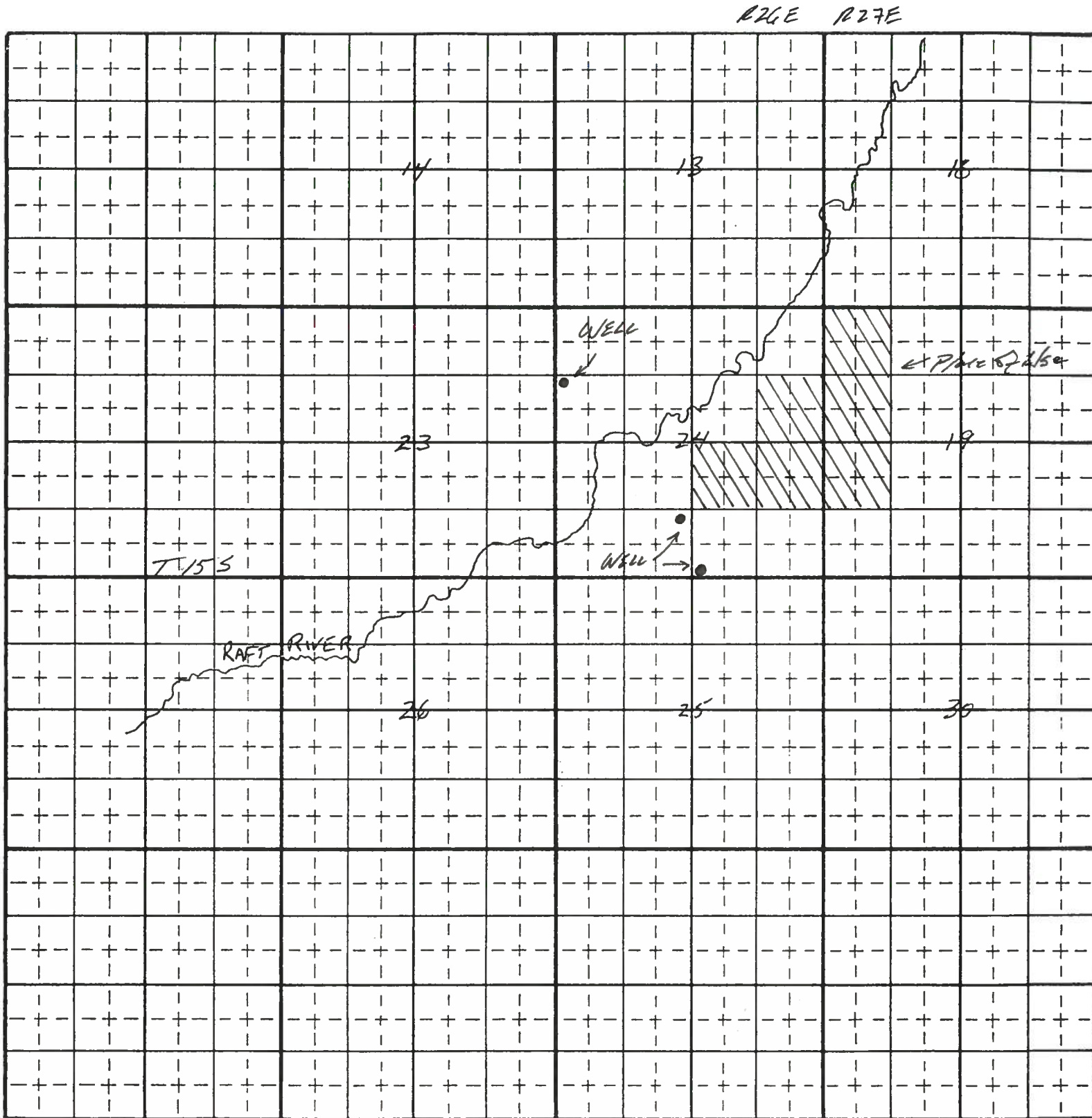
MAR 03 1993

Last Name Stewart Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the place of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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MAR 03 1993

Last Name STEWART Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) ☐ Official Use ☐ Posted Notice ☒ License ☐ Permit ☐ Decree ☐

If applicable provide IDWR Water Right Number 43-2276

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 none

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) *Rich Stewart* Date 6-5-89

_____ Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Utah)

County of Davis) SS.

Subscribed and sworn (or affirmed) before me this 8th day of June 1989

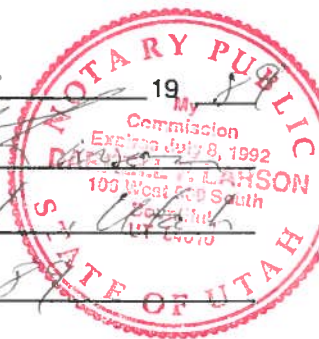
SEAL

Notary Public *Wallace*

Residing at Bountiful

My Commission Expires 7-8-89

Please Print Name



17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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MAR 03 1993

Last Name Stewart Ident. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 43-02276

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 18180

*** C - CURRENT OWNER ***
HAWKINS

E. T.

1 -
2 -
3 -
City- LOGAN
Phone -

State- UT Zip-

Priority Date - 09/19/1935

Region - 17

Stage - L - LICENSE

Status -

Source - GROUNDWATER

Tributary -

Twn Rng Sec Tract Lot Rflg County Point of Diversion
15S 26E 24 SE SW (31) CASSIA

Code Description
01 - IRRIGATION
43 - DOMESTIC

2.810

Total Div. Rate - 2.810 + Total Div. Volume - + Total Div. Capacity - +

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
15S	26E	24	SE NE		5.0		01	IRRIGATION	(31) CASSIA
15S	26E	24	NE SE		30.0		01	IRRIGATION	(31) CASSIA
15S	26E	24	NW SE		25.0		01	IRRIGATION	(31) CASSIA
15S	27E	19	NW NW	1	20.0		01	IRRIGATION	(31) CASSIA
15S	27E	19	SW NW	2	49.0		01	IRRIGATION	(31) CASSIA
15S	27E	19	NW SW	3	12.0		01	IRRIGATION	(31) CASSIA

Total Acres: 141.0

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

Remarks -
No Remarks found.

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MAR 03 1993

Adj. flag translation: Standard Water Right Number

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

+ - Decree Date
00/00/0000

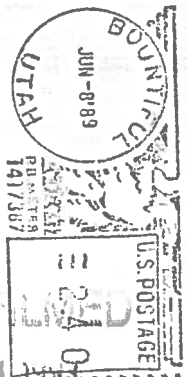
+-----Water Rights Dates and Flags Area-----

Proof Due Date	00/00/0000	Field Exam Made	00/00/0000	Field Exam Fee	-
Approved/Denied	00/00/0000	Protected Date	00/00/0000	Swan Falls	-
Proof Made Date	00/00/0000	Hearing Date	00/00/0000	Temporary Right	-
Start Work Date	00/00/0000	Verified Date	02/26/1985	DLE/Carrey Act	-
Order Show Cause	00/00/0000	Receipt Number	-	Water District	-
Licensed Date	07/03/1979	Appl Received	00/00/0000	Transfer/Amended	-
Decree Date	00/00/0000				

000
MICROFILMED
MAR 03 1993

HIGGINSON-BARNETT, CONSULTANTS
106 West 500 South Suite 101
BOUNTIFUL, UTAH 84010

IDAHO DEPT. OF WATER RESOURCES
2148 4th Ave. East
Twin Falls, Idaho 83301





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

.Aug. 25, 1989

.REID S STEWART
.STEWART RANCH
.MALTA ID 83342

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

A43-02381A
A43-00130
A43-00129
A43-02285A
A43-00080
A43-04035
Re: A43-02167A
A43-02276
A43-02521
A43-02509A
A43-00131
A43-02534A
A43-10535
A43-00126A

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MAR 03 1993

Hancock, Vikie

From: Hancock, Vikie
Sent: Thursday, January 17, 2002 9:43 AM
To: 'dbarnett@barnettwater.com'
Subject: 62 photo, Stewart

Don,

Attached is a JPEG file of a 1962 aerial photo of the sections Doug identified to me. If you need any other area, or need a closer view of a particular section, just let me know. Hope the quality received is good enough. Also, if you don't already know, the USDA archives of the old ASCS/FSA aerial crop survey photos are in SLC. The address I have is 2222 W 2300 S, but no phone number. Good luck, and hi to Ried.

Vikie



02.jpg

T15S, R26E

Emailed to
Don Barnett
01-17-2002
NH

24

25

23

26

V HANCOCK, IDWR 01-17-2002

1962 AERIAL PHOTO

Lisa Land Title
Yenter

736-2424

POVID 272150 497606
45-2500

To: Doug Gail

1/15 Allen Merritt: ring in

Don Barnett

Vikie & Reid Stewart.

① 1962 ② 1

1/15

w/ shapes & sec in Jpeg

155 26E 23 24

26 25



"dbarnette@barnettwater.com"

106 w 5005 Suite 101
Beautifol UT 84810

1/15 Michael Sunday something happened
Fri Sat or Sun POD work needs to be done
Claim POD shapes

07/18/2001

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

RIGHT NUMBER: 43-2276

NAME AND ADDRESS: REID S STEWART
RUTH O STEWART
1655 SUNSET DR
LOGAN, UT 84321

SOURCE: GROUND WATER

QUANTITY: 2.81 CFS
564 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NO. 43-4035 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2068 AF.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 11.32 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 3140 AF. COMBINED RIGHT NOS.: 43-
2276, 43-2521, 43-2381A, 43-2534A, 43-4035, 43-10535, 43-
13102.

PRIORITY DATE: 09/19/1935

POINT OF DIVERSION:	T15S R26E S24	NWSWNW	Within CASSIA County
	T15S R26E S24	NESESW	Within CASSIA County
	T15S R26E S24	SWSWSE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.81 CFS
DOMESTIC 1 HOMES	01-01 12-31	564.00 AFY 0.04 CFS

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>			
T15S R26E S23	NESE	0.1	T15S R26E S23 SESE 4.2
T15S R26E S24	NENE	40	T15S R26E S24 SWNE 35
T15S R26E S24	SENE	40	T15S R26E S24 SWNW 39
T15S R26E S24	SENE	38	T15S R26E S24 NESW 40
T15S R26E S24	NWSW	40	T15S R26E S24 SWSW 40
T15S R26E S24	SESW	40	T15S R26E S24 NESE 40
T15S R26E S24	NWSE	40	T15S R26E S24 SWSE 40
T15S R26E S24	SESE	40	T15S R26E S25 NENE 40
T15S R26E S25	NWNE	40	T15S R26E S25 NENW 40
T15S R26E S25	NWNW	40	T15S R26E S26 NENE 39
T15S R26E S26	NWNE	33	T15S R26E S26 SWNE 40
T15S R26E S26	SENE	40	T15S R27E S18 LOT 4 SWSW 48
T15S R27E S19 LOT 1	NWNW	49	T15S R27E S19 LOT 2 SWNW 49
T15S R27E S19 LOT 3	NWSW	49	
<u>DOMESTIC Within CASSIA County</u>			
T15S R26E S24	NENE		

1023.3 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 141 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-4035 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 517 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1023 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-046, 43-128A, 43-129, 43-130, 43-131, 43-2167A, 43-2276, 43-2327, 43-2381A, 43-2461, 43-2521, 43-2534A, 43-4035, 43-4095, 43-10535, 43-13102.

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 - License

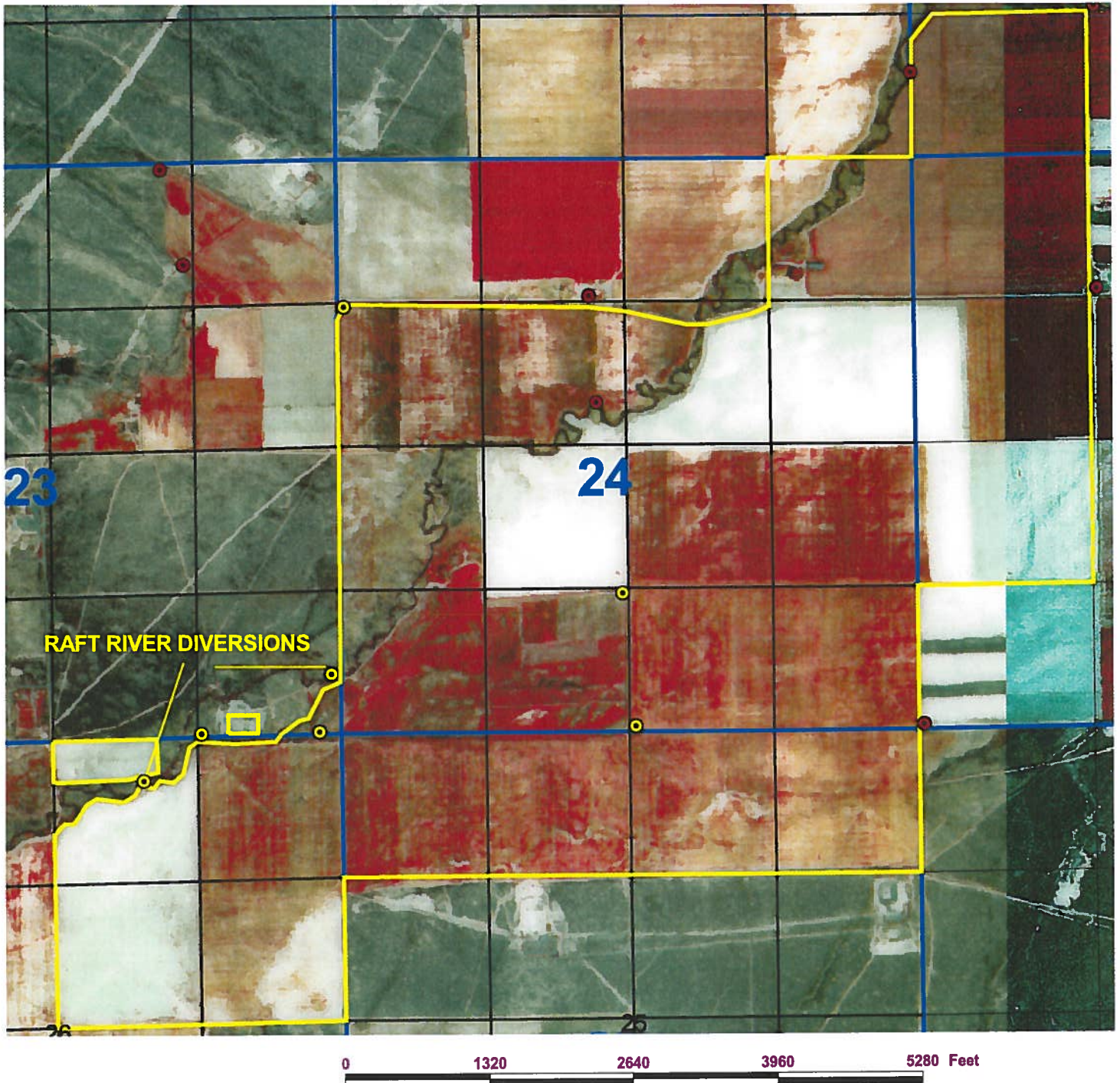
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 43-10535 IS AN EXPANSION OF RIGHT NOS. 43-2276, 43-2521, 43-2381 ~~A~~ 43-2534A, 43-4035 & 43-13102 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

Idaho Department of Water Resources

RIGHTS: 43-046, 43-128A, 43-129, 43-130,
43-131, 43-2167A, 43-2276, 43-2327, 43-2381A,
43-2461, 43-2521, 43-2534A, 43-4035, 43-4095,
43-4097, 43-10535, 43-13102

RECOMMENDED PLACE OF USE
TWP 15S, RNG 26E
TWP 15S, RNG 27E
Data entry on July 17, 2001



-  RECOMMENDED POINT OF DIVERSION
-  RECOMMENDED PLACE OF USE
-  SECTION LINES
-  QUARTER/QUARTER LINES



GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
PREPARED BY VIKIE HANCOCK

Hancock, Vikie

From: Don A. Barnett [dbarnett@barnettwater.com]

Sent: Tuesday, June 12, 2001 6:28 PM

To: vhancock@idwr.state.id.us

Subject: Reid Stewart Adjudication Claims

Vikie:

Sorry about interrupting you in the middle of things. I don't know what I was doing wrong before but I got the math to add. I had promised to let you know about the one quarter quarter Reid was worried about. In the mid-1970's when Reid came on the scene the NESW of Section 24 was being flood irrigated from the well in the SE corner of the field. I believe that the well was licensed under water right 43-2276. The license shows the acres applied for by quarter quarter section and the number of acres which were irrigated at the time of proof. This quarter quarter section was not in the application and hence, could not have been licensed. Is there a chance that there are notes in the water right file which would indicate, however, that the field was irrigated?

Thanks for your help on Reid's water rights.

02/15/2001

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

RIGHT NUMBER: 43-2276
NAME AND ADDRESS: REID S STEWART
RUTH O STEWART
1655 SUNSET DR
LOGAN, UT 84321

SOURCE: GROUND WATER

QUANTITY: 2.81 CFS
564 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHT NO. 43-4035 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2068 AF.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A COMBINED
DIVERSION RATE OF 10.86 CFS AND A COMBINED ANNUAL DIVERSION
VOLUME OF 3040 AF. COMBINED RIGHT NOS.: 43-2276, 43-2521,
43-2381A, 43-2534A, 43-4035, 43-10535.

WHEN COMBINED, RIGHT NOS. 43-046, 43-128A, 43-129, 43-130,
43-131, 43-2167A, 43-2276, 43-2327, 43-2381A, 43-2461, 43-
2521, 43-2534A, 43-4035, 43-4095, & 43-10535, SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 09/19/1935

POINT OF DIVERSION:	T15S R26E S24	NWSWNW	Within CASSIA County
	T15S R26E S24	NESESW	Within CASSIA County
	T15S R26E S24	SWSWSE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	2.81 CFS 564.00 AFY
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS

*Exp claim
increased
new SU claim
filed
7-18-01
DA*

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R26E S23	SESE	4.1	T15S R26E S24	NENE	40
T15S R26E S24	SWNE	35	T15S R26E S24	SENE	40
T15S R26E S24	SWNW	39	T15S R26E S24	SENE	38
T15S R26E S24	NESW	40	T15S R26E S24	NWSW	6.8
T15S R26E S24	SWSW	31	T15S R26E S24	SESW	40
T15S R26E S24	NESE	40	T15S R26E S24	NWSE	40
T15S R26E S24	SWSE	40	T15S R26E S24	SESE	40
T15S R26E S25	NENE	40	T15S R26E S25	NWNE	40
T15S R26E S25	NENW	40	T15S R26E S25	NWNW	40
T15S R26E S26	NENE	39	T15S R26E S26	NWNE	33
T15S R26E S26	SWNE	40	T15S R26E S26	SENE	40
T15S R27E S18	LOT 4	48	T15S R27E S19	LOT 1	49
T15S R27E S19	LOT 2	49	T15S R27E S19	LOT 3	49

DOMESTIC Within CASSIA County

T15S R26E S24 NENE

980.9 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 141 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 43-4035 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 517 ACRES IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 892 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-2276, 43-2327, 43-2381A, 43-2461, 43-2521, 43-2534A, 43-4035, 43-4095, 43-10535.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 981 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-046, 43-128A, 43-129, 43-130, 43-131, 43-2167A, 43-2276, 43-2327, 43-2381A, 43-2461, 43-2521, 43-2534A, 43-4035, 43-4095, & 43-10535

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 - License

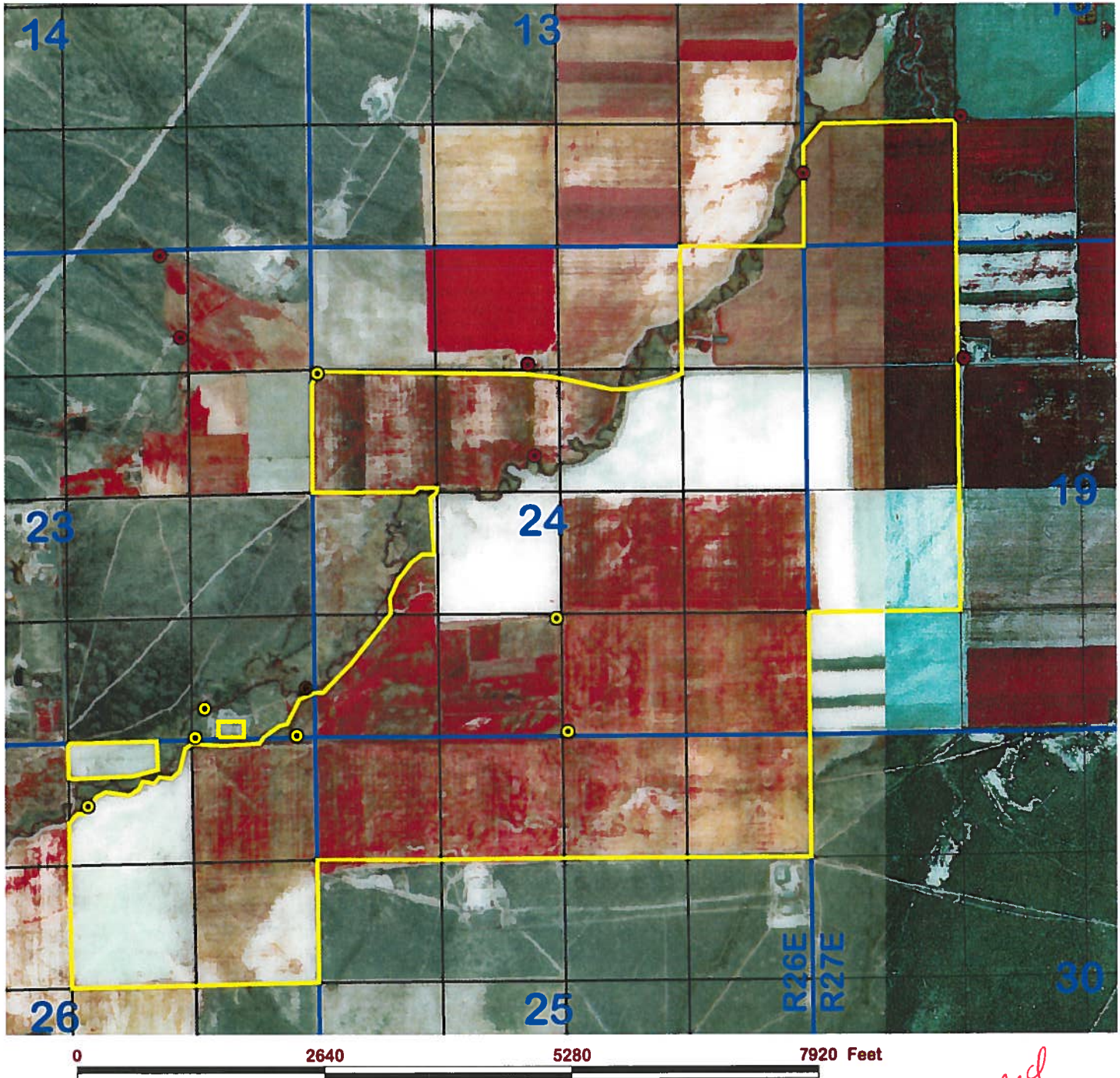
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 43-10535 IS AN EXPANSION OF RIGHT NOS. 43-2276, 43-2521, 43-2381, 43-2534A & 43-4035 PURSUANT TO SECTION 42-1416B, IDAHO CODE.

Idaho Department of Water Resources

RIGHTS: 43-046, 43-128A, 43-129, 43-130,
43-131, 43-2167A, 43-2276, 43-2327, 43-2381A,
43-2461, 43-2521, 43-2534A, 43-4035, 43-4095,
43-4097, 43-10535

RECOMMENDED PLACE OF USE
TWP 15S, RNG 26E,
TWP 15S, RNG 27E,
Data entry on February 12, 2001



● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES



*Superceded
7-18-01*

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY VIKIE HANCOCK

CLAIM NUMBER: A43-02276

TOTAL DIVERSION:	2.81 CFS
CONSUMPTIVE USE:	~~423.00 AFA~~

Stage: LICENSE

CASSIA County

43. 403
- 0535

15. Is restricted to be used? No
 16. Name of Reverter and number of Storage Permit:
 17. Date of filing of Application for Storage Permit and Name of Applicant:
 18. IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

L. T. [Signature]

Approved

By

Agent

Date of first meeting of Department of Reclamation: 11:00 A. M. September 19, 1935

Learned to applicant by return: September 26, 1935

Corrected application received: September 30, 1935

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18180
 Reverted in B. R. 46 Page 18180 Approved September 30, 1935
 This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
 Said to be the sum of \$
 Work to begin on or before September 29, 1935 and to continue diligently and uninterruptedly to completion, unless exceptionally interrupted by circumstances over which permit holder has no control.
 The date of the work above specified is to be completed on or before March 30, 1936
 The whole of said work to be completed on or before September 30, 1940
 Payment for use of water appropriated in accordance herewith, to be made on or before September 30, 1942.
 It is hereby found that 30% day of September, 1935.

L. T. [Signature]
 Commissioner of Reclamation

Remarks: The well has been partially drilled during the present year, deep well equipment installed, and approximately two second feet of water has been pumped steadily during the daylight hours nearly every day since the well was put into operation, on June 20, 1935. Approximately fifty acres of alfalfa were seeded, and approximately 100 acres of wheat irrigated and prepared for planting grain. The quantity of water used is estimated at 2 second feet.

Top	Base	Sec.	NE ¹	SW ¹	SE ¹	SW ²	SE ²	SW ³	SE ³	SW ⁴	SE ⁴	SW ⁵	SE ⁵	SW ⁶	SE ⁶	SW ⁷	SE ⁷	SW ⁸	SE ⁸	SW ⁹	SE ⁹	SW ¹⁰	SE ¹⁰	SW ¹¹	SE ¹¹	SW ¹²	SE ¹²	SW ¹³	SE ¹³	SW ¹⁴	SE ¹⁴	SW ¹⁵	SE ¹⁵	SW ¹⁶	SE ¹⁶	SW ¹⁷	SE ¹⁷	SW ¹⁸	SE ¹⁸	SW ¹⁹	SE ¹⁹	SW ²⁰	SE ²⁰	SW ²¹	SE ²¹	SW ²²	SE ²²	SW ²³	SE ²³	SW ²⁴	SE ²⁴	SW ²⁵	SE ²⁵	SW ²⁶	SE ²⁶	SW ²⁷	SE ²⁷	SW ²⁸	SE ²⁸	SW ²⁹	SE ²⁹	SW ³⁰	SE ³⁰	SW ³¹	SE ³¹	SW ³²	SE ³²	SW ³³	SE ³³	SW ³⁴	SE ³⁴	SW ³⁵	SE ³⁵	SW ³⁶	SE ³⁶	SW ³⁷	SE ³⁷	SW ³⁸	SE ³⁸	SW ³⁹	SE ³⁹	SW ⁴⁰	SE ⁴⁰	SW ⁴¹	SE ⁴¹	SW ⁴²	SE ⁴²	SW ⁴³	SE ⁴³	SW ⁴⁴	SE ⁴⁴	SW ⁴⁵	SE ⁴⁵	SW ⁴⁶	SE ⁴⁶	SW ⁴⁷	SE ⁴⁷	SW ⁴⁸	SE ⁴⁸	SW ⁴⁹	SE ⁴⁹	SW ⁵⁰	SE ⁵⁰	SW ⁵¹	SE ⁵¹	SW ⁵²	SE ⁵²	SW ⁵³	SE ⁵³	SW ⁵⁴	SE ⁵⁴	SW ⁵⁵	SE ⁵⁵	SW ⁵⁶	SE ⁵⁶	SW ⁵⁷	SE ⁵⁷	SW ⁵⁸	SE ⁵⁸	SW ⁵⁹	SE ⁵⁹	SW ⁶⁰	SE ⁶⁰	SW ⁶¹	SE ⁶¹	SW ⁶²	SE ⁶²	SW ⁶³	SE ⁶³	SW ⁶⁴	SE ⁶⁴	SW ⁶⁵	SE ⁶⁵	SW ⁶⁶	SE ⁶⁶	SW ⁶⁷	SE ⁶⁷	SW ⁶⁸	SE ⁶⁸	SW ⁶⁹	SE ⁶⁹	SW ⁷⁰	SE ⁷⁰	SW ⁷¹	SE ⁷¹	SW ⁷²	SE ⁷²	SW ⁷³	SE ⁷³	SW ⁷⁴	SE ⁷⁴	SW ⁷⁵	SE ⁷⁵	SW ⁷⁶	SE ⁷⁶	SW ⁷⁷	SE ⁷⁷	SW ⁷⁸	SE ⁷⁸	SW ⁷⁹	SE ⁷⁹	SW ⁸⁰	SE ⁸⁰	SW ⁸¹	SE ⁸¹	SW ⁸²	SE ⁸²	SW ⁸³	SE ⁸³	SW ⁸⁴	SE ⁸⁴	SW ⁸⁵	SE ⁸⁵	SW ⁸⁶	SE ⁸⁶	SW ⁸⁷	SE ⁸⁷	SW ⁸⁸	SE ⁸⁸	SW ⁸⁹	SE ⁸⁹	SW ⁹⁰	SE ⁹⁰	SW ⁹¹	SE ⁹¹	SW ⁹²	SE ⁹²	SW ⁹³	SE ⁹³	SW ⁹⁴	SE ⁹⁴	SW ⁹⁵	SE ⁹⁵	SW ⁹⁶	SE ⁹⁶	SW ⁹⁷	SE ⁹⁷	SW ⁹⁸	SE ⁹⁸	SW ⁹⁹	SE ⁹⁹	SW ¹⁰⁰	SE ¹⁰⁰
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821825

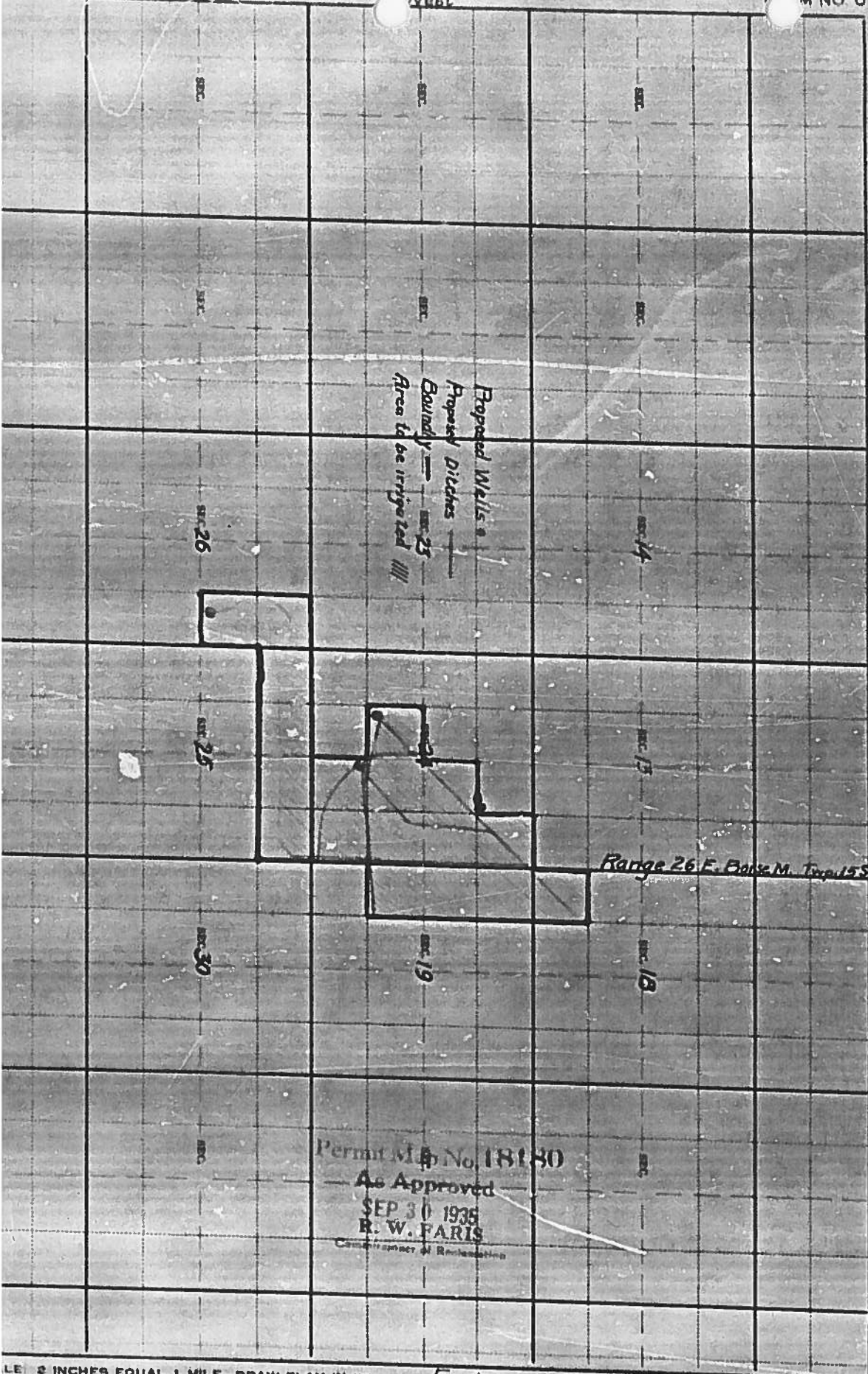
Certificate of Completion of Master January 15, 1941.

NAME OF APPLICANT

E. T. Hawkins

Acres

FORM NO. 0



SCALE 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK

East

18180

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18180

This proof is for Completion of works

In Water Right No.

1. Name of applicant E. T. Hawkins, Bridge, Idaho

2. Source of water supply Subterranean

3. Location of point of diversion: Is in the NE 1/4 Sec. 24 of Section 24
T. 15 S. R. 26 E. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: A Drilled Well 400 ft. deep, cased with steel pipe of 14 to 10 inch diameter. Equipped with deep well two stage "Peerless" turbine pump, driven by gas engine. Discharge is through 1 ft of 8 inch pipe to a concrete reservoir 4 ft. wide x 3 ft. deep x 30 ft. long. Ditches 2 ft. wide x 1 ft. deep.

5. Water is used for: Irrigation and domestic

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE 1/4, S 1/2 NE 1/4, NE 1/4 NE 1/4 Section 24; Twp. 15 S., Range 26 E., B.M. Lots 1, 2 and 3, Sec. 15, Twp. 15 S., Range 27 E., B.M.

(Submit map on attached plat, showing location and details of above description)

8. What large stream would the water here appropriated finally reach? One

Remarks: The water is used for irrigation and domestic purposes.

This examination was made on the

29th

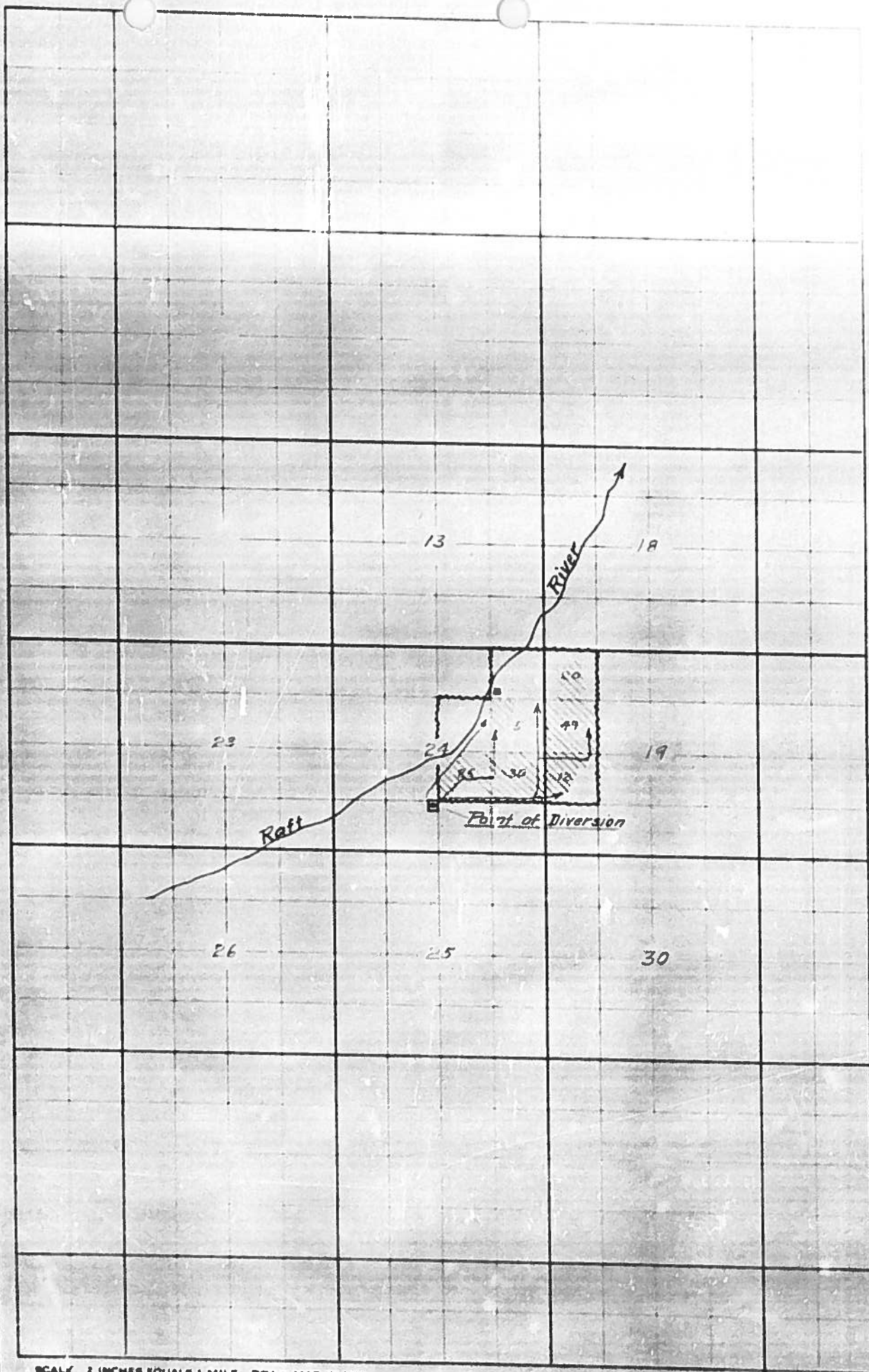
day of

July 1910

1910

(Signed)

Examiner



SCALE 2 INCHES EQUALS 1 MILE DRAW MAP IN INK

18184

State of Idaho **License and Certificate of Water Right**

Water License No. 18180

Amount 2.81 Second feet

Water District No. _____

Priority September 19, 1935

THIS IS TO CERTIFY that E. T. HANKINS
of Logan, Utah, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 19, 1935; that Permit No. 18180
was issued under said application; that Certificate of Completion of work, with a carrying capacity of
2 second feet, was issued thereunder on January 15, 1941, showing that said works
were completed on the 28th day of September, 1940; and that on the 28th
day of September, 1942.

E. T. HANKINS
of Logan, State of Utah, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
subterranean, for the purpose of irrigation and domestic
uses, under Use Permit No. 18180 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4486, on the 4th day of May, 1949;
The right hereby confirmed dates from September 19, 1935;

The Point of Diversion is located
in the SE 1/4, SW 1/4, Sec. 24, Tp. 15 S., R. 24 E., S. M. Cassia
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.81 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15S.	26 E.	24	NE 1/4	40	--
			SE 1/4	25	--
			SW 1/4	40	5
			NE 1/4	40	30
			SW 1/4	40	25
15 S.	27E	19	Lot 1	40	20
			Lot 2	40	40
			Lot 3	40	15
			Number of Acres Actually Irrigated		<u>141</u>

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

WITNESS the real and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
1st day of May, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

sions of this section within the time or times specified shall be deemed to have abandoned all rights under his permit.

Approved March 27, 1989.

CHAPTER 97
(S.B. No. 1065)

AN ACT
RELATING TO THE TRANSFER OF WATER RIGHTS; AMENDING CHAPTER 14, TITLE 42, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 42-1416A, IDAHO CODE, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES TO RECOMMEND AND THE DISTRICT COURT TO DECREE CHANGES IN A WATER RIGHT IF THE CHANGES ARE MADE PRIOR TO ENTRY OF THE ORDER COMMENCING THE GENERAL ADJUDICATION IN WHICH THE WATER RIGHT IS BEING ADJUDICATED.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 14, Title 42, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 42-1416A, Idaho Code, and to read as follows:

42-1416A. PRIOR CHANGE IN POINT OF DIVERSION, PLACE OF USE, PERIOD OF USE, OR NATURE OF USE OF WATER RIGHT CLAIMED IN A GENERAL ADJUDICATION. (1) If any person entitled to the use of water has made a change in point of diversion, place of use, period of use or nature of use of all or a part of the water, including a change as part of an exchange as defined by section 42-105, Idaho Code, prior to entry of an order commencing a general adjudication pursuant to section 42-1408, Idaho Code, and the person entitled to the use of water has not complied with the requirements of sections 42-108 and 42-222, Idaho Code, regarding such changes, the following shall apply:

(a) the water right may be claimed in the general adjudication as changed and an application for change of the water right is so required to be filed pursuant to section 42-222, Idaho Code; and
(b) the water right may be determined by the director in the director's report pursuant to section 42-1411, Idaho Code, as decreed by the district court pursuant to section 42-1412, Idaho Code, as changed, if the change meets the substantive criteria of section 42-222, Idaho Code, for approval of such changes, provided that the change may be approved subject to conditions necessary to satisfy the substantive criteria of section 42-222, Idaho Code for approval of such changes.

(2) To the extent that the provisions of this section and section 42-1416, Idaho Code, are both applicable to the same water right, the two sections shall be applied conjunctively, if possible, but the

section shall not be construed to limit the provisions of section 42-1416, Idaho Code.

Approved March 27, 1989.

COPY