

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSEPH HILL 290 NORTH ANGEL KAYSVILLE, UT 84037-9733 (801)544-1118

Lessee
Lessee

PETER J GRUSH
SYLVIA T GRUSH
2025 S HWY 81
MALTA, ID 83342
(208)645-2361

Priority Date: 07/26/1956
Basis:
Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	5.28 CFS	1056 AFA	
Total Diversion			5.28 CFS	1056 AFA	

GROUND WATER	NWSW	Sec. 14	Township 13S	Range 27E	CASSIA County
GROUND WATER	NESW	Sec. 15	Township 13S	Range 27E	CASSIA County

IRRIGATION Use:
Acre Limit: 264

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	27E	15		NENE	33		NWNE	33		SWNE	33		SENE	33
				NENW	33		NWNW	33		SWNW	33		SENW	33
				NESW	33		NWSW	33		SWSW	33		SESW	33
				NESE	33		NWSE	33		SWSE	33		SESE	33

Total Acres: 528

Conditions of Approval:

1. R64 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.
2. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Remarks:

1. General Right 43-2447A is limited to the irrigation of 264.0 acres within the place of use described above in a single irrigation season.
2. General Rights 43-2447A and 43-2448A when combined shall not exceed a total diversion rate of 9.86 cfs, a total annual maximum diversion volume of 2046.0 af at the field headgate, and the irrigation of 511.5 acres.

Comments:

Author	Date	Subject	Comment
JSTANTON	7/21/1999	TRANSFER NO. 5498	Application seeks to create a PPU for 2 pivots in the N 1/2 S. 27 T. 13S R. 27E by drying up pivot corners in S. 15, same T/R.
JSTANTON	3/13/2000	Amended App. for Transfer	Transfer amended 3-10-00 to dry up all pivot corners in Sec. 15 in order to provide additional cfs for 2 pivots in Sec. 27. Also ties in with SRBA recommendations for Sec. 27.
pskaggs	5/7/2001 11:52:48 AM	Transferred Right	This is now an approved transfer, transfer number = 66918

Dates:

Licensed Date:
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector: And/Or
 Water District Number:
 Generic Max Rate per Acre: 0.02
 Generic Max Volume per Acre: 4
 Combined Acres Limit: 511.5
 Combined Volume Limit: 2046
 Combined Rate Limit: 9.86
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False
 Parent Right: 43-2447 Transfer

MEMO

FROM: Allen Merritt

DATE: June 9, 2000

TO: Transfer File No. 5498
Water Right(s): T43-02447B
T43-02448B
T43-02450B
T43-10539
T43-10541

Copy for
AJ

In the Name of: Peter &/or Sylvia Grush

SUBJECT: Review and Recommendation

This transfer was originally filed back in December of 1998. It was processed and reviewed by SRBA and our initial recommendation was that the transfer be denied since not much water resulted at the new proposed place of use (See SRBA memo 2/2/00 and my memo 2/8/00).

After our initial review the applicant was consulted about our findings and he decided to amend the application. The amended application deals with the same set of rights but now proposes to dry up 112 acres instead of 35 acres at the "Hill" farm. This amended application now reduces a 640 acre PPU to 528 acres on the "Hill" farm and moves the water and acres (T43-02447B & T43-02448B) from the dried up acres to the "Old Norman Brothers" farm. The "Norman Brothers" farm has been subject to earlier transfers in the name of Norman Brothers. The Norman Brother farm currently is authorized for irrigation of 76 acres with 1.52 cfs/ (266 afa ???) (T43-02450B) but two AJ claims (T43-10539 & T43-10541) have been filed for more water and acres. SRBA review was requested for the initial transfer and they have drafted the 2/2/00 memo mentioned above which basically allowed the additional acres without any additional cfs rate. See also Stanton's 1/15/99 memo. In total the amended transfer requests 3.75 cfs and 714 afa for irrigation of 264 acres.

It is noted that the "R" records reflect confusion over what volume is allowed for 43-02450B(R43-02450D). I have reviewed the microfilm for 43-02450 and find it was licensed for 4.0 afa/acre and the other pieces for the right remain at 4.0 afa/acre but for some reason in transfer 3227 part B was limited to 266 afa based on 3.5 afa/acre even though it appears from the various versions of season of use/diversion volume it has always been 4.0 afa for T13S, R27E and that T3227 requested 4.0 afa/acre. This issue needs to be review by legal staff. Note that this application was filed assuming the 266 afa was limiting but it appears that 304 afa may be correct. I'm sure SRBA is anxious to have this resolved in the administrative process so this application should be reviewed ASAP. This needs to be reviewed by legal staff.

Note that there appears to be a competing claim to a portion of 43-02450 (rate of flow issue) in the SRBA by Schorzman under A43-02450C but this appears to be resolved under approval of T4256 which limits rate to 3.72 cfs.

Recommendation

I recommend the transfer as amended be approved with the following conditions:

- Subject to SRBA.

- When rights 43-02447B, 43-02448B, 43-02450B(could be D), 43-10539 and 43-10541 are combined they are limited to 3.75 cfs for irrigation of 264 acres. The combined annual diversion volume is 714 afa (could be 752).

- Rights 43-10539 and 43-10541 are limited to the conditions of Section 42-1416B of the Idaho Code.

- No new wells are authorized to be drilled under this approval.

- Needs Legal or Administrator review.

DEC 27 1994

Department of Water Resources
Southern Region Office

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: A43-02447
Date Received: 4/1/1994
Receipt No: SD 17642
Received By: _____

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

1. Name: JOSEPH HILL 801-544-1118
Address: 290 NORTH ANGEL
KAYSVILLE UT 83350

2. Date of Priority: JUL 26, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	14		NW	SW		CASSIA
		15		NE	SW		CASSIA

5. Description of diverting works:
2 WELLS & 2 PUMPS (ALSO SERVES A43-02448)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.400		
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:
6.400 C.F.S. (and/or) 1281.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
400 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	27E	15	NE	NE		IRR	40.0
			NW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	15	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 320.0

Total Acres 320.0

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:

LIC. 43-2448.

14. Remarks:

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 11.95 CFS WHEN COMBINED WITH LICENSE NO. 26480/43-2448.

15. Basis of Claim: LICENSE

Water Right Number: 26478

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):

Joseph Hill
Richard Hill

Date: 12/20/94

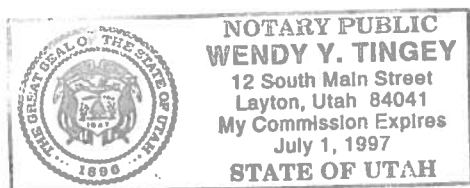
Date: 12/20/94

State of Utah)
County of Davis) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of Dec. 19 94

Wendy Y. Tingey
Notary Public

Seal



Residing at Layton, UT
My Commission Expires 7-1-97

5 6 12 11 V

DEC 27 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources
Southern Region Office

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: A43-02447
Date Received: 4/ 1/1994
Receipt No: _____
Received By: _____

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

1. Name: JOSEPH HILL 801-544-1118
Address: 290 NORTH ANGEL
KAYSVILLE UT 83350

2. Date of Priority: JUL 26, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	27E	14		NW	SW		CASSIA
		15		NE	SW		CASSIA

5. Description of diverting works:
2 WELLS & 2 PUMPS (ALSO SERVES A43-02448)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.400		
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:
6.400 C.F.S. (and/or) 1281.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
400 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	15	NE	NE		IRR	40.0
			NW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	27E	15	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 320.0

Total Acres 320.0

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:
LIC. 43-2448.

14. Remarks:

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 11.95 CFS WHEN COMBINED WITH LICENSE NO. 26480/43-2448.

15. Basis of Claim: LICENSE

Water Right Number: 26478

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):

Joseph Hill
Richard Hill

Date: 12/20/94

Date: 12/20/94

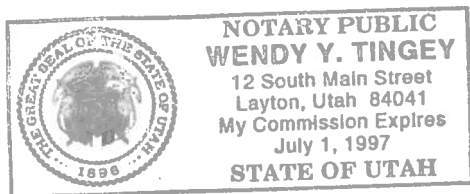
State of ~~Idaho~~ ^{UTah})
County of Davis) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of 1st Dec. 19 94

Wendy Y. Tingey
Notary Public

Seal



Residing at Layton, Utah

My Commission Expires 7-1-97

Department of Water Resource
Southern Region Office

Water Right Number - A43-02447

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 26478

*** C - CURRENT OWNER ***

CLEVERLEY

CINDY L.

1 - RT 4 BOX

2 -

3 -

City- RUPERT

Phone - 208-434

1 - RT 4 BOX

2 -

3 -

City- RUPERT

Phone - 208-434

*** O - ORIGINAL OWNER ***

HUMPHREY

NOLAN B.

THOMPSON

NICHOLAS L.

1 -

2 -

3 -

City- XXXX

Phone - 208-000

1 -

2 -

3 -

City- MALTA

Phone - 208-000

Priority Date - 07/26/1996

Region - 17 SOUTHERN

Stage - L - LICENSE

Status -

Source - GROUNDWATER

Tributary -

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
13S	27E	14	NW SW		(31)	CASSIA	
		15	NE SW		(31)	CASSIA	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		6.400	
04 - STOCKWATER		01/01	12/31		0.030	

Total Div. Rate - 6.400

Total Div. Volume - 1281.40

Total Consumptive Use - 0.0

KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
13S	27E	15	NE NE		40.0	01	IRRIGATION	(31) CASSIA
13S	27E	15	NW NE		40.0	01	IRRIGATION	(31) CASSIA
13S	27E	15	SW NE		40.0	01	IRRIGATION	(31) CASSIA

5/4/94

called Mrs. Cleverley,
said they are waiting
for their accountant to
get their operating loan
together and they will
send us money then...

DISCUSSION

Total Acres: 320.0

+ - - Non-Irrigation Use - 400 BEEF STOCK

+ - - Other Rights for Same Use - LIC. 43-2448.

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 11.95 CFS WHEN COMBINED WITH LICENSE NO. 26480/43-2448.

No Old Water Right Numbers Found

016 - See remarks for additional conditions of approval.

Decree Plaintiff - - - +

- - Comments - -
No Comments Found

Audit Fields - - +
04/

Judication Rights Dates and Flags Area			
Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Field Inspection Flag	-	Old Case Number	-
Verified Date	- 00/00/0000	Old Judicial District	-
Last Amended Date	- 00/00/0000	Temporary Right	- T
Receipt Number	-	Water District	-
POU Ownership Flag	- Y	Federal/State Indicator	- S
Name Connector	- OR	Presumption Flag	-
		Notice of Error Flag	-

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: A43-02447
Date Received: 4/ 1/1994
Receipt No: _____
Received By: _____

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

1. Name: BRUCE CLEVERLEY 208-436-1301
Address: RT 4 BOX 301
RUPERT ID 83350
OR
Name: CINDY L. CLEVERLEY 208-436-1301
Address: RT 4 BOX 301
RUPERT ID 83350

2. Date of Priority: JUL 26, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	14	NW	SW			CASSIA
		15	NE	SW			CASSIA

5. Description of diverting works:
2 WELLS & 2 PUMPS (ALSO SERVES A43-02448)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.400		
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:
6.400 C.F.S. (and/or) 1281.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
400 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	15	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			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 320.0

Total Acres 320.0

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:

LIC. 43-2448.

14. Remarks:

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 11.95 CFS WHEN COMBINED WITH LICENSE NO. 26480/43-2448.

15. Basis of Claim: LICENSE

Water Right Number: 26478

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): Bruce C. Clewley Date: 4/1/94

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of April 1994

Robert V. Kerstall
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires January 16,

Water Right Number - 43-02447 Prefix Translation: WATER RIGHT Old (D) Number - 26478

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
THOMPSON NICHOLAS L.
1 -
2 -
3 -
City- MALIA State- ID Zip- 83342
Phone -

*** O - ORIGINAL OWNER ***
HUMPHREY NOLAN B.
1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/26/1956 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

13S 27E 14 NW SW (31) CASSIA
15 NE SW (31) CASSIA

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

01 - IRRIGATION 03/15 11/15 6.400
04 - STOCKWATER 01/01 12/31 0.030

+ - - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
6.400 1281.40

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

13S 27E 15 NE NE 40.0 01 IRRIGATION (31) CASSIA
13S 27E 15 NW NE 40.0 01 IRRIGATION (31) CASSIA
13S 27E 15 SW NE 40.0 01 IRRIGATION (31) CASSIA
13S 27E 15 SE NE 40.0 01 IRRIGATION (31) CASSIA
13S 27E 15 NE SE 40.0 01 IRRIGATION (31) CASSIA
13S 27E 15 NW SE 40.0 01 IRRIGATION (31) CASSIA
13S 27E 15 SW SE 40.0 01 IRRIGATION (31) CASSIA
13S 27E 15 SE SE 40.0 01 IRRIGATION (31) CASSIA

Total Acres: 320.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

WATER RIGHT

2 - LIC. 43-2448.

+

☐ 1
☐ 2
☐ 3
☐ 4
☐ 5
☐ 6
☐ 7
☒ 8

+

+ . . . - Decre

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05/28/88 CONVERT

☐ 1
☐ 2
☐ 3
☒ 4
☐ 5
☐ 6
☐ 7
☒ 8

WATER RIGHT LICENSE

THIS IS TO CERTIFY THAT:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Stockwater	from Jan. 1 to Dec. 31	at 0.03 cfs and	1.4 acre feet
Irrigation	from March 15 to Nov. 15	at 6.40 cfs and	1,280 acre feet or
	from to	at cfs and	4.0 af per acre
	(both dates inclusive)		

Subject, however, to the condition that no more than * 6.40 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1,281.4 acre feet per year, said waters to be diverted within the NW 1/4 of Sec. 14 and NE 1/4 of Sec. 15, Twp. 13 S, Rge. 27 E, B. M. in the County of Canada

Description and location of place of use:

[illegible]

* Subject to the condition that the maximum rate of diversion shall not exceed 11.95 cfs when combined with License No. 26480/43-2448.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

R. 27E

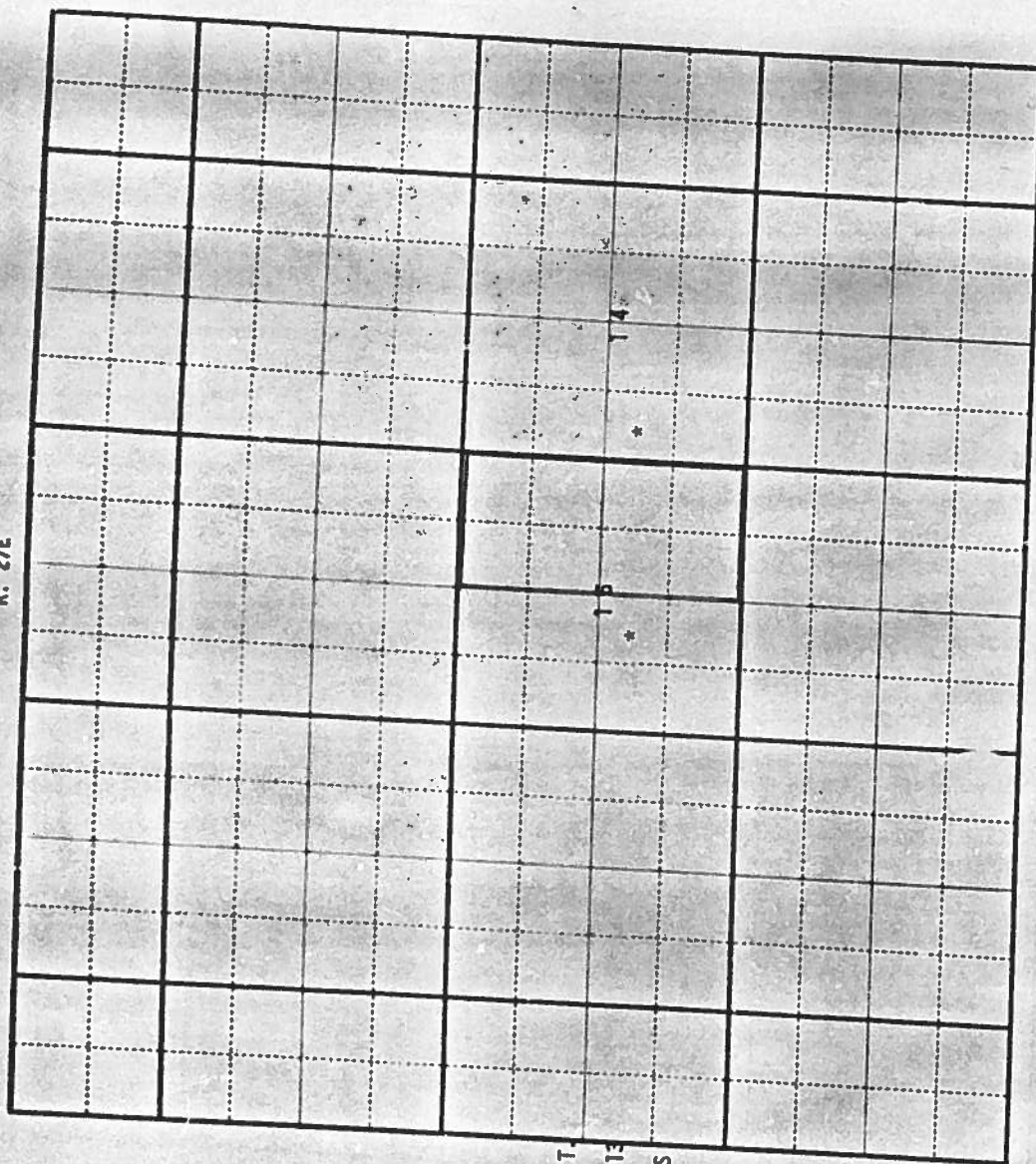


Diagram of System

VERIFIED BY *7/9/01*
07/09/2001

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

RIGHT NUMBER: 43-2447A

NAME AND ADDRESS: JOSEPH HILL
290 NORTH ANGEL
KAYSVILLE, UT 84037-9733

SOURCE: GROUND WATER

QUANTITY: 5.28 CFS
1056 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-2448A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 9.86 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 2046 AF.

PRIORITY DATE: 07/26/1956

POINT OF DIVERSION: T13S R27E S14 NWNWSW Within CASSIA County
T13S R27E S15 NENESW 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	5.28 CFS 1,056.00 AFY

PLACE OF USE:

<u>IRRIGATION Within CASSIA County</u>					
T13S R27E S15	NENE	33	T13S R27E S15	NWNE	33
T13S R27E S15	SWNE	33	T13S R27E S15	SENE	33
T13S R27E S15	NENW	33	T13S R27E S15	NWNW	33
T13S R27E S15	SWNW	33	T13S R27E S15	SENE	33
T13S R27E S15	NESW	33	T13S R27E S15	NWSW	33
T13S R27E S15	SWSW	33	T13S R27E S15	SESW	33
T13S R27E S15	NESE	33	T13S R27E S15	NWSE	33
T13S R27E S15	SWSE	33	T13S R27E S15	SESE	33

528 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 43-2448A IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 511.5 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 264 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION
SEASON.

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

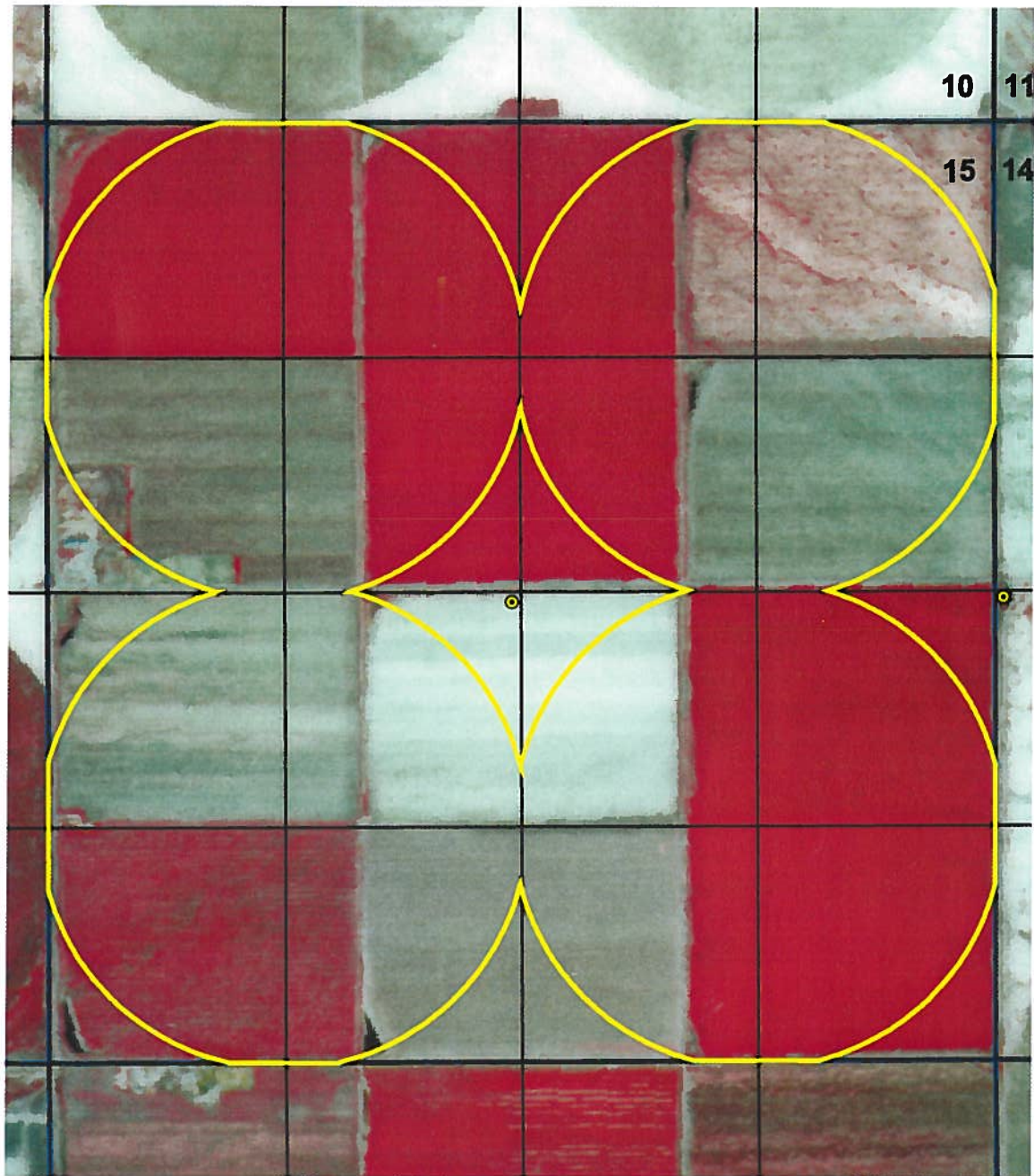
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Water Right 43-2447A

Idaho Department of Water Resources

43-02447A & 43-02448A



0 1320 2640 Feet

RECOMMENDED PLACE OF USE
DATA ENTRY ON JULY 9, 2001
TWP 13S, RNG 27E, SEC. 14 & 15



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

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

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSEPH HILL 290 NORTH ANGEL KAYSVILLE, UT 84037-9733 (801)544-1118
Lessee	PETER J GRUSH
Lessee	SYLVIA T GRUSH 2025 S HWY 81 MALTA, ID 83342 (208)645-2361

Priority Date: 07/26/1956
Basis:
Status: Active

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15	11/15	5.28 CFS	1056 AFA	
Total Diversion			5.28 CFS	1056 AFA	

GROUND WATER	NWSW	Sec. 14	Township 13S	Range 27E	CASSIA County
GROUND WATER	NESW	Sec. 15	Township 13S	Range 27E	CASSIA County

Place of Use Legal Description: IRRIGATION CASSIA County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
13S	27E	15		NENE	33		NWNE	33		SWNE	33		SENE	33
				NENW	33		NWNW	33		SWNW	33		SENW	33
				NESW	33		NWSW	33		SWSW	33		SESW	33
				NESE	33		NWSE	33		SWSE	33		SESE	33

1. R64 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.
2. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Remarks:

1. General Right 43-2447A is limited to the irrigation of 264.0 acres within the place of use described above in a single irrigation season.
2. General Rights 43-2447A and 43-2448A when combined shall not exceed a total diversion rate of 9.86 cfs, a total annual maximum diversion volume of 2046.0 af at the field headgate, and the irrigation of 511.5 acres.

Comments:

Author	Date	Subject	Comment
PSKAGGS	5/7/2001 11:53:10 AM	Transferred Right	This is now a approved transfer, transfer number = 66918

Dates:

Licensed Date:
 Claim Received Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector: And/Or
 Water District Number:
 Generic Max Rate per Acre: 0.02
 Generic Max Volume per Acre: 4
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False
 Parent Right: 43-2447 Transfer

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66918

Southern
RECEIVED
MAY 10 2001
Department of Water Resources
Southern Region

This is to certify that: PETER J GRUSH &/OR
SYLVIA T GRUSH
2025 S HWY 81
MALTA ID 83342
(208)645-2361

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
43-2447	AJC/License	07/26/1956	6.4 cfs	1280 af	320.0	640.0	GROUND WATER
43-2448	AJC/License	07/26/1956	6.32 cfs	1280 af	320.0	640.0	GROUND WATER
43-2450D	AJC/License	10/14/1956	1.52 cfs	266 af	76.0	229.6	GROUND WATER
43-10539	AJC/Beneficial Use	06/30/1985	0.672 cfs		101.6	229.6	GROUND WATER
43-10541	AJC/Beneficial Use	06/30/1985	0.344 cfs		52.0	229.6	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
43-2447	YES	YES	YES	NO	NO	NO
43-2448	YES	YES	YES	NO	NO	NO
43-2450D	NO	NO	YES	NO	NO	NO
43-10539	NO	NO	YES	NO	NO	NO
43-10541	NO	NO	YES	NO	NO	NO

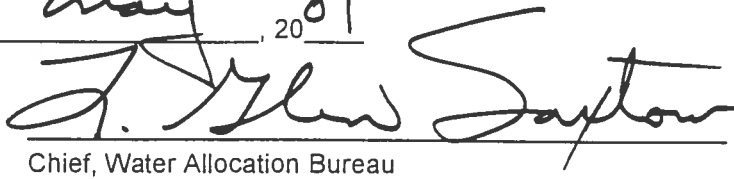
Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
43-2447	43-2447B	1.12 cfs	224 af	56.0	264.0	43-2447A	5.28 cfs	1056 af	264.0	528.0
43-2448	43-2448B	1.11 cfs	224 af	56.0	264.0	43-2448A	5.21 cfs	1056 af	264.0	528.0
43-2450D	43-2450D	1.52 cfs	304 af	76.0	264.0		N/A	N/A	N/A	N/A
43-10539	43-10539	0.67 cfs		101.6	264.0		N/A	N/A	N/A	N/A
43-10541	43-10541	0.34 cfs		52.0	264.0		N/A	N/A	N/A	N/A
TOTALS		3.61 cfs	738 af	264.0	264.0		N/A	N/A	N/A	N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66918

Detailed Water Right Description(s) attached

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2447A
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-2447A is now described as follows.

Right Holder: JOSEPH HILL
 290 NORTH ANGEL
 KAYSVILLE UT 83350

Priority Date: 07/26/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	5.28 CFS	1,056.0 AF
			5.28 CFS	1,056.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESW	Sec. 15 Twp 13S	Rge 27E	CASSIA County
GROUND WATER	NWSW	Sec. 14 Twp 13S	Rge 27E	CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	15	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 528

CONDITIONS OF APPROVAL

- Right 43-2447A is limited to the irrigation of 264.0 acres within the place of use described above in a single irrigation season.
- Rights 43-2447A and 43-2448A when combined shall not exceed a total diversion rate of 9.86 cfs, a total annual maximum diversion volume of 2046.0 af at the field headgate, and the irrigation of 511.5 acres.
- 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.

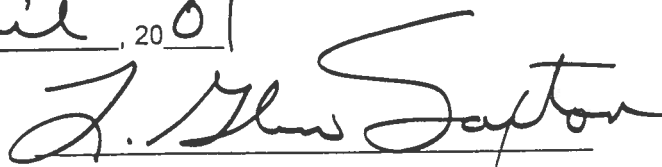
WATER RIGHT NO. 43-2447A
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

4. 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.
5. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of April, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2447B
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-2447B is now described as follows.

Right Holder: JOSEPH HILL
 290 NORTH ANGEL
 KAYSVILLE UT 83350

Priority Date: 07/26/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.12 CFS	224.0 AF
			1.12 CFS	224.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 27 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 264

CONDITIONS OF APPROVAL

- Right 43-2447B is limited to the irrigation of 56.0 acres within the place of use described above in a single irrigation season.
- Rights 43-2447B and 43-2448B when combined shall not exceed a total diversion rate of 2.09 cfs, a total annual maximum diversion volume of 434.0 af at the field headgate, and the irrigation of 108.5 acres.
- Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
- The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
- After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 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.

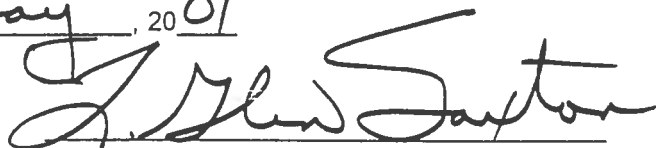
WATER RIGHT NO. 43-2447B
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001



Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2448A
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-2448A is now described as follows.

Right Holder: JOSEPH HILL
 290 NORTH ANGEL
 KAYSVILLE UT 83350

Priority Date: 07/26/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	5.21 CFS	1,056.0 AF
			5.21 CFS	1,056.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSW Sec. 14 Twp 13S Rge 27E CASSIA County

GROUND WATER NESW Sec. 15 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	15	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0	528.0

Total Acres: 528

CONDITIONS OF APPROVAL

1. Right 43-2448A is limited to the irrigation of 264.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-2447A and 43-2448A when combined shall not exceed a total diversion rate of 9.86 cfs, a total annual maximum diversion volume of 2046.0 af at the field headgate, and the irrigation of 511.5 acres.
3. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
4. 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.

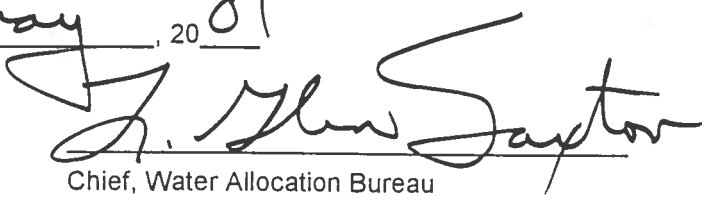
WATER RIGHT NO. 43-2448A
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2448B
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-2448B is now described as follows.

Right Holder: JOSEPH HILL
290 NORTH ANGEL
KAYSVILLE UT 83350

Priority Date: 07/26/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.11 CFS	224.0 AF
			1.11 CFS	224.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 27 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 27E 27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 264

CONDITIONS OF APPROVAL

1. Right 43-2448B is limited to the irrigation of 56.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-2447B and 43-2448B when combined shall not exceed a total diversion rate of 2.09 cfs, a total annual maximum diversion volume of 434.0 af at the field headgate, and the irrigation of 108.5 acres.
3. Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
4. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.
5. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

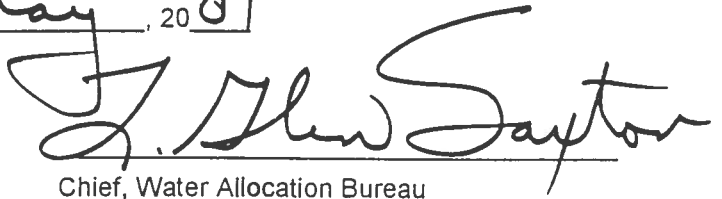
WATER RIGHT NO. 43-2448B
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

6. 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.
7. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/1 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-2450D
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-2450D is now described as follows.

Right Holder: NORMAN BROTHERS
 8400 WEST 3255 NORTH
 CORRINE UT 84307

Priority Date: 10/14/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.52 CFS	304.0 AF
			1.52 CFS	304.0 AF
			1.52 CFS	304.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 27 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	27E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 264

CONDITIONS OF APPROVAL

- Right 43-2450D is limited to the irrigation of 76.0 acres within the place of use described above in a single irrigation season.
- Rights 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 1.52 cfs, a total annual maximum diversion volume of 304.0 af at the field headgate, and the irrigation of 229.6 acres.
- Rights 43-10539 and 43-10541 are expansions of Right 43-2450D pursuant to Section 42-1416B, Idaho Code.
- Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
- The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

WATER RIGHT NO. 43-2450D
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. 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.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. 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.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-10539
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-10539 is now described as follows.

Right Holder: NORMAN BROTHERS
8400 WEST 3255 NORTH
CORRINE UT 84307

Priority Date: 10/14/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.67 CFS	
			0.67 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 27 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
13S	27E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 264

CONDITIONS OF APPROVAL

1. Right 43-10539 is limited to the irrigation of 101.6 acres within the place of use described above in a single irrigation season.
2. Rights 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 1.52 cfs, a total annual maximum diversion volume of 304.0 af at the field headgate, and the irrigation of 229.6 acres.
3. Rights 43-10539 & 43-10541 are expansions of Right 43-2450D pursuant to Section 42-1416B, Idaho Code.
4. Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
5. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

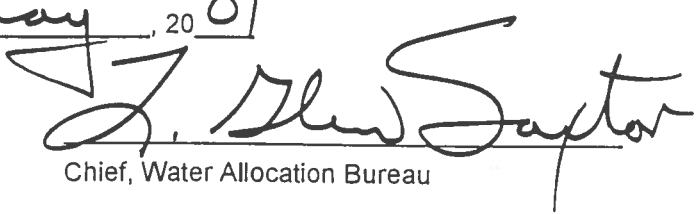
WATER RIGHT NO. 43-10539
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. 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.
8. Approval of Transfer 66918 does not confirm SRBA Claim 43-10539.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

WATER RIGHT NO. 43-10541
As Modified by Transfer No. 66918

In accordance with the approval of Transfer No. 66918, Water Right No. 43-10541 is now described as follows.

Right Holder: NORMAN BROTHERS
8400 WEST 3255 NORTH
CORRINE UT 84307

Priority Date: 10/14/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.34 CFS	
			0.34 CFS	

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENENE Sec. 27 Twp 13S Rge 27E CASSIA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
13S	27E	27	33.0	33.0	33.0	33.0	33.0	33.0	33.0	33.0									264.0

Total Acres: 264

CONDITIONS OF APPROVAL

1. Right 43-10541 is limited to the irrigation of 52.0 acres within the place of use described above in a single irrigation season.
2. Rights 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 1.52 cfs, a total annual maximum diversion volume of 304.0 af at the field headgate, and the irrigation of 229.6 acres.
3. Rights 43-10539 & 43-10541 are expansions of Right 43-2450D pursuant to Section 42-1416B, Idaho Code.
4. Rights 43-2447B, 43-2448B, 43-2450D, 43-10539 and 43-10541 when combined shall not exceed a total diversion rate of 3.61 cfs, a total annual maximum diversion volume of 738.0 af at the field headgate, and the irrigation of 264.0 acres.
5. The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

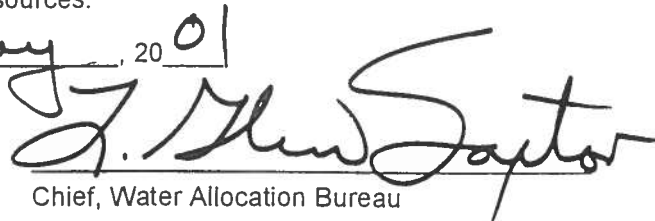
WATER RIGHT NO. 43-10541
As Modified by Transfer No. 66918

CONDITIONS OF APPROVAL

6. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. 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.
8. Approval of Transfer 66918 does not confirm SRBA Claim 43-10541.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.
12. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 7th day of May, 2001


Chief, Water Allocation Bureau

VERIFIED BY *[Signature]* 12/22/2000

12/22/2000

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

RIGHT NUMBER: 43-2447
NAME AND ADDRESS: JOSEPH HILL
290 NORTH ANGEL
KAYSVILLE, UT 83350

SOURCE: GROUND WATER

QUANTITY: 6.4 CFS
1280 AFY

USE OF THIS RIGHT WITH RIGHT NO. 43-02448 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 11.95 CFS.

PRIORITY DATE: 07/26/1956

POINT OF DIVERSION:	T13S R27E S14	NWNWSW	Within CASSIA County
	T13S R27E S15	NENESW	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	6.40 CFS 1,280.00 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County					
T13S R27E S15	NENE	40	T13S R27E S15	NWNE	40
T13S R27E S15	SWNE	40	T13S R27E S15	SENE	40
T13S R27E S15	NENW	40	T13S R27E S15	NWNW	40
T13S R27E S15	SWNW	40	T13S R27E S15	SENW	40
T13S R27E S15	NESW	40	T13S R27E S15	NWSW	40
T13S R27E S15	SWSW	40	T13S R27E S15	SESW	40
T13S R27E S15	NESE	40	T13S R27E S15	NWSE	40
T13S R27E S15	SWSE	40	T13S R27E S15	SESE	40

640 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 43-02448 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 620 ACRES IN A SINGLE
IRRIGATION SEASON.

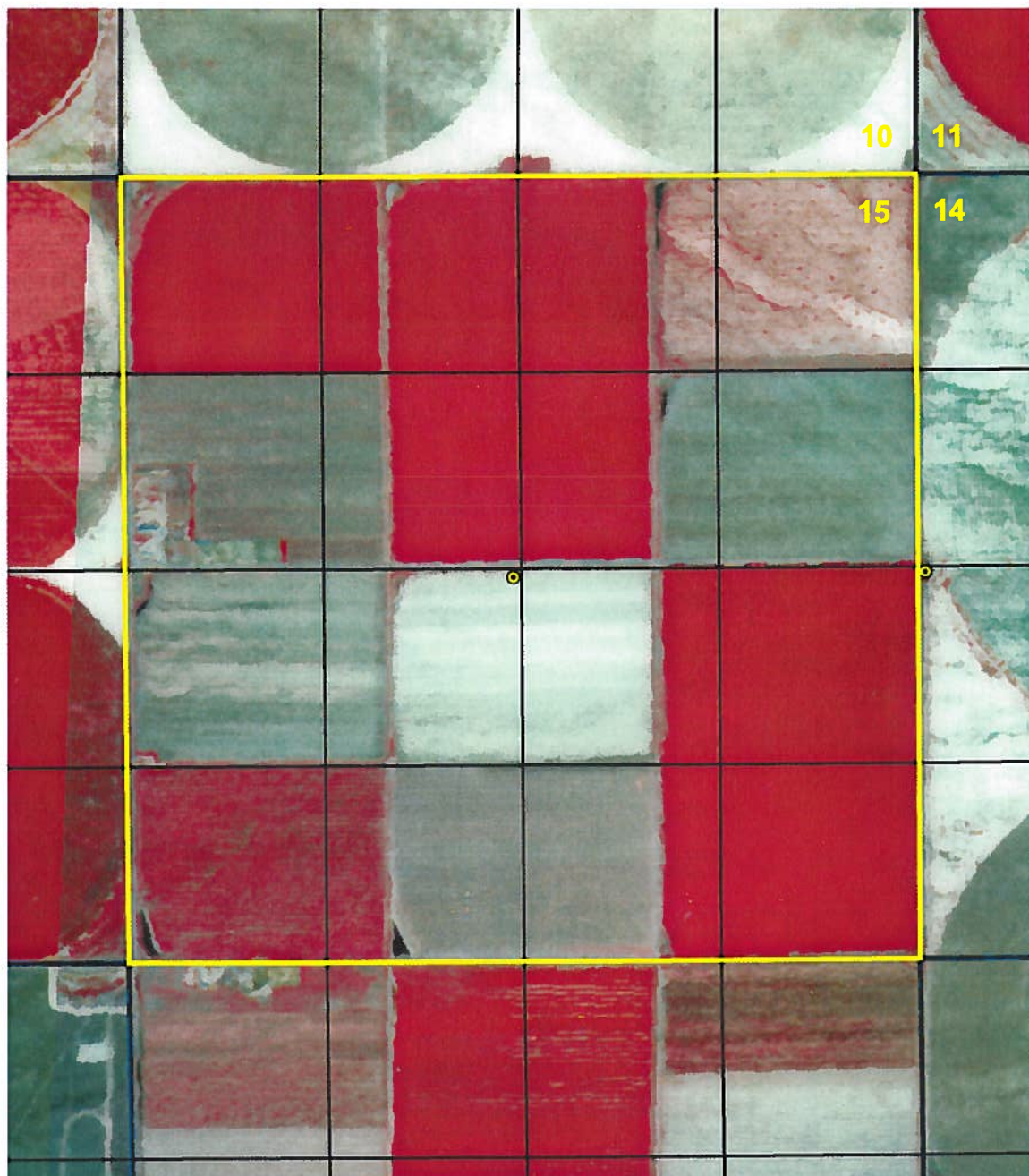
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Idaho Department of Water Resources

43-02447 and 43-02448



0 1320 2640 3960 Feet



RECOMMENDED PLACE OF USE
DATA ENTRY ON MAR. 10, 2000
TWP 13S, RNG 27E, SECTION 15

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

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

VERIFIED BY *[Signature]* 4/5/80

TOTAL DIVERSION: 6.400 CFS 1280.00 AFA

Point(s) of Diversion:	T13S R27E S14	N44W	CASSIA County
	S15	N45W	CASSIA County

TOTAL ACRES 640.0

- 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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 320 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Field Inspection Flag:
Presumption Flag:

Presumption Flag=

CLAIM NUMBER A43-02447
A43-02448

DATE 3/10/2000

AGENT X

TRANSFER NUMBER _____

CLAIMED ACRE TOTAL 3

GIS ACRE TOTAL 64

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	13S	27E	15	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40
GIS	13S	27E	15	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40
RECOM	13S	27E	15	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B43-POU.SHP

SHAPE NOS.

179

B43-POD.SHP

NOS. DESCRIPTION

122 NW NW SW Sec. 14

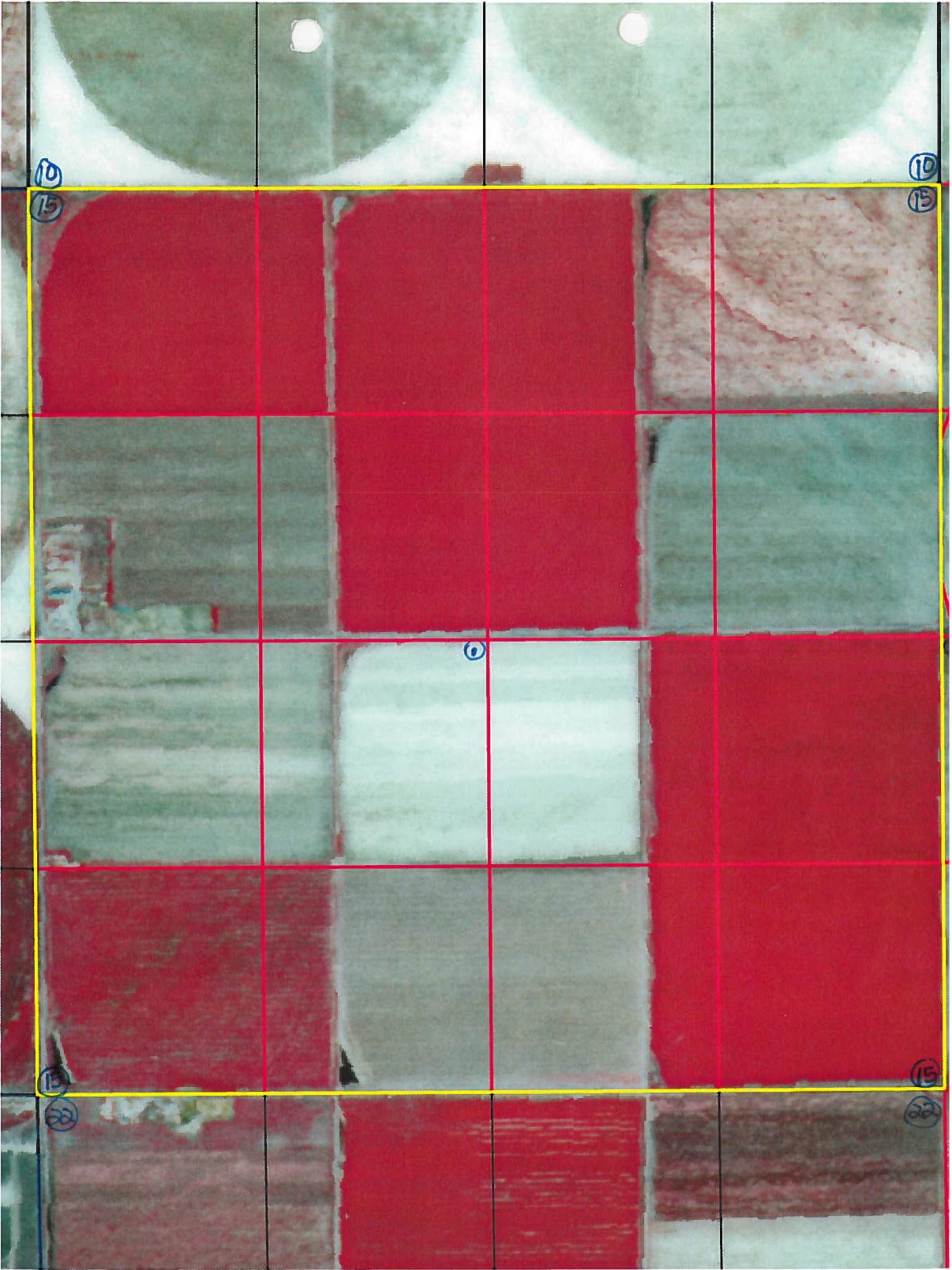
121 NE NE SW Sec. 15

DBF TABLES UPDATED

B43-DBPOU.DBF ☒

B43-DBPOD.DBF ☒

JPEG LAYOUT ☒



Memorandum

To: Transfer File #5498
CC: A43-02447, A43-02448, A43-02450D, A43-10539, A43-10541
From: Jeanie Robertson
Date: 02/10/00
Re: Proceeding with transfer...

I spoke with Mr. Grush today and told him of my draft recommendations for A43-10539 and A43-10541, essentially granting the acres with no additional diversion or volume amounts. I told him that, if approved, this transfer would likely allow him only 2.17 cfs on his 264 acres, or enough water to run one pivot. He wanted to know how many more acres he would need to dry up in order to have the additional water for both pivots? He is now in the process of deciding whether to continue with this transfer or not. He mentioned having two other transfers in the works where he is drying up corners to move to a dairy and now wonders if he should just move that water to the land in Section 27 instead? He said he would be in next week to talk with someone on this matter...

February 2, 2000

TO: Transfer File #5498

CC: A43-02447, A43-02448, A43-02450D, A43-10539, A43-10541

FROM: Jeanie Robertson 

This transfer proposes to dry up a total of 35 acres and move .35 cfs each of rights 43-02447 and 43-02448, with a combined limitation of .65 cfs, from lands in Section 15, T13S, R27E. The water appears to be valid from these two rights and available to be moved to the land in Section 27, T13S, R27E.

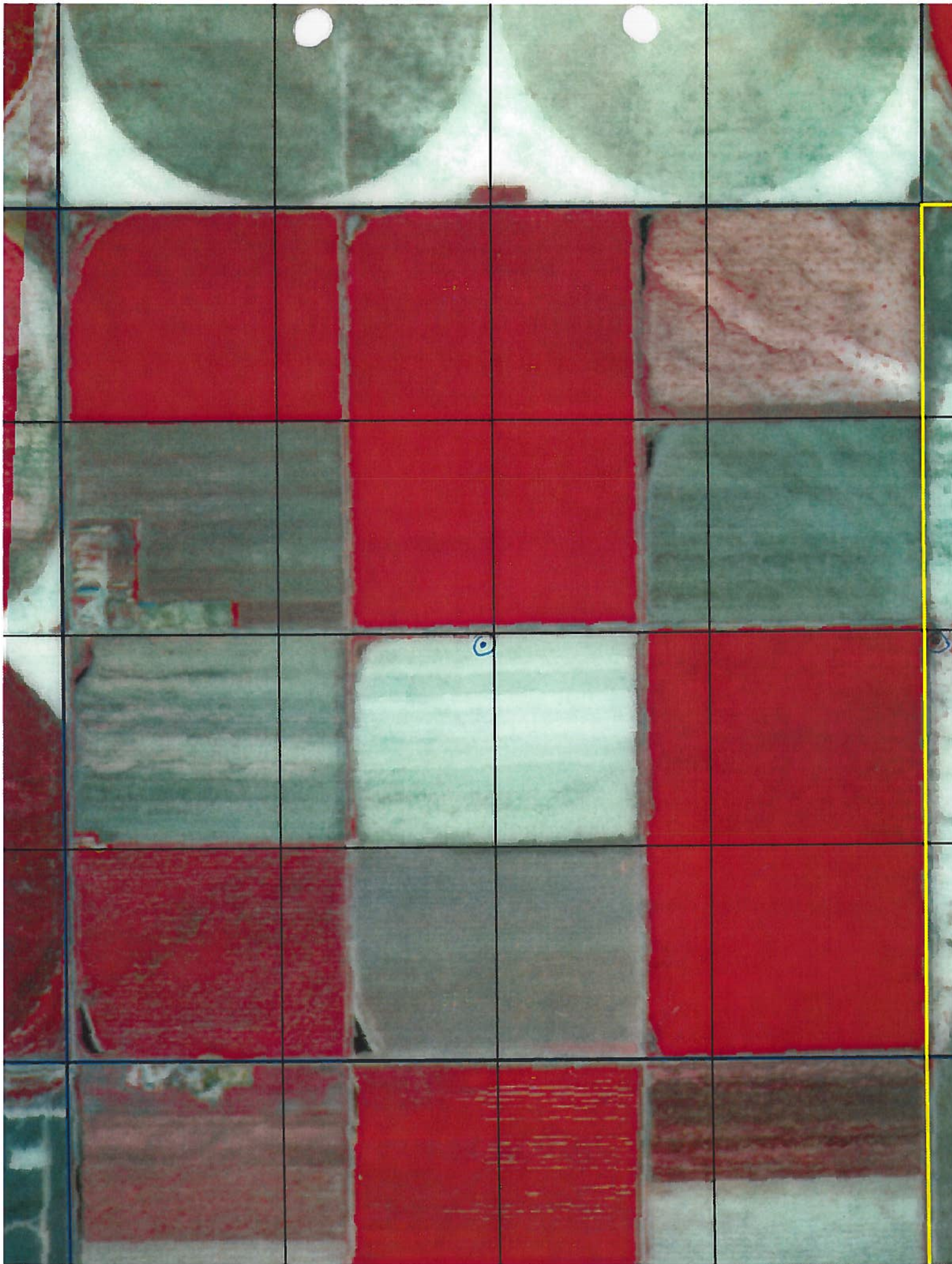
The problem arises with the land in Section 27, however. There are three claims in Section 27, but the only one with a valid water right seems to be A43-02450D, for 1.52 cfs on 76 acres. There have been some problems with this water right in the past, mostly arising from a transfer (#2595) which was approved to move 2.74 cfs onto 76 acres in a different place of use. The transfer was approved for more than an inch per acre based on information submitted showing the soil types required additional water. There was concern expressed by the Department at the time because only 9.5 acres was designated on 8 different 40-acre tracts. The Department worried that an expansion may occur using the additional water on more than 9.5 acres per tract. It was later determined that an expansion of the place of use had occurred and eventually, after hearings, etc. the transfer was voided. The water reverted back to the original place of use. In 1986, transfer #3227 was approved for 1.52 cfs on 76 acres. (The place of use was two forty-acre tracts in the same general area as previous transfer #2595.)

A43-10539 claims 1.22 cfs on 101.6 acres. This diversion rate appears to be the difference between the 2.74 cfs from transfer #2595 and the 1.52 cfs from transfer #3227. As transfer #2595 was voided and the water reverted back to the original right, this rate cannot be justified. The 101.6 acres can be allowed under **42-1416B** as an **expansion of right A43-02450D**, but with **no additional diversion rate or volume and a priority date of June 30, 1985.**

A43-10541 claimed .62 cfs on 52 acres under **42-1416B**. The acres can be recommended as an **expansion of right A43-02450D**, with **no additional rate or volume of water and the priority date of June 30, 1985.**

If this transfer is approved, it could only allow 2.17 cfs for 264.6 acres. (1.52 cfs from A43-02450D and a combined limit of .65 cfs from portions of rights A43-02447 and A43-02448).

*Additional legal advice is being sought from Deputy Attorney General, Nick Spencer, for the final recommendations of these claims in the SRBA.



State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 26478/43-2447 Priority July 26, 1956 Amount 6.40 cfs

THIS IS TO CERTIFY that NICHOLAS L. THOMPSON

of Malta, Idaho has complied with the terms and conditions of Permit No. 26478/43-2447 issued pursuant to Application for Permit dated July 26, 1956, and has submitted proof to the Department of Water Administration on April 8, 1970, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 11.95 cfs of water from a ground water source tributary to, and that the permit holder has applied to a beneficial use & established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Amount of Water
Irrigation	from March 15 to Nov. 15	at 6.40 cfs and	1,280 acre feet or 4.0 af per acre
	from to	at cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than * 6.40 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1,281.4 acre feet per year, said waters to be diverted within the NW 1/4 SW 1/4 of Sec. 14 -and- NE 1/4 SW 1/4 of Sec. 15, Twp. 13 S, Rge. 27 E, B. M. in the County of Cassia

Description and location of place of use

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
13 S	27 E	15	40	40	40	40									40	40	40	40	320

Total number of acres irrigated 320

* Subject to the condition that the maximum rate of diversion shall not exceed 11.95 cfs when combined with License No. 26480/43-2448.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of September, 1974.

Director

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

Name: Nicholas L. Thompson
 Location: Malta, Idaho
 Phone: _____
 Phone: _____
 Is your water supply: ☒ surface water ☐ groundwater
 Tributary to: _____ (name spring, stream, etc.)

2. Section 6.4 is used for the following purpose:

Section 6.4 is used for irrigation
At Germany (nature of use)

Contract of 1964 from Mar. 15 to Nov. 15
(mo. day) inclusive (mo. day)

0.03 100 stockwater
 At American (nature of use)
 Jan. 1 Dec. 31
 (mo. day) inclusive (mo. day)

[illegible]
$$T_{\text{max}} = \max_{1 \leq i \leq n} \{T_i\} = T_{i^*} \quad \text{for } i^* = \arg \max_{1 \leq i \leq n} T_i$$

Abstract

4. 10.10.1990 10.10.1990 10.10.1990 10.10.1990 10.10.1990

AF/Annex

² Association of Universities of America

Township 13S	Range 27E	E/W, B.M., Section 14	Subdivision NW 1/4 SW 1/4	Cassia County
Township	Range	E/W, B.M., Section 15	Subdivision NE 1/4 SW 1/4	County
Township	Range	E/W, B.M., Section	Subdivision 1/4	County
			1/4	County

Effect of time of day on consumption

well, pump, motor, ditches

^AAssessing level required yes no X

6. tends to be a regulated or place of use

[illegible]**TOTAL ACREAGE**

320

Permit No. 26478/43-2447
Examination for b/u

R. 27E

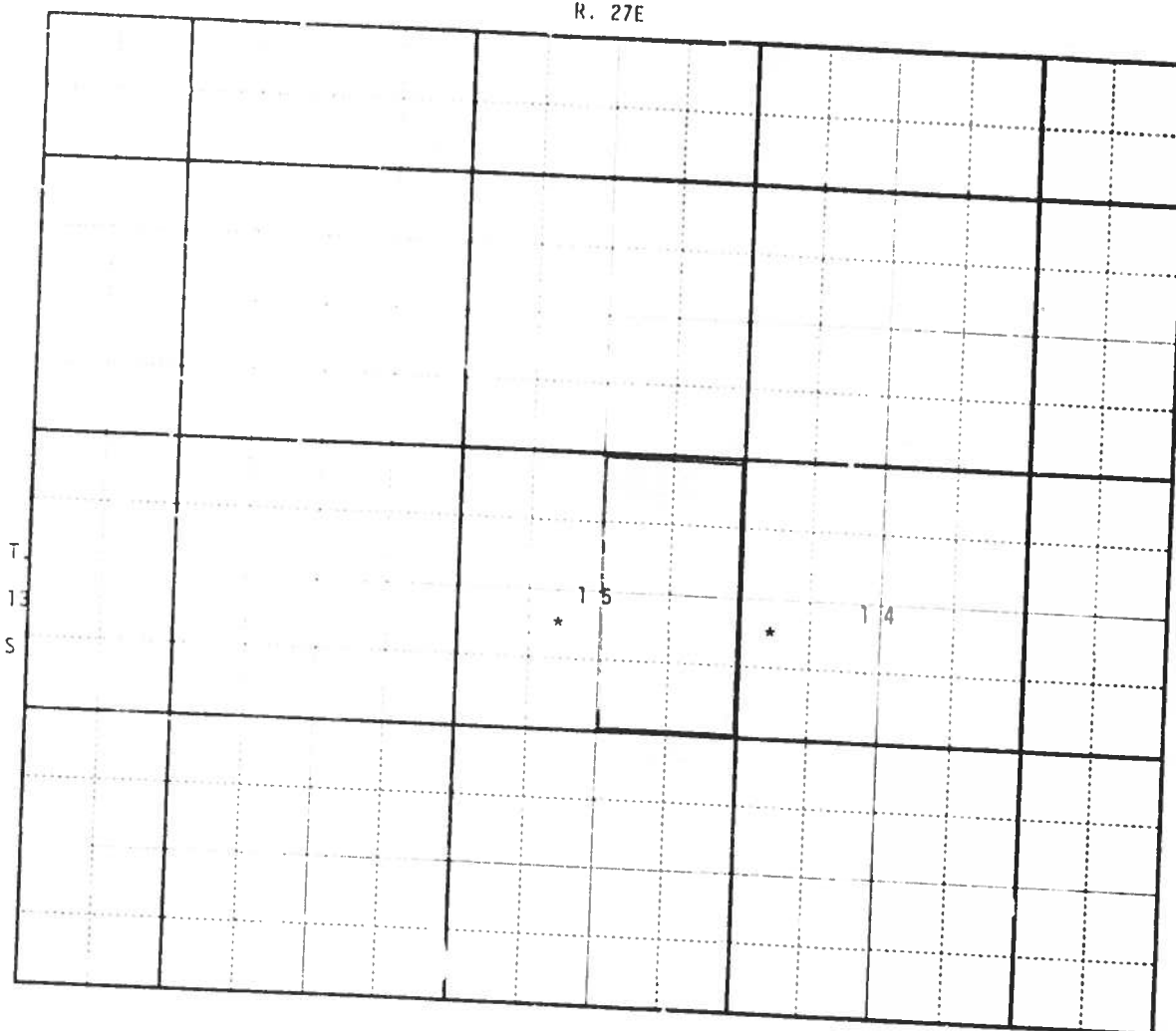


Diagram of System

Field No. 5-14-74

Section 15

Area 320
Ac. 320

Descriptive Name

4.0

Ac. Ft./Ac.

Use

Irrigation 12 6.4 V 1280 AF/Ann from Mar. 15 to Nov. 15
Domestic 12 .03 V 1.4 AF/Ann from Jan. 1 to Dec. 31
Livestock 12 .03 V 1.4 AF/Ann from Jan. 1 to Dec. 31

Is water contaminated? Yes ☒ No

Source

Name N/S Rge E/W B.M. Sec. Sub. 1/4 1/4 County

Exhaustion

Name source exchanged with

twp N/S Rge E/W B.M. Sec. Sub. 1/4 1/4 County

Point of injection

twp N/S Rge E/W B.M. Sec. Sub. 1/4 1/4 County

Point of exchange

twp N/S Rge E/W B.M. Sec. Sub. 1/4 1/4 County

Total Q measured

107 11.95

11.95 cfs

Method of measurement Portable Meter (Dpt)

Total Q recommended

6.4 cfs Meter No 54580 Type Spooling Condition Good

Total A recommended

1281.4 AF/Ann.

Recommended Amendments

P.D.

Place of Use

Other

None

None

MEASUREMENT CALCULATION

- (1) NW 1/4 SW 1/4, Sec. 14, .01 AF/75 acs. = (.01)(435.6) = 4.356 (4.4) ÷ (75 acs) = 5.81 cfs
(5.81 cfs) (.97) Correction factor of meter = 5.64 cfs (5.63 cfs)
(2) NE 1/4 SW 1/4, Sec. 15 - Refer to field exam for lie. # 43-2448 (6.32 cfs)
11.95 cfs + 6.32 cfs = 18.27 cfs V = (4 AF/Ac)(320 Ac) = 1280 AF
V = 1280 AF + (1.4 AF for stockwater from Dept. chart) = 1281.4 AF/Ann

SYSTEM DESCRIPTION

- (1) NW 1/4 SW 1/4, Sec. 14, U.S. Motor No. 1244103, 200 H.P., 1775 RPM, 440V, Johnson
vertical pump Discharges from open 12" pipe into concrete box, then
to open dirt ditches to place of use.
(2) Refer to exam. for lie. # 43-2448

REMARKS

Several hundred head of livestock were grazing on this land, which is planted in alfalfa. Small stockwatering ponds or open ditches are in each subdivision of this E 1/2 of Section 15. There are no measuring devices installed from the pumps. Amount to be pumped is not to exceed 11.95 cfs when combined with lie. # 43-2448.

Examiner's Signature Kenneth D. Flower

Date 5-14-74

Checked by Michael J. Stille

Date 7-10-74

Approved by

Date

September 6, 1974

Nicholas L. Thompson
Malta,
Idaho 83342

Dear Mr. Thompeon:

A representative of this Department has made an examination of the works covered by your Permit No. 26478/43-2447 and has found the following:

Quantity of water diverted: 11.95 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 6.40 cfs

The maximum quantity diverted shall not exceed 1,281.4 acre feet per year.

Beneficial use: For stockwater and irrigation of 320 acres within the E $\frac{1}{2}$, Sec. 15, Twp. 13S, Rge. 27E

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14 -and- NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 13S, Rge. 27E, B.M.

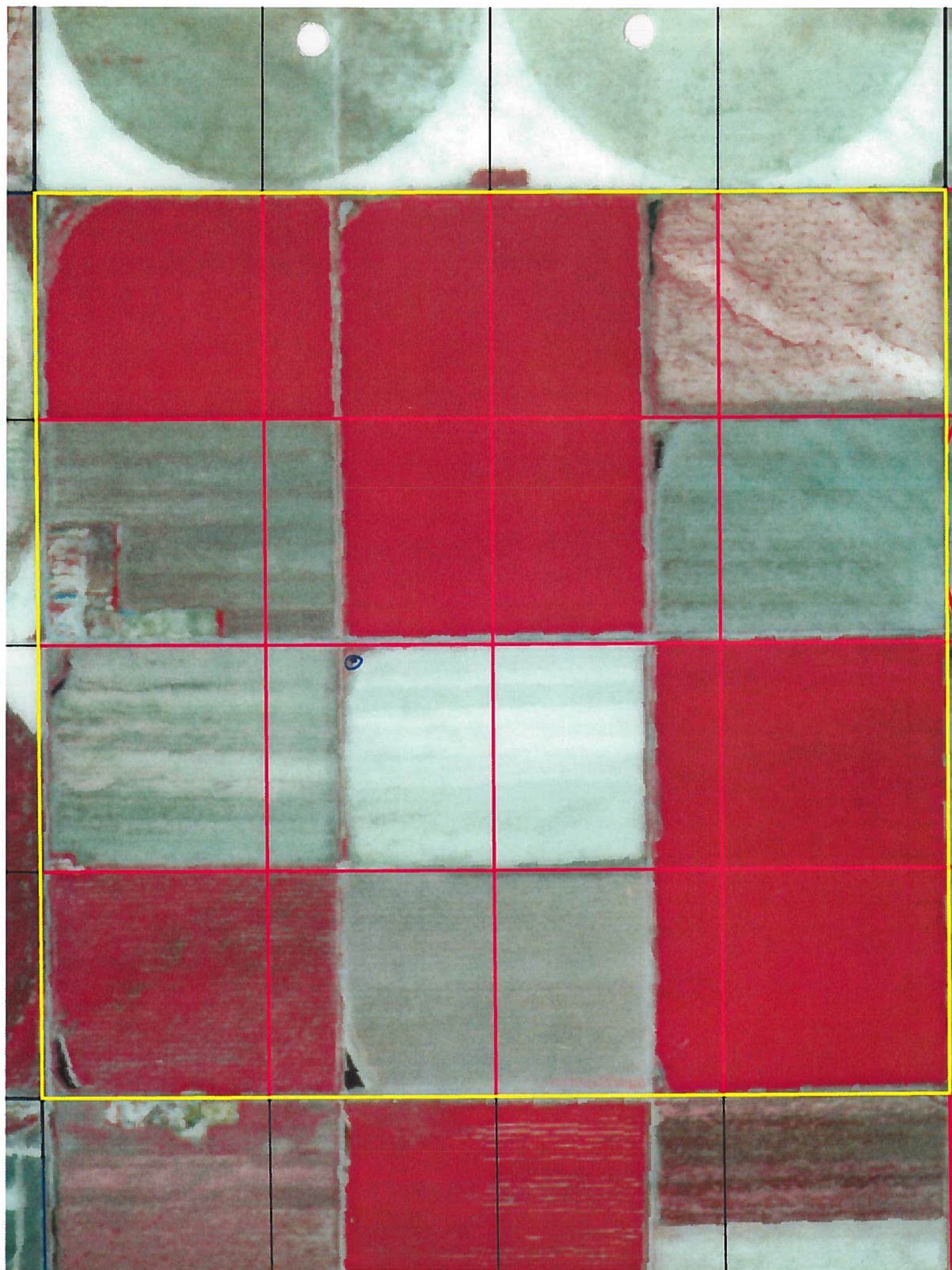
Priority date established: July 26, 1956

If you do not concur with these findings, please advise us within 10 days; otherwise a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jr



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:29:09
03/10/00
3

PAGE: 3
PROFILE REPORT

CLAIM NUMBER: A43-02447

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH HILL	07/26/1956	IRRIGATION ~~STOCKWATER~~ <i>not on license</i>	03-15 11-15 ~~01-01 12-31~~	6.400 CFS ~~0.030 CFS~~	
TOTAL DIVERSION:					6.400 CFS <i>1281.40 AFA</i> <i>1280</i>	
Water Source: GROUNDWATER		Tributary to:		Stage: LICENSE		

Point(s) of Diversion: T13S R27E S14 *NW* NWSW CASSIA County
S15 *NE* NESW CASSIA County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE						
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
13S	27E	15	:	40		40		40		40		40		40		40		320.0
TOTAL ACRES																	320.0	

~~Place of use location for STOCKWATER is the same location as described for: IRRIGATION.~~

POU County: CASSIA

Non-Irrigation Uses: 400 BEEF STOCK

Other Rights: LIC. 43-2448.

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Remarks: GEN SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL
NOT EXCEED 11.95 CFS WHEN COMBINED WITH LICENSE NO.
26480/43-2448.

copy to comments

Remarks:
"POU" E11, K
(3
"QNT" E25

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:49:51
03/10/00

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A43-02447

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								
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

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 TARA BACKLUND

DATE May 4, 1995 11:28am CUSTOMER KURT CRABTREE

SUBJECT:

phone call (X) walk-in (.)

A43-02447 & A43-02448

MR. CRABTREE CALLED YESTERDAY IN REFERENCE TO HILL BROS. HE WAS WONDERING IF AN OWNERSHIP CHANGE WAS DONE BETWEEN HILL BROS AND CLEVERLY. I CHECKED OUR RECORDS AND TOLD HIM AT THIS TIME NOTHING WAS DONE. HE TOLD ME THE DEAL FELL THROUGH AND WAS WONDERING WHAT NEEDED TO BE DONE IF THE PROPERTY WAS SOLD AGAIN. I WILL CALL BACK AND REFER HIM TO AN AGENT.

REFUND REQUEST

SUBMITTED TO AUDITOR

TO: S. Sherman to Log In

FOR: D. Shaff/D. Allen

FROM: F. HITCHCOCK

SUBJ: Receipt No. 5017642 (Please attach ARQ2 Receipt copy immediately behind blue form)

ON 01-17-95

Date: 01-12-1995

RE: PayOR

Address

HILL BROS. FARMS
290 NO. ANGEL
KAYSVILLE, VT.
83350

RECEIVED

JAN 13 1995

Department

Claimant(s) if NOT Payor

JOSEPH HILL

Refund Amount \$111.00

Claim Location (Region/Claimant)

Extension Filed? ☒ Y ☐ N NACopy Attached? ☒ Y ☐ N NALate Fees Paid? ☒ Y ☐ N NA

Late Fee Receipt # 5017642

S.O. Verified Ext. by D. SHAW on 12-29-94

D.B. Query by

Refund Generated By ☒ Agent () Claimant

Refund Category:

insufficient fees / claim incomplete / withdrawn ☒ o-pmt

Date of Last Correspondence (copy attached)

01-06-1995

Claim No.

Use*

Fees

Correct

Paid

Fee

Rec't #

A43-02447
-02448IRR.
IRR.\$425.50
\$425.50370.00
370.005017642
"

Total

\$851-

\$740-

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N

agent charged late fees up front in error.

Region AJ Spvsr. Approval

S.O. AJ Spvsr. Approval

Don Shaff Approval

Hold

To Fiscal 01-13-95

Data Base Modified? Y/N NA

A &/or R Records By on

RECEIVED

JAN 24 1995

Department of Water Resources
Southern Region

05/19/94



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 13, 1995

JOSEPH HILL
C/O HILL BROS FARMS
290 N ANGEL
KAYSVILLE UT 83350

RE: Snake River Basin Adjudication (SRBA)
Cassia County - Receipt #S017642
Notices of Claim #A43-02447 & A43-02448

Dear Claimant:

Your Request for Extension of Time was granted, and the late fees you paid on the above-referenced claims will be refunded. The refund process has been initiated with the State Auditor's Office. You should receive your check in the near future.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Donald V. Shaff', written over a horizontal line.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref

RECEIVED

JAN 24 1995

Department of Water Resources
Southern Region

REFUND REQUEST

TO: S. Sherman to Log In
 FOR: D. Shaff/D. Allen
 FROM: F. HITCHCOCK Date: 01-12-1995
 SUBJ: Receipt No. 5017642 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR HILL BRAS. FARMS
 Address 290 NO. ANGEL
KAYSVILLE, VT.
83350

Claimant(s) if NOT Payor JOSEPH HILL

Refund Amount \$ 111.- Claim Location (Region/Claimant)

Extension Filed? ☒ Y ☐ N NA Copy Attached? ☒ Y ☐ N NA

Late Fees Paid? ☒ Y ☐ N NA Late Fee Receipt # 5017642

S.O. Verified Ext. by D. SHAW on 12-29-94 D.B. Query by _____

Refund Generated By ☒ Agent () Claimant

Refund Category:
 insufficient fees / claim incomplete / withdrawn ☒ o-pmt

Date of Last Correspondence (copy attached) 01-06-1995

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>A43-02447</u>	<u>IRR.</u>	<u>\$425.50</u>	<u>370.00</u>	<u>5017642</u>
<u>-02448</u>	<u>IRR.</u>	<u>\$425.50</u>	<u>370.00</u>	<u>"</u>
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
Total	_____	\$ _____	\$ _____	_____

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N
agent charged late fees up front in error.

Region AJ Spvsr. Approval _____ S.O. AJ Spvsr. Approval _____
 Don Shaff Approval _____ Hold _____ To Fiscal _____
 Logged _____

Data Base Modified? Y/N NA A &/or R Records By _____ on _____

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 5011

Date: 12/27/1994
Time: 14:20:25

Received
From:

HILL BROS. FARM

Type of Payment	Program A cct	Amour
ADJUDICATION LATE FEES	41503	337 1155 651
		Total

CHECK 4114

Water Right Numbers

A43--02447 A43--02448

Region: SOUTHERN

Signature: *F. Hillbrook*

ARR2

COPY

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

DEC 27 1994
Department of Water Resource
Southern Region Office

RECEIVED
DEC 29 1994
The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Department of Water Resources

JOSEPH E. RICHARD HILL (501) 544 1118
Name of Claimant Phone Number

290 NO ANGEL KAYSVILLE UTAH 84037
Mailing Address City State Zip

CASSIA
County(s) where place of use is located Date claim originally due

04302447 04302448
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

I SOLD THE PROPERTY IN 1993. THE BUYER
HAS NOT MET HIS OBLIGATIONS. THEREFORE I
HAVE HAD TO RECLAIM OWNERSHIP. NOT BEING
INVOLVED WITH THE OPERATION FOR 2 YEARS I WAS NOT

AWARE OF THE JUDICATION. I HOP YOU CAN UNDERSTAND
THIS SITUATION AND GRANT AN EXTENSION

Claimant requests an extension to _____, 19 _____

Joseph Hill 12/30, 19 94
Signature Date of request

Partner & owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

Notice was not mailed to this address.

and if granted the filing deadline is extended to Feb 3, 19 95

Signed this 29 day of December, 19 94

DAVID B. SHAW
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

COPY

JAN 07 1995
Department of Water Resources
Southern Region Office

INTER-DEPARTMENT MEMO

TO: MR. HILL
FROM: FRANK HITCHCOCK

SUBJECT: EXT. OF TIME
DATE: 01-06-1995

Here's a copy of the approved extension of time
I got back on 01-04-1995.

As a result of the approval I can refund the
late fees which will, again, have to go
through the Boise office to get a check to you

I'll send you a copy of the refund request so
you'll know the amount.

☒ For your information
☐ Response required

Yours truly,

Frank Hitchcock
signature

COPY

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

DEC 27 1994
Department of Water Resource
Southern Region Office

RECEIVED

DEC 29 1994

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DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

JAN 04 1995

Department of Water Resources
Southern Region Office

TELEPHONE MEMORANDUM

✓ Incoming Call

Outgoing Call

Returning Call

155 / 210

TO:

H

DATE:

12-29-94

FROM:

JOE HILL - UTAH

FILE:

LATE CLAIMS - OK pending.

FILE NO:

SUBJECT:

memo sent re: ownership form

REMARKS:

Leave ownership as is -
forming a corp. want but not
all property going in to corp.

explained AND/OR re: brother

re-explained LATE request form
sent to satan in Boise - w/enc
when word received.

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

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: **A43-02447**
Date Received: 12/27/1994
Receipt No: S017642
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOSEPH HILL 801-544-1118
Address: 290 NORTH ANGEL
KAYSVILLE UT 83350

2. Date of Priority: JUL 26, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13S	27E	14		NW	SW		CASSIA
		15		NE	SW		CASSIA

5. Description of diverting works:
2 WELLS & 2 PUMPS (ALSO SERVES A43-02448)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.400		
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:
6.400 C.F.S. (and/or) 1281.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
400 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13S	27E	15	NE	NE		IRR	40.0
			NW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
13S	27E	15	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 320.0

Total Acres 320.0

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:
LIC. 43-2448.

14. Remarks:

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION SHALL NOT EXCEED 11.95 CFS WHEN COMBINED WITH LICENSE NO. 26480/43-2448.

15. Basis of Claim: LICENSE

Water Right Number: 26478