

09/23/2009

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

RIGHT NUMBER: 73-151

NAME AND ADDRESS: RIO B LLC
HWHL LLC
3007 CAN-ADA RD
MELBA ID 83641

LONE PINE HOLDING LLC
3007 CAN-ADA RD
MELBA ID 83641

MLS HOLDINGS LLC
3007 CAN-ADA RD
MELBA ID 83641

SOURCE: PAHSIMEROI RIVER **TRIBUTARY:** SALMON RIVER

QUANTITY: 3.200 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 07/01/1897

POINT OF DIVERSION:

T13N R23E S33 SWNE Within CUSTER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE:

IRRIGATION in CUSTER County

T13N R23E S28	NENW	24.00	T13N R23E S28	NWNW	35.00
T13N R23E S28	SWNW	18.00	T13N R23E S28	SESW	11.00
T13N R23E S28	SWSW	1.70	T13N R23E S28	SESW	16.00
T13N R23E S33	NWNE	2.00	T13N R23E S33	NENW	34.00
T13N R23E S33	NWNW	13.00			
154.7 ACRES TOTAL					

Right Nos. 73-151, 73-12143, 73-12128, 73-12133, 73-12136 and 73-12140 are limited to the irrigation of a combined total of 372.5 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 - Decreed

The right holder shall accomplish the change authorized by transfer 72805 by October 16, 2009.

Failure of the right holder to comply with the conditions of transfer 72805 is cause for the Director to rescind approval of the transfer.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 9, 2009

LANE BANGERTER
3007 CAN-ADA RD
MELBA ID 83641

RE: Snake River Basin Adjudication (SRBA) objections
Water Right No(s): 73-151, 73-12128, 73-12133, 73-12136, &73-12143

Dear Mr. Bangerter,

Per our conversation, I am sending you several documents. In addition to the maps and recommendation reports described below, I am enclosing the Order to Show Cause issued by Special Master Dolan.

As we discussed, I am enclosing copies of the recommendations that describe your water rights as I would propose sending them to the court. The only changes made to the enclosed recommendations, fixed the error made when the parent rights 73-150B, 73-174D, 73-177, and 73-12109 were originally split. 19 acres and the proportionate diversion rate was recommended to the Rio B LLC rights when that 19 acres of water right actually falls on land owned by Five E Group LLLP (see enclosed maps).

A representative from Five E Group LLLP as well as W. Clinton Stennett appeared at the initial hearing on August 11, 2009 and agreed with the adjusted splits of the water rights.

Please look over the recommendations and let me know if you agree or disagree with them. If you agree, then I can have our legal staff start circulating settlement documents to all parties for signature. If you disagree, then perhaps we can meet and go over the changes you feel should be made before the upcoming hearing.

You had mentioned that you would like to try to settle the objections before the upcoming hearing which I am in support of. However, I want to mention that any changes made to your water rights would most likely effect the Five E Group and Stennett rights as well since we would be readjusting the splits. All parties will have to agree to the changes.

Please feel free to contact me with any questions or to set up an appointment to discuss your questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with the first name "Craig" being more prominent.

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosure(s): Order to Show Cause
 Maps showing original POU before and after split
 Amended recommendations 73-151, 73-12128, 73-12133, 73-12136, & 73-12143

8/11/09 MVB Initial hearing notes

75-151 et al Rio B

Rio B (McNeil) did not show

Five E (Eaton) & Stennett did

gave proposed recommendations to Five E &

Stennett - they're fine with those & understand charge

need to get Rio B on board

Chris: 2 ways to move forward

① SFS - if Rio B agrees

② ADR - if Rio B disagrees

SFS is preferable route

set for order to show cause b/c Rio did n't show
OSC in September

By the way, Eatons are Erika Malmen's
(of Perkins Cole) parents

8-24-09: Got in touch w/ MacNeil High Importance

Sept 24th is show Cause Hearing

→ Every one in agreement but Rio-B wasn't there
so couldn't get any agreement

8-31-09: Emailed Roxanne to get Rio-B's opinion of new spl.d.
Roxanne called & said neither she or Brett represent Rio B.
They filed the objections but are not following through
with them. The Chairm^{nt} needs to do that.
On 9-1-09 I left message w/ Brett to confirm this.

COPY

RECEIVED

MAR 11 2009

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho
MAR - 9 2009
By _____ Clerk
Deputy Clerk

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

In Re SRBA	)	Water Right: 73-151
	)	
Case No. 39576	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

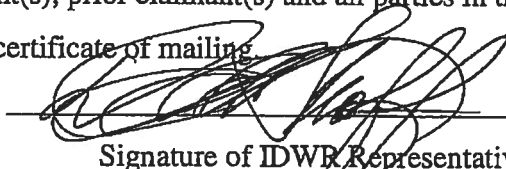
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ IC § 42-222
- | | |
|--|--|
| ☒ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☐ Split of water right | ☐ Change in ownership |
- ☐ Other:

IDWR certifies that it has completed its investigation into the changes to the elements of the water right(s) listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water right(s) except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 5, 2009



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/6, 2009, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

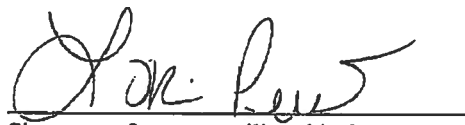
Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 W. Fort St. MSC 033
Boise, ID 83724

3. Copies to all parties to the subcase:

Rio B, LLC
HWHL, LLC
Lone Pine Holding, LLC
MLS Holdings, LLC
3007 Can-Ada Rd.
Melba, ID 83641

Brett MacNeil
P.O. Box 3961
Nampa, ID 83653



Signature of person mailing this document

03/05/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-151

NAME AND ADDRESS: RIO B LLC
HWHL LLC
3007 CAN-ADA RD
MELBA ID 83641

LONE PINE HOLDING LLC
3007 CAN-ADA RD
MELBA ID 83641

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3007 CAN-ADA RD
MELBA ID 83641

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 3.200 CFS

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 07/01/1897

POINT OF
DIVERSION:

T13N R23E S33 SWNE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	3.200 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County</u>		
	T13N R23E S28 NENW	24.00	T13N R23E S28 NWNW 35.00
	T13N R23E S28 SWNW	18.00	T13N R23E S28 SENW 11.00
	T13N R23E S28 SWSW	1.70	T13N R23E S28 SESW 16.00
	T13N R23E S33 NWNE	2.00	T13N R23E S33 NENW 34.00
	T13N R23E S33 NWNW	13.00	

154.7 ACRES TOTAL

Right Nos. 73-151, 73-12143, 73-12128, 73-12133, 73-12136 and 73-12140 are limited to the irrigation of a combined total of 391.5 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 - Decreed

The right holder shall accomplish the change authorized by transfer 72805 by October 16, 2009.

Failure of the right holder to comply with the conditions of transfer 72805 is cause for the Director to rescind approval of the transfer.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72805

This is to certify that: RIO B LLC
HWHL LLC
3007 CAN-ADA RD
MELBA ID 83641

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. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

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>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
73-151	AJC/Decreed	07/01/1897	3.2 cfs	N/A		154.7	PAHSIMEROI RIVER

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>
73-151	NO	YES	NO	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>
73-151	73-151	3.2 cfs	N/A	N/A	154.7		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		3.2 cfs	N/A	N/A	154.7		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 16th day of October, 2008

Chief, Water Allocation Bureau

WATER RIGHT NO. 73-151
As Modified by Transfer No. 72805

In accordance with the approval of Transfer No. 72805, Water Right No. 73-151 is now described as follows.

Right Holder: RIO B LLC
HWHL LLC
3007 CAN-ADA RD
MELBA ID 83641

Priority Date: July 01, 1897

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE
IRRIGATION

From **To**
04/01 to 10/31

Diversion Rate
3.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER SWNE Sec. 33 Twp 13N Rge 23E CUSTER 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	
13N 23E 28					24.0	35.0	18.0	11.0			1.7	16.0					105.7
13N 23E 33		2.0			34.0	13.0											49.0

Total Acres: 154.7

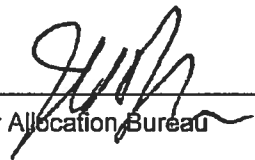
WATER RIGHT NO. 73-151
As Modified by Transfer No. 72805

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Rights 73-151, 73-12128, 73-12133, 73-12136, 73-12140 and 73-12143 when combined shall not exceed the irrigation of 391.5 acres.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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 16th day of October, 20 08



Chief, Water Allocation Bureau

RECEIVED

DEC 19 2007

DEPARTMENT OF
WATER RESOURCES



SCYTHE & SPADE CO.

Simplifying Complex Agribusiness Issues

www.ag-management.com

December 19, 2007

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

To Whom It May Concern:

Included are water right objections for the properties we refer to as Friehe Property. You will find objections for the following water rights:

- 73-151
- 73-12133
- 73-12128
- 73-12136
- 73-12143

Please feel free to contact us with any questions and/or comments.

Respectfully,

A handwritten signature in cursive script that reads "Nicole Kendall".

Nicole Kendall
Scythe & Spade Co.

RECEIVED

DEC 19 2007

DEPARTMENT OF
WATER RESOURCES

2007 DEC 17 PM 2 05
TWIN FALLS, IDAHO

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

In Re SRBA

A. Subcase 73-151

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Rio B LLC, Lone Pine Holding LLC, MLS Holdings LLC
Address: 3007 Can - Ada Rd.
Melba, ID 83641

Daytime Phone: (208) 880-8544

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Rio B LLC, Lone Pine Holding LLC, MLS Holdings LLC
Address: 3007 Can - Ada Rd.
Melba, ID 83641

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate boxes.)

1. ☐ Name and Address
Should be: _____

2. ☐ Source
Should be: _____

3. ☐ Quantity
Should be: _____

4. ☐ Priority Date
Should be: _____

5. ☐ Point(s) of Diversion
Should be: _____

6. ☐ Instream Flow Description
Should be: _____

7. ☐ Purpose(s) of Use
Should be: _____

8. ☒ Period of Year
Should be: As per historical use, April 1st to November 1st or otherwise consistent with all other irrigation users in the Basin.

NO. 4-1 to 10-31 is standard cannot change.

9. ☒ Place of Use
Should be: 161.2 based on historical, actual use and water availability. Right numbers 73-151, 73-12133, 73-12128, 73-12136, and 73-12143 should be limited to the irrigation of the combined total of 457.2 acres in a single irrigation season.

NO. Prop Body is 457 ac

10. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): Refer to Limited Power of Attorney on File with IDWR.

F. VERIFICATION (Must be completed)

State of Idaho)
County of Ada)ss.

Brett Macneil, duly sworn, upon oath, deposes and says:

That I am the party filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]

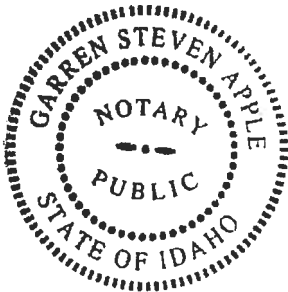
Subscribed and sworn to before me on: 12/17/07

[Signature]

Notary Public for Scythia & Spade Co.

Residing at: Nampa

My Commission Expires: 8/12/2011



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 12/17, 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right:

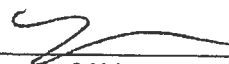
Name: Rio B LLC, Lone Pine Holding LLC, MLS Holdings LLC
Address: 3007 Can - Ada Rd.
Melba, ID 83641

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney

10/01/2007

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

RIGHT NUMBER: 73-151

NAME AND ADDRESS: RIO B LLC
HWHL LLC
3007 CAN-ADA RD
MELBA ID 83641

LONE PINE HOLDING LLC
3007 CAN-ADA RD
MELBA ID 83641

MLS HOLDINGS LLC
3007 CAN-ADA RD
MELBA ID 83641

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 07/01/1897

POINT OF DIVERSION:

T13N R23E S28 NESW Within CUSTER County

T13N R23E S34 NWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T13N R23E S28	NENW	24.00	T13N R23E S28	NWNW	35.00
T13N R23E S28	SWNW	18.00	T13N R23E S28	SESW	11.00
T13N R23E S28	SWSW	1.70	T13N R23E S28	SESW	16.00
T13N R23E S33	NWNE	2.00	T13N R23E S33	NENW	34.00
T13N R23E S33	NWNW	13.00			

154.7 ACRES TOTAL

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irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

01/23/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-151
NAME AND ADDRESS: BEREND FRIEHE
2498 RD S NE
MOSES LAKE WA 98837

Berend Friehe
A11 ✓

CARLA FRIEHE
2498 RD S NE
MOSES LAKE WA 98837

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 3.200 CFS
PRIORITY DATE: 07/01/1897

POINT OF
DIVERSION: T13N R23E S28 NESW Within CUSTER County
T13N R23E S34 NWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION in CUSTER County

T13N R23E S28	NENW	24.00	T13N R23E S28	NWNW	35.00
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T13N R23E S33	NWNE	2.00	T13N R23E S33	NENW	34.00
T13N R23E S33	NWNW	13.00			

✓ 154.7 ACRES TOTAL

Right Nos. 73-150B, 73-151, 73-174D, 73-177 and 73-261 are limited to the irrigation of a combined total of 688.1 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 - Decreed

03/01/2006

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

RIGHT NUMBER: 73-151
NAME AND ADDRESS: BEREND FRIEHE
2498 RD S NE
MOSES LAKE WA 98837

CARLA FRIEHE
2498 RD S NE
MOSES LAKE WA 98837

SOURCE: PAHSIMEROI RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 3.200 CFS
PRIORITY DATE: 07/01/1897
POINT OF DIVERSION:

T13N R23E S28 NESW Within CUSTER County
T13N R23E S34 NWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

Adjudication Claim Number: **73-151**

T113N R23E

Legend

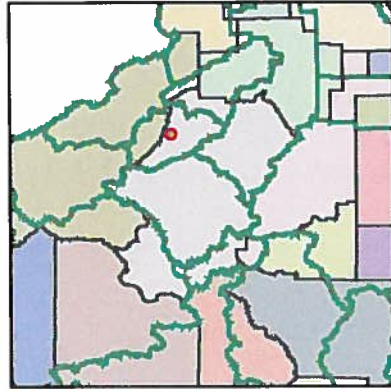
Point of Diversion

73-00151

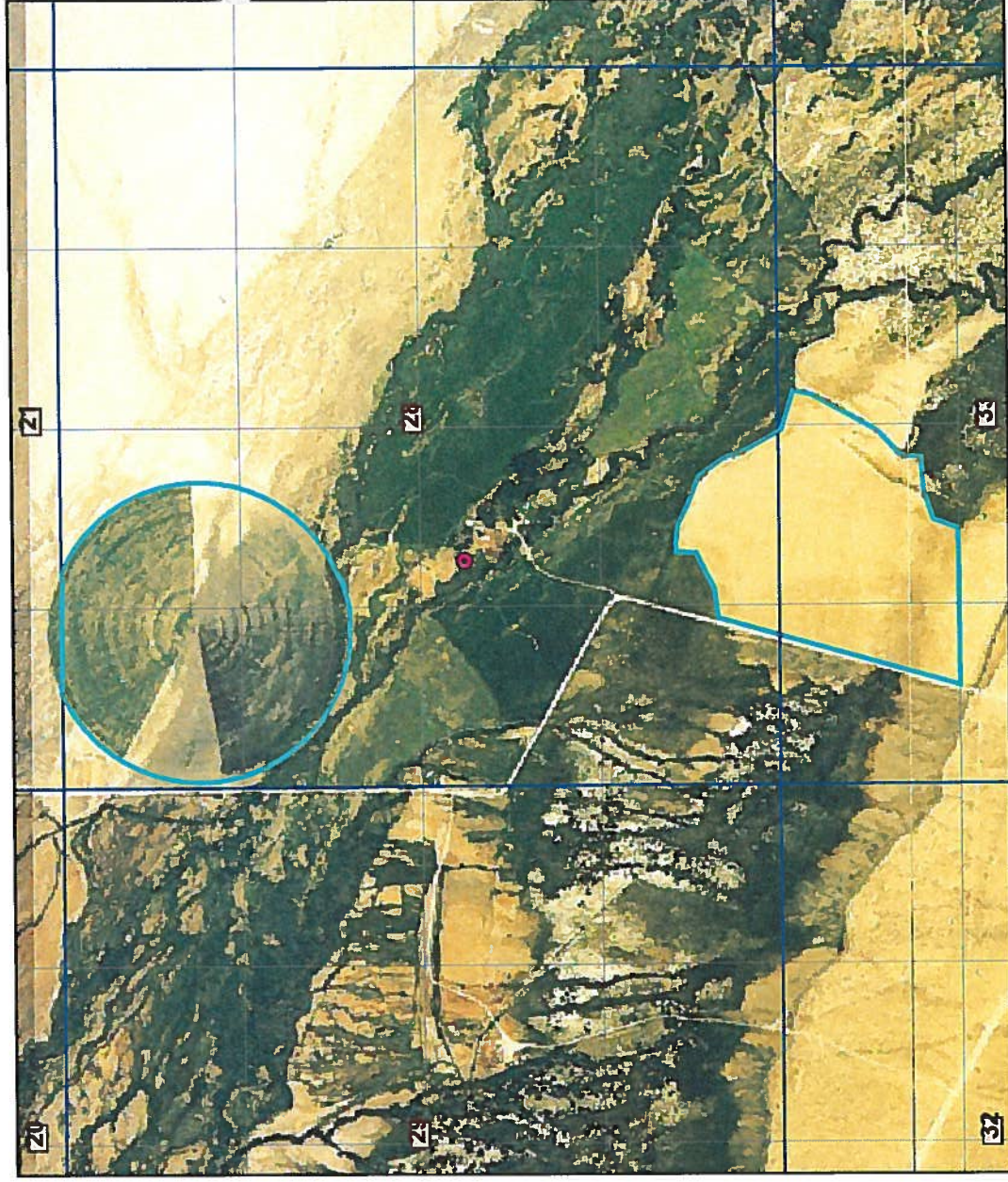
Township/Range

Sections

GCDB13N23E GCDB



Custer County
IDWR Basin 73



Prepared by R. Brown
On Wednesday, March 1, 2006
1988 Aerial Photography



Idaho Department of Water Resources

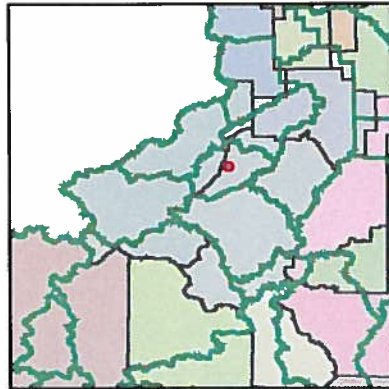
Adjudication Claim Number:

73-150B, 73-151, 73-174D, 73-177

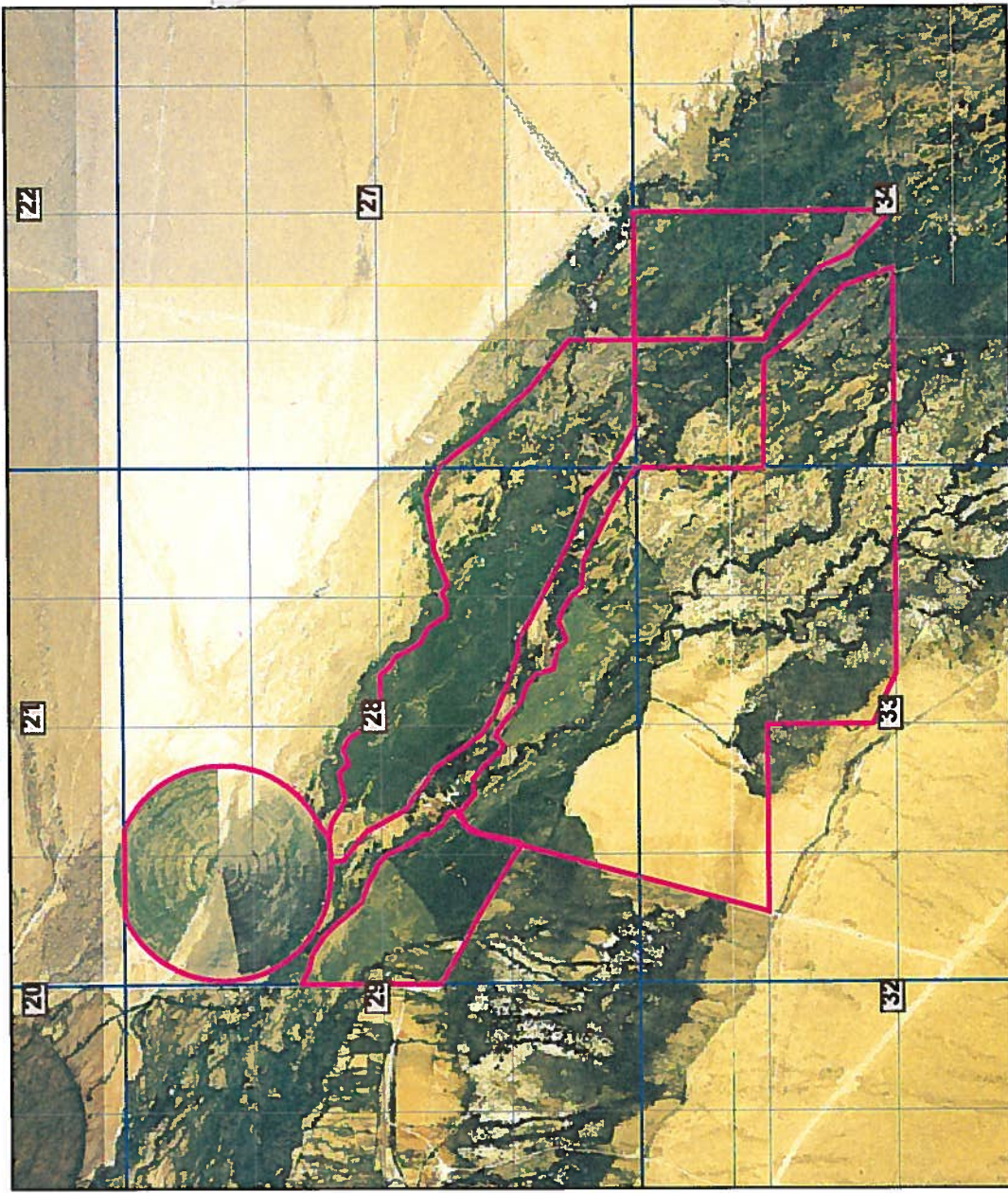
T13N R23E

Legend

-  Place of Use
-  Township/Range
-  Sections
-  GCDB13N23E GCDB



Custer County
IDWR Basin 73

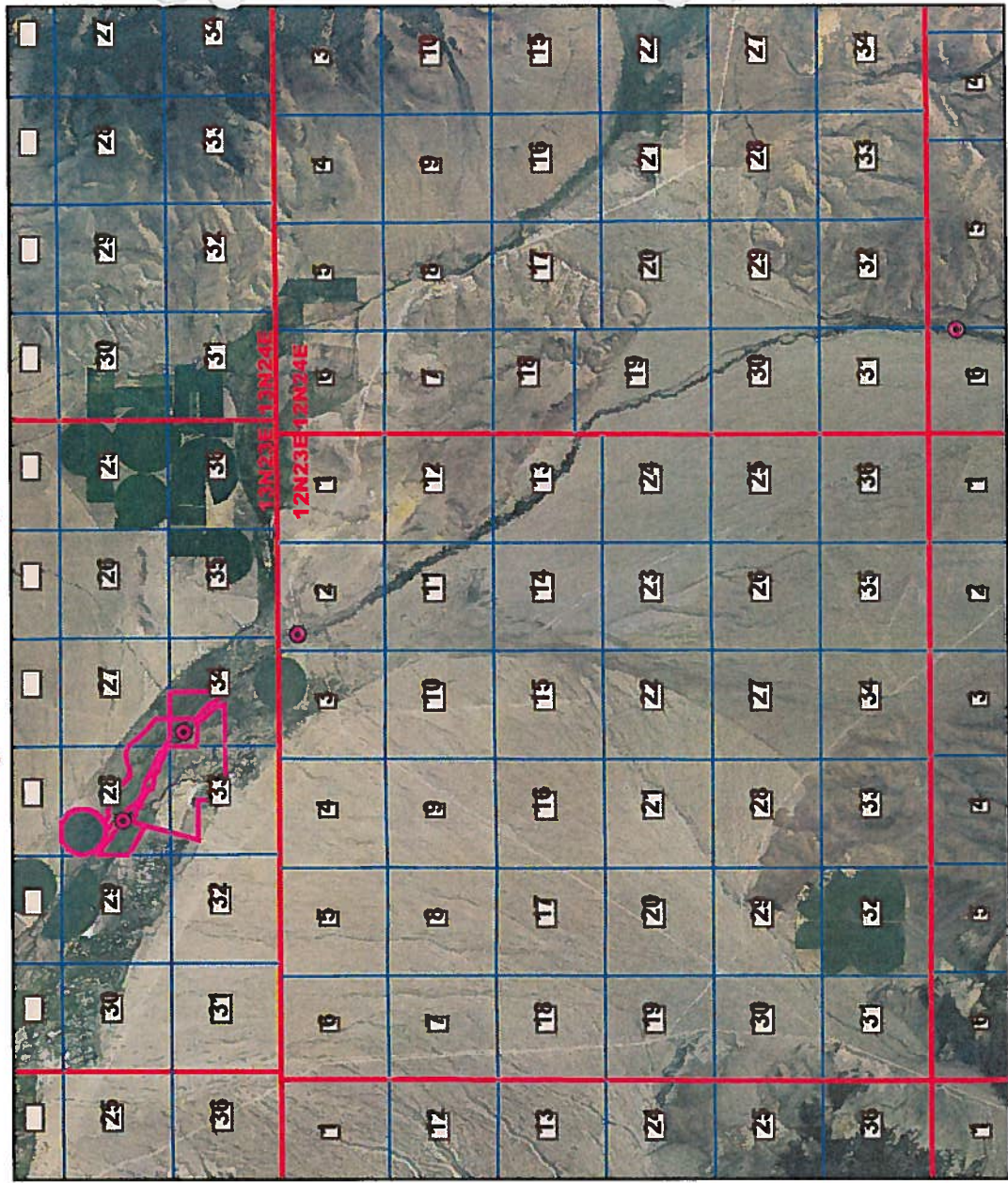


Prepared by R. Brown
On Wednesday, March 1, 2006
1988 Aerial Photography



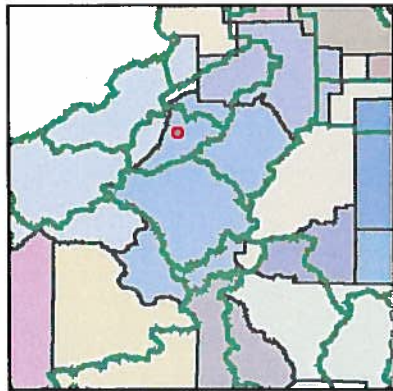
Idaho Department of Water Resources

Adjudication Claim Number: **73-150 B, 73-151, 73-174D, 73-177**



Legend

- Point of Diversion
- Place of Use
- Township/Range
- Sections



Custer County
IDWR Basin 73



Prepared by R. Brown
On Wednesday, March 1, 2006
2004 NAIP image

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 73-151
Date Received: 12/28/1989
Receipt No: E011426
Received By:

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

1. Name of Claimant(s)

BEREND FRIEHE Phone: (209)765-4585
2498 RD S NE
MOSES LAKE WA USA 98837

CARLA FRIEHE Phone: (509) 765-4584
2498 ROAD S NE
MOSES LAKE WA USA 98837

2. Date of Priority: 07/01/1897

3. Source: PAHSIMEROI RIVER , PAHSIMEROI RIVER Trib. to: SALMON RIVER , SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
13N	23E	33	SE NE NW	CUSTER	
13N	23E	28	NW NE SW	CUSTER	

5. Description of diverting works:

TWO PUMPS, PIPELINE AND SPRINKLER SYSTEMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	3.2	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13N	23E	28	NE	NW	IRRIGATION	27
			NW	NW	IRRIGATION	27
			SW	NW	IRRIGATION	13
			SE	NW	IRRIGATION	13
			SW	SW	IRRIGATION	1.6
			SE	SW	IRRIGATION	12.8
			SW	SE	IRRIGATION	2
				Section Acres	96.4	
13N	23E	33	NW	NE	IRRIGATION	9.6
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	15.2
				Section Acres	64.8	
				Total Acres	161.2	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Decreed

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 73-151
Date Received: 12/28/89
Receipt No: E011426
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BERT L HATCH Phone: (208)876-4422

HC 62 BOX 2180
MAY ID USA 83235

DORIS F HATCH Phone: (208)876-4422

HC 62 BOX 2180
MAY ID USA 83253

2. Date of Priority: 07/01/1897

3. Source: PAHSIMEROI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
13N	23E	33	SE	NE	NW	CUSTER	
13N	23E	28	NW	NE	SW	CUSTER	

5. Description of diverting works:

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13N	23E	28	NE	NW		IRRIGATION	27
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			SW	NW		IRRIGATION	13
			SE	NW		IRRIGATION	13
			SW	SW		IRRIGATION	1.6
			SE	SW		IRRIGATION	12.8
			SW	SE		IRRIGATION	2
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12. Do you own the property listed above as place of use? Yes

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14. Remarks:

15. Basis of Claim: Decreed