

10/16/2009

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

RIGHT NUMBER: 73-4028

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: MORSE CREEK

TRIBUTARY: PATTERSON CREEK

QUANTITY: 0.140 CFS

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION:

T15N R22E S26 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T14N R21E S01 Lot 1 NENE	20.00	T14N R22E S06 Lot 2 NWNE	29.00
T14N R22E S06 Lot 3 NENW	3.30	T14N R22E S06 Lot 4 NWNW	19.00
T15N R21E S36 SESE	40.00	T15N R22E S31 SWNE	1.50
T15N R22E S31 NESW	39.00	T15N R22E S31 Lot 4 SWSW	40.00
T15N R22E S31 SESW	36.00	T15N R22E S31 NWSE	39.00
T15N R22E S31 SWSE	38.00		

304.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

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 - Beneficial Use

Idaho Department of Water Resources



Adjudication Recommendation
73-4028
 (IRRIGATION)

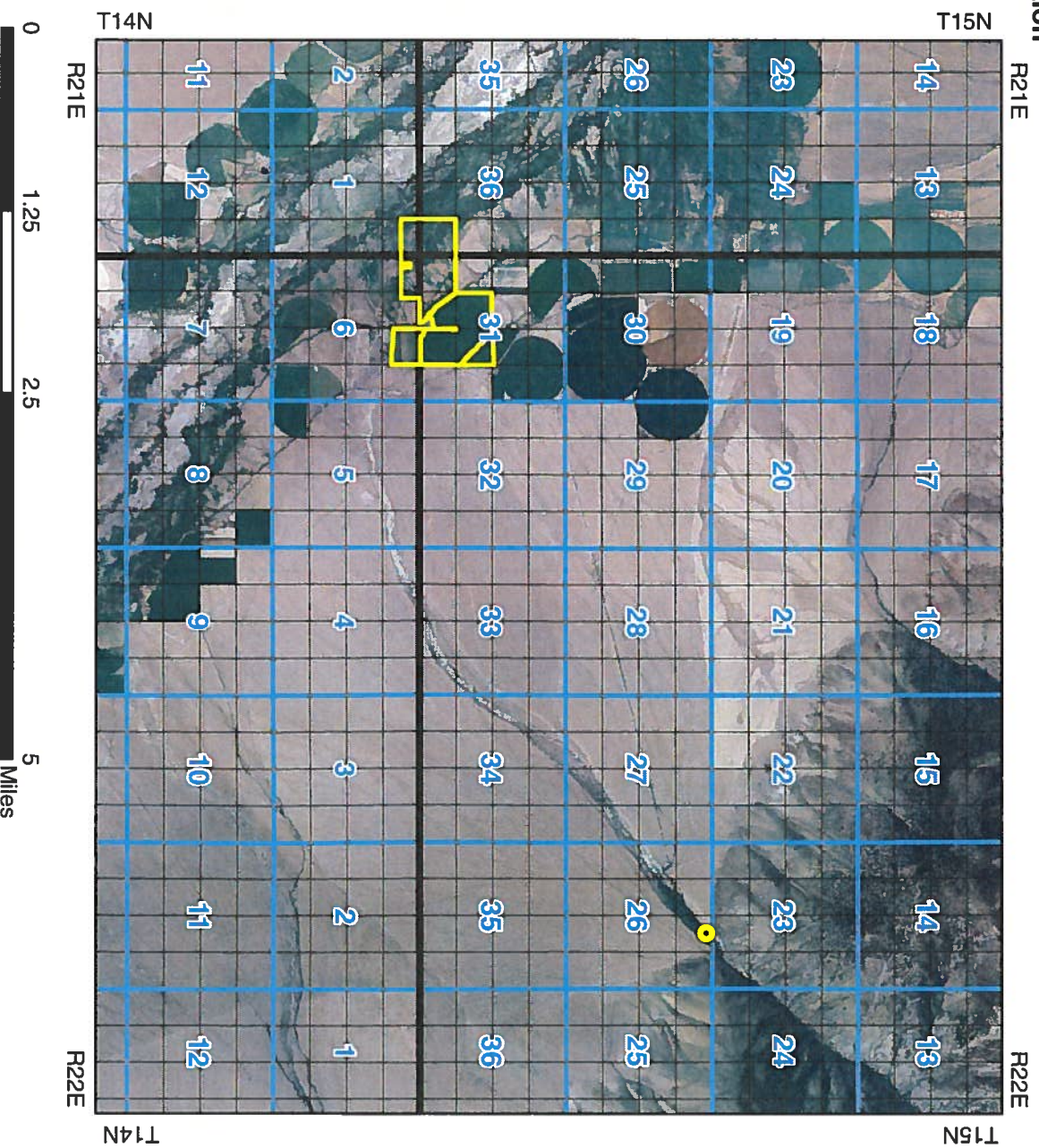
Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



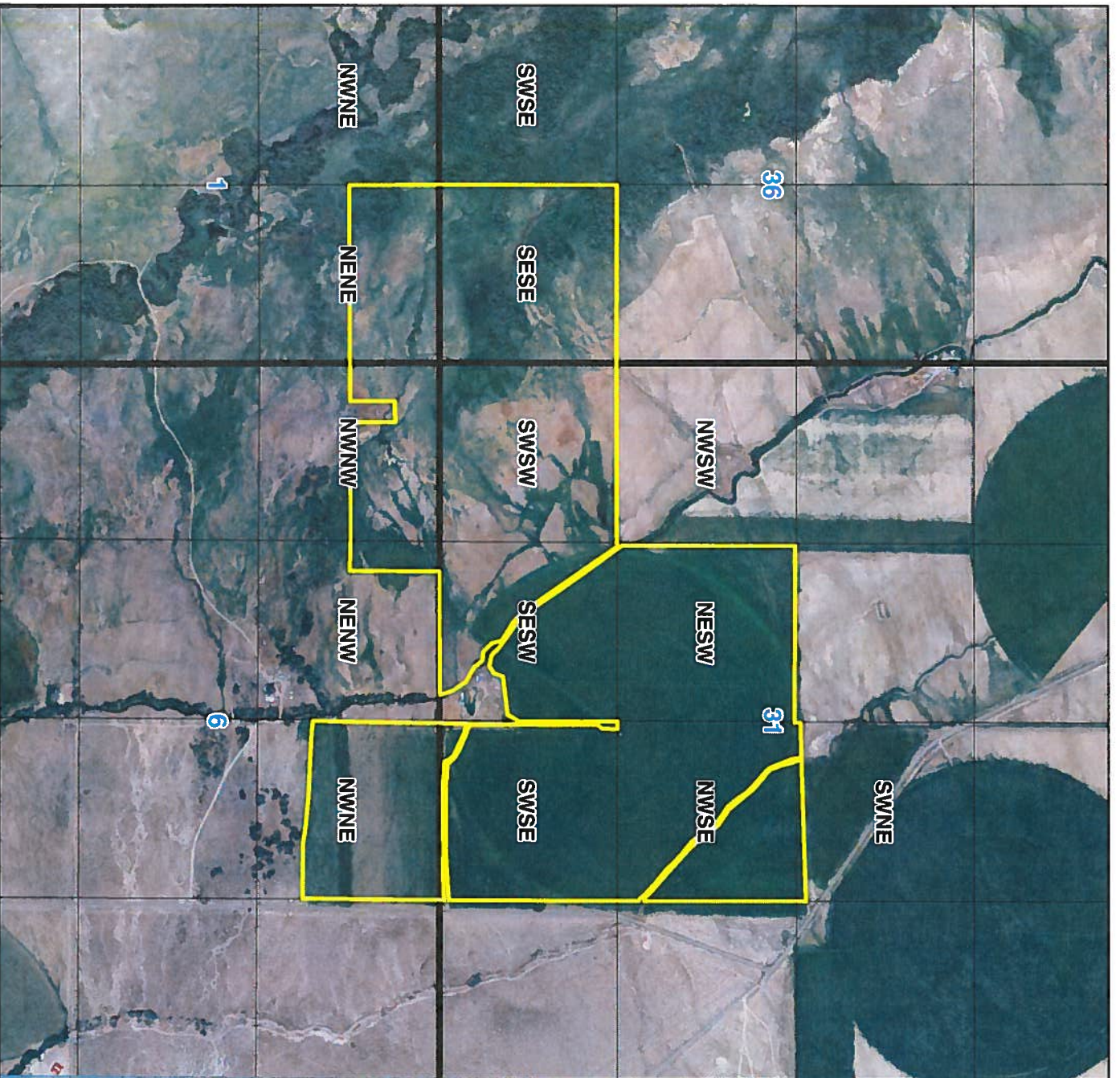
Lemhi County
 IDWR Basin 73

Prepared by Craig Saxton
 On October 16, 2009
 2004 Aerial Photography





73-4028



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-4028 V2

WATER RIGHT NUMBER: 73-4028 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE E SANTEE JR PO BOX 2341 IDAHO FALLS, ID 83403-2341 (208)522-0202

Priority Date: 04/01/1948

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
MORSE CREEK	PATTERSON CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.140 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

Location of Point(s) of Diversion

MORSE CREEK	NW1/4NE1/4	Sec. 26, Twp 15N, Rge 22E, B.M.
LEMHI 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	
14N	21E	1	20.0 L 1																20.0
14N	22E	6		29.0 L 2			3.3 L 3	19.0 L 4											51.3
15N	21E	36															40.0		40.0
15N	22E	31			1.5					39.0		40.0 L 4	36.0		39.0	38.0			193.5

Total Acres: 304.8

Conditions of Approval:

1. C18 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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 304.8 acres in a single irrigation season. Combined Right Nos.: 73-36B, 73-61, 73-2052A, 73-2052B, 73-4028, 73-4083, 73-4086, & 73-10066

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 73-4028 V2

Remarks:Comments:

1. csaxton 10/16/2009 Version 2

Comment: Version 2 created for objection resolution.

2. csaxton 10/16/2009 Diversion Rate

Comment: Following comment copied from Version 1: DSHAFF 10/27/2006: I agree the 1947 ditch agreement supports the priority date claimed and a quantity of water beyond the decree to the extent the quantity in the agreement or 127 inches exceeds the decree of 120 inches or 7 inches for this right.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number: 73

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		304.8

Combined Water Rights: 73-4086 , 73-4083 , 73-36B , 73-61 , 73-2052A ,
73-2052B , 73-4028 , 73-10066

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			10/16/2009	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/16/2009 3:14:11 PM	csaxton	Updated Shape
POD	10/16/2009 3:14:24 PM	csaxton	Updated PLS
POU	10/16/2009 3:15:50 PM	csaxton	Updated Shape
POU	10/16/2009 3:16:04 PM	csaxton	Updated PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-4028 V2

Summary 10/16/2009 3:20:14 PM csaxton

(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
(Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed?
(Yes) 5. Does this right have any combined use limits with other rights?
(Yes) 6. Is an additional remark and/or condition required?
(Yes) 7. Would you like to view the recommended right?
(No) 8. Is this a split or combined right?
(No) 9. Do you have documents you would like to attach or link to the file?
(Yes) 10. Would you like to set the verification date?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-4028 V1

WATER RIGHT NUMBER: 73-4028 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE E SANTEE JR PO BOX 2341 IDAHO FALLS, ID 83403-2341 (208)522-0202

Priority Date: 04/01/1948
Basis: Beneficial Use
Status: Closed

<u>Source</u>	<u>Tributary</u>
MORSE CREEK	PATTERSON CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.140 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

Location of Point(s) of Diversion

MORSE CREEK	NW1/4NE1/4	Sec. 26, Twp 15N, Rge 22E, B.M.
LEMHI County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N	22E	6		29.0															29.0
				L 2															
15N	22E	31															38.0		38.0

Total Acres: 67

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 76 acres in a single irrigation season. Combined Right Nos.: 73-4028, 73-2052A, 73-2052B.
2. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 73-4028 V1

Comments:

1. zmaillard 4/18/2005 POD
Comment: Updated shape

2. rbrown 4/21/2005 Disallow

Comment: This claim is being recommended for disallowal. The evidence of priority submitted consists of a construction and maintenance agreement (copy in file) for a ditch to convey the claimants previously decreed water rights from Morse Creek (73-61). The agreement also mentions "surplus or high water", but this claim does not appear to be a claim for high water. The ditch agreement does appear to have changed the POD, but not other elements of 73-61, nor does it appear to develop a new water right.

3. DSHAFF 10/27/2006 Ditch Agreement

Comment: I agree the 1947 ditch agreement supports the priority date claimed and a quantity of water beyond the decree to the extent the quantity in the agreement or 127 inches exceeds the decree of 120 inches or 7 inches for this right.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number: 73
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		67

Combined Water Rights: 73-4028 , 73-2052A , 73-2052B

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/21/2005	rbrown	Closed
POU	10/27/2006 6:15:08 PM	DSHAFF			Closed
POD	10/27/2006 6:15:24 PM	DSHAFF			Closed
Season	10/27/2006 6:16:43 PM	DSHAFF			Closed
Quantity	10/27/2006 6:17:23 PM	DSHAFF			Closed
Priority Date	10/27/2006 6:17:55 PM	DSHAFF			Closed
Summary			10/27/2006	DSHAFF	Closed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-4028 V1

Summary	4/21/2005 10:40:03 AM	rbrown	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	10/27/2006 5:47:47 PM	DSHAFF	Updated shape
POU	10/27/2006 6:12:03 PM	DSHAFF	Updated shape for Active POU
POD	10/27/2006 6:14:43 PM	DSHAFF	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	10/27/2006 6:14:28 PM	DSHAFF	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - Overlaps 73-2052 splits
Season	10/27/2006 6:16:03 PM	DSHAFF	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

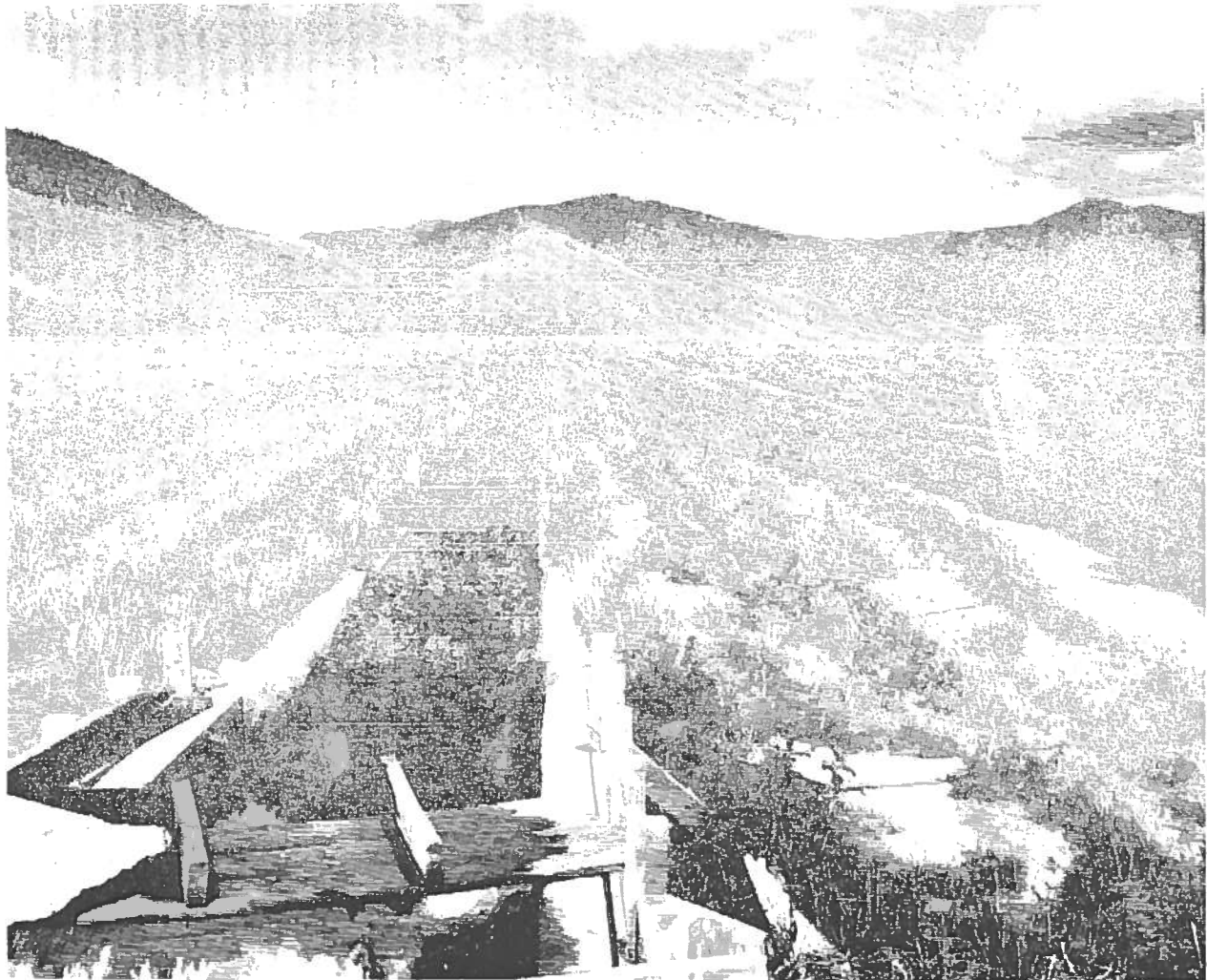
Adjudication Recommendation Report 73-4028 V1

Quantity	10/27/2006 6:16:42 PM	DSHAFF	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Decreed rights plus Ditch Agreement 1947
General	10/27/2006 6:17:14 PM	DSHAFF	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Post 1947 Ditch agreement
Summary	10/27/2006 6:18:37 PM	DSHAFF	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

SubCase:

SubCase Number: 73-4028
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date:
 Attorney Assigned:
 Adjudication Agent: DSHAFF
 Basis of Claim: Beneficial Use
 Date Filed: 10/26/2007 Objection Status: Active

Water Supply Bank:



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AGRICULTURAL STABILIZATION
and
CONSERVATION SERVICE

LEMHI COUNTY OFFICE
— of the —
U. S. DEPARTMENT OF AGRICULTURE

RECEIVED

DEC 6 2009

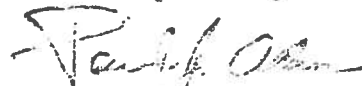
Department of Water Resources

Introduction

This Handbook on ASCS administered farm programs has been prepared by your Lemhi ASC County Committee and office staff. We hope that you will find this handbook of interest and value.

Included in your handbook is a complete listing of all the ACP practices available for your use in 1965. Plan now to carry out needed soil and water conservation practices. Review the program carefully so that you can utilize it to the fullest extent. Members of other USDA agencies, which include Forest Service, Extension Service, Farmers Home Administration, Soil Conservation Service and the Lemhi Soil and Water Conservation District, the County Committee and Community Committees plan our program each year. It's tailored to meet local problems. This development group is vitally interested in a sound and practical soil and water conservation program for Lemhi County.

Other programs administered by the office are equally important in this county. These include the Wheat Program, feed grain, Price support, Acreage measurements and crop reports, Facility loan and Wool program. We are also represented on the Technical Action Panel, which is a part of the Rural Area Development Board, and on the USDA County Defense Board. We have included a brief review of the past years activities in some of the programs, including a brief description of each programs goals and objectives. We hope this handbook, as well as the operation of the County office, will be of service to you. ASCS is a service organization with but one goal, and that is to provide assistance to producers and to the general public.



County Office Manager

Received from SPF

12-7-09

ABOUT THE COVER

Lasting benefits — the concrete lined irrigation ditch pictured on the cover was constructed in 1947 in the Pahsimeroi Valley. There were five ranchers participating in a cost sharing program with this agency. The project included the installation of 37,000 feet of concrete lining, the inlet structure and weirs at the diversion point. The ditch was designed to deliver 1000 inches of water. Prior to the construction of this ditch, there was virtually no water during the summer months for these producers. The loss of water through infiltration was terrific. Lining of the ditch solved their problem. Repair and maintenance have been kept to a minimum. There are no cleaning or mossaing up problems.

In 1956 the County Committee entered into another agreement with these producers to do some enlargement work on the ditch. Three inches of concrete was added to the rim. This increased the carrying capacity to approximately 1200 inches.

The construction of this concrete lined irrigation ditch was a wise investment in water conservation. It would be difficult to measure the return it has given these producers and especially in helping the development of the Pahsimeroi Valley.

Received from SPF

12-7-89

WR No.	Owner	Priority	Recommended Rate (cfs)	Party to 1947 Agreement? ¹ (no.)
73-61	Santee	6/1/1884	2.4	1
73-62	D. Whitworth	6/1/1891	0.9	2
73-63	S. Whitworth	7/29/1895	1.54	3
73-67	S. Whitworth	4/6/1901	3.2	3
73-68	Parkinson	8/28/1901	3.2	5
73-70	Parkinson	5/1/1906	1.6	4,5
73-2149	Parkinson	7/3/1958	6.26	4,5
73-4028	Santee	4/1/1948	1.6	1
73-64	73-12083 S. Whitworth	7/12/1897	1.12	4
(Parent)	73-12084 Parkinson	7/12/1897	0.48	4
<u>Total</u>			<u>22.30</u>	

Water use in ditch prior to 1956
enlargement: 16.04 cfs. Therefore, plenty
of capacity in the ditch was available for
Santee's 1948 appropriation.

¹ Party through predecessor in interest.

Ditch capacity in 1948 per USDA document provided by George Santee: 1000" (20.0 cfs)
Ditch capacity in 1956 per USDA document provided by George Santee: 1200" (24.0 cfs)

Received from SPF
12-7-09

WR No.	Priority Date	Source	Q (cfs)	Use (acres)	PPU
73-36B	10/1/1887	Patterson Creek	1.32	66.0	139.3
73-2052A	10/18/1909	Patterson Creek	0.60	30.0	288.5
73-2052B	8/18/1911	Patterson Creek	1.00	50.0	
73-10066	4/1/1960	Patterson Creek	2.40	120.0	139.3
			5.32	266.0	
73-61	6/1/1884	Morse Creek	2.40	120.0	304.8
73-4028	4/1/1948	Morse Creek	1.60	80.0	
			4.00	200.0	
73-4083	4/19/1910	waste water	0.40	21.0	
73-4086	4/1/1920	waste water	0.80	37.0	
			1.20	58.0	

Received from SPF

12-7-09



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

DAVID R. TUTHILL, JR.
Director

July 31, 2009

GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

RE: Objections to Snake River Basin Adjudication (SRBA) recommendations 73-61,
73-2052A, 73-2052B, 73-4028, and 73-10066
Amended Claims Needed

Dear Mr. Santee,

I have been asked to review the objections to the above listed water rights. After reviewing the objections, it appears that the claims need to be amended. Your objections request that the recommendations should include elements that have not been claimed. IDWR can not recommend something that has not been claimed.

For your convenience I am enclosing 5 amended claims. I have highlighted in yellow items I have added to the claim and ~~crossed-out~~ things that are proposed to be removed. Please look over the claims and initial any changes you wish to make. When satisfied, sign the claims and you can either mail them back to me or bring them with you to the initial hearing.

Please feel free to contact me with any questions.

Sincerely,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau
craig.saxton@idwr.idaho.gov
208.287.4916

Enclosure(s)

RECEIVED
OCT 29 2007
DEPARTMENT OF
WATER RESOURCES

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

)

A.

Subcase 73-4028

(Insert water right number)

Case No. 39576

)

)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: George E. Santee, Jr.

Address: P.O. Box 2341

Idaho Falls, ID 83403-2341

Daytime Phone: (208) 522-0202

Name & Address of Attorney, if any:

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

Name: George E. Santee, Jr.

Address: P.O. Box 2341

Idaho Falls, ID 83403-2341

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

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: Change quantity from 0.140 CFS to 1.400 CFS.
4. ☐ **Priority Date**
Should be: Ditch agreement limited total use to 127 inches which is 7" over what was decreed
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
Change from 29.00 acres to 30.00 acres in T14N R22E S6 Lot 2.
Change from 38.00 acres to 40.00 acres in T15N R22E S31 SWSE.
9. ☒ **Place of Use**
Should be: Add 2 acres in T15N R22E S31 SWNE, 40 acres in T15N R22E S31 NESW, 36 acres in T15N R22E S31 SESW, and 39 acres in T15N R22E S31 NWSE as Additional Place of Use.
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 OBJECTIONS(S):** _____

The allowed quantity of water for 70 acres is 70 inches or 1.400 CFS.

Right has been and continues to be used in "Additional Place of Use."

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Bonneville)

George E. Santee, Jr., duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

George E. Santee, Jr.
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: October 26, 2007

Angie Thompson
Notary Public for Westmark Credit Union
Residing at: Idaho Falls
My Commission Expires: 11-24-2018

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 October 26, 2007, 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
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: George E. Santee, Jr.
Address: P.O. Box 2341
Idaho Falls, ID 83403-2341

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

George E. Santee, Jr.
Signature of objector or attorney
mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-4028 V1

WATER RIGHT NUMBER: 73-4028 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE E SANTEE JR PO BOX 2341 IDAHO FALLS, ID 83403-2341 (208)522-0202

Priority Date: 04/01/1948
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
MORSE CREEK	PATTERSON CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.140 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

Location of Point(s) of Diversion

MORSE CREEK	NW1/4NE1/4	Sec. 26, Twp 15N, Rge 22E, B.M.
LEMHI 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	
14N	22E	6		29.0															29.0
				L 2															
15N	22E	31															38.0		38.0

Total Acres: 67

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 76 acres in a single irrigation season. Combined Right Nos.: 73-4028, 73-2052A, 73-2052B.
2. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 73-4028 V1

Comments:

1. zmaillard 4/18/2005 POD

Comment: Updated shape

2. rbrown 4/21/2005 Disallow

Comment: This claim is being recommended for disallowal. The evidence of priority submitted consists of a construction and maintenance agreement (copy in file) for a ditch to convey the claimants previously decreed water rights from Morse Creek (73-61). The agreement also mentions "surplus or high water", but this claim does not appear to be a claim for high water. The ditch agreement does appear to have changed the POD, but not other elements of 73-61, nor does it appear to develop a new water right.

3. DSHAFF 10/27/2006 Ditch Agreement

Comment: I agree the 1947 ditch agreement supports the priority date claimed and a quantity of water beyond the decree to the extent the quantity in the agreement or 127 inches exceeds the decree of 120 inches or 7 inches for this right.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number: 73

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		67

Combined Water Rights: 73-4028 , 73-2052A , 73-2052B

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/21/2005	rbrown	Active
POU	10/27/2006 6:15:08 PM	DSHAFF			Active
POD	10/27/2006 6:15:24 PM	DSHAFF			Active
Season	10/27/2006 6:16:43 PM	DSHAFF			Active
Quantity	10/27/2006 6:17:23 PM	DSHAFF			Active
Priority Date	10/27/2006 6:17:55 PM	DSHAFF			Active
Summary			10/27/2006	DSHAFF	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-4028 V1

Summary	4/21/2005 10:40:03 AM	rbrown	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 4. Is any portion of the claim be recommended? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	10/27/2006 5:47:47 PM	DSHAFF	Updated shape
POU	10/27/2006 6:12:03 PM	DSHAFF	Updated shape for Active POU
POD	10/27/2006 6:14:43 PM	DSHAFF	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POU	10/27/2006 6:14:28 PM	DSHAFF	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - Overlaps 73-2052 splits
Season	10/27/2006 6:16:03 PM	DSHAFF	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 73-4028 V1

Quantity	10/27/2006 6:16:42 PM	DSHAFF	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (Yes) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Decreed rights plus Ditch Agreement 1947
General	10/27/2006 6:17:14 PM	DSHAFF	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Post 1947 Ditch agreement
Summary	10/27/2006 6:18:37 PM	DSHAFF	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

SubCase:

SubCase Number: 73-4028
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date:
 Attorney Assigned:
 Adjudication Agent: DSHAFF
 Basis of Claim: Beneficial Use
 Date Filed: 10/26/2007 Objection Status: Active

Water Supply Bank:



Idaho Department of Water Resources

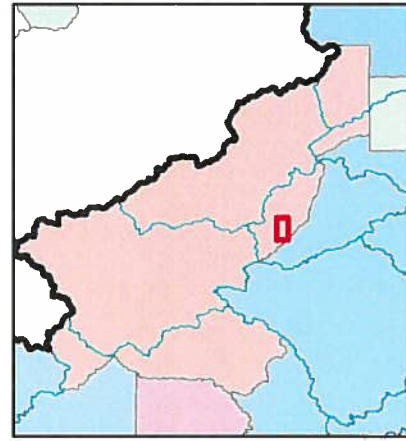
Adjudication Recommendation

73-4028

(IRRIGATION)

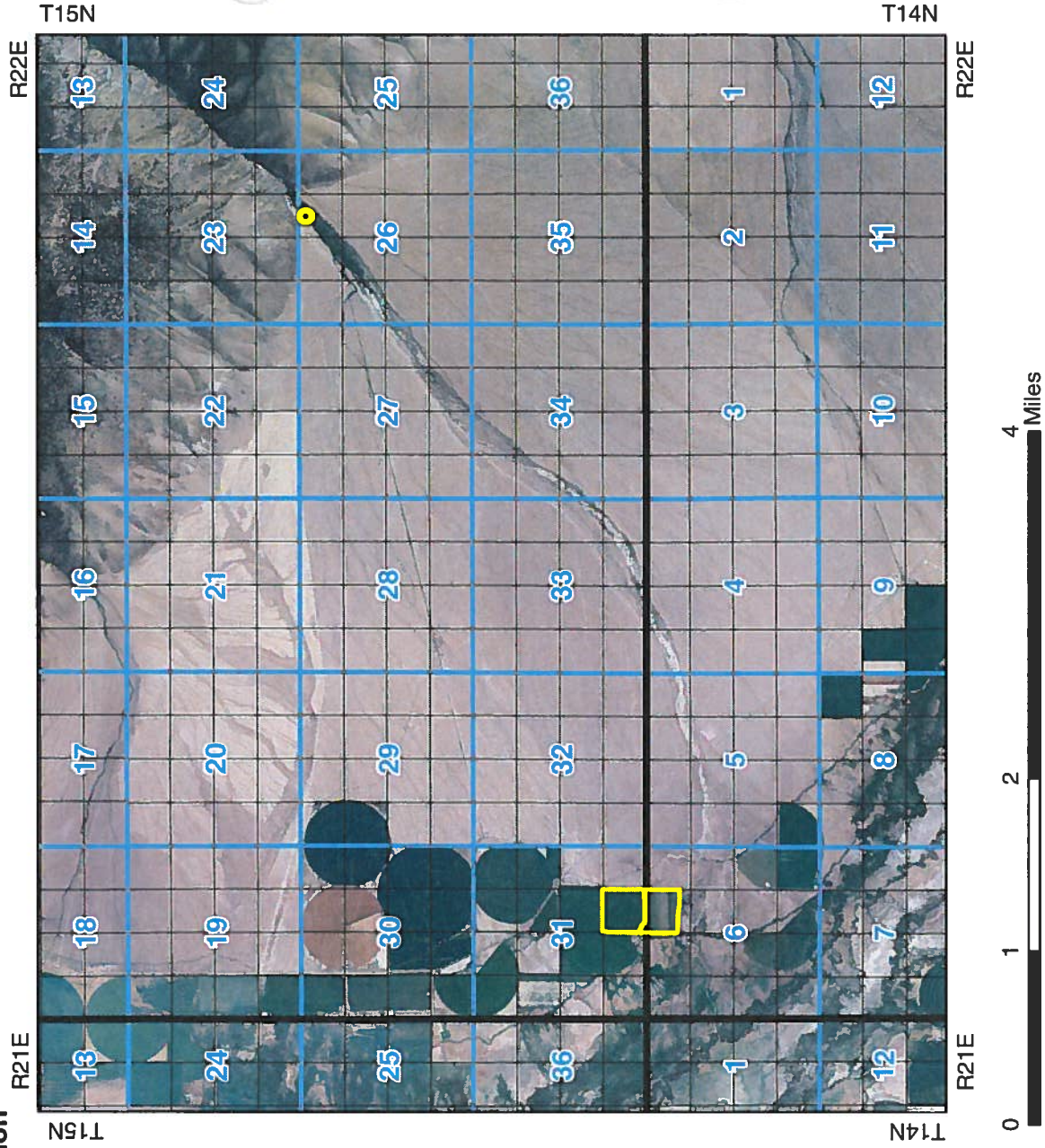
Legend

-  Point of Diversion
-  Place of Use
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 73

Prepared by Craig Saxton
On July 31, 2009
2004 Aerial Photography





73-4028



10/27/2006

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

RIGHT NUMBER: 73-4028

NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2341
IDAHO FALLS ID 83403-2341

SOURCE: MORSE CREEK

TRIBUTARY: SINKS

QUANTITY: 0.140 CFS

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION:

T15N R22E S26 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R22E S06 Lot 2 NWNE	29.00	T15N R22E S31	SWSE	38.00
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67 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 76 acres in a single irrigation season. Combined Right Nos.: 73-4028, 73-2052A, 73-2052B.

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 - Beneficial Use

<u>Basir</u>	<u>Sequen</u>	<u>Suff</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Inches</u>	<u>Inches by Us</u>
73	64		Decreed	Active	593086	1897-07-12	1.6	80	
73	68		Decreed	Active	593087	8/28/1901	3.2	160	
73	70		Decreed	Active	593089	5/1/1906	1.6	80	320
73	61		Decreed	Active	593103	1884-06-01	2.4	120	120
73	45 A		Decreed	Disallowed	600410	1895-04-01	0.06		
73	65		Decreed	Active	596392	1898-05-21	0.6	30	30
73	62		Decreed	Active	592954	1891-06-01	0.9	45	
73	63		Decreed	Active	596383	1895-07-29	1.54	77	
73	67		Decreed	Active	596393	4/6/1901	3.2	160	282
							15.04	752	752
73	2149		License	Active	583356	7/3/1958	6.26		
73	4019		Beneficial	Disallowed	587884	6/1/1970	40		
73	4028		Beneficial	Active	587906	4/1/1948	1.6		
73	10115		Beneficial	Disallowed	587925	6/6/1938	0.08		

claim 1947 Agree 1979 Incorp
1.6 2.54 2.8

73-4028 0.14 0.4
Recommended

WATER DISTRICT # 73 1994 WATER REPORT			
#	INDIVIDUAL / COMPANY	#	
	CUSTER COUNTY		
	INDIVIDUAL/COMPANY		
	CUSTER COUNTY		
# 1-	DOUG ROBBINS (GRANT HAMILTON DEC '93)	# 1	
# 2-	DUANE MOEN	# 2	
# 3-	PINES GRAZING C/O LYNN TRUBART	# 3	
# 4-	SULFUR CK. LVST.-ROYDEN EATON/JUDD WHITWORTH (SCOBLE)	# 4	
# 5A-	GOLDBERG GRAZ.C/O THAD WHITWORTH-1/2(CUNNINGHAM-'93)	# 5A	
# 5B-	GOLDBERG GRAZ.C/O JUDD WHITWORTH- 1/2(CUNNINGHAM '93)	# 5B	
# 6-	PRESTON DIXON	# 6	
# 7-	BERT HATCH	# 7	
# 8-	CHARLES WUNSCH (BALDWIN-'93)	# 8	
# 9-	RICH DINGES (OPPLE -'93)	# 9	
# 10-	JIM DOWTON	# 10	
# 11	BOB WHITWORTH	# 11	
# 12	A.L. TROUTNER	# 12	
# 13	LARRY WHITTIER (JAMES WHITTIER-' DEC. 93)	# 13	
# 14	FRED ZOLLINGER	# 14	
# 15	CIRCLE PI RANCH C/O B.H.YATES (UNQUERA-' 89)	# 15	
# 16	PARKINSON POTATO FARM (DEAN STOKES 'JAN '94)	# 16	
# 17	GEORGE M. BOWLES (BIAD-' 91) (HIGBEE APT '95)	# 17	
# 18	CHUCK CHARLTON	# 18	
# 19	LAST STAND RANCH (BLATZ-' 91)	# 19	
# 20	LEON ZIEGLER	# 20	
# 21	BERT HATCH (CUNNINGHAM JULY '92)	# 21	
# 22	LINDEN WRING ESTATE C/O JUNE ZIEGLER	# 22	
# 23	SULFUR CK. LVST.-JUDD WHITWORTH/ROYDEN EATON(SCOBLE '89)	# 23	
# 24	JUDD WHITWORTH/ROYDEN EATON (URETTI RANCH '91)	# 24	
# 25	BROKEN RIV.RANCH C/O BOB HADLEY (LYNN BINGHAM MAR '94)	# 25	
	***** CUSTER		
	TOTAL		
#	LEMHI COUNTY	#	
1-	DON O'NEAL	1-	
2-	ROCKIN H RANCH C/O GARY/KENNY MADSEN (WHEELER -'90)	2-	
3-	LEE WATSON (DA WAYNE HAMILTON TALL 93)	3-	
4-	GEORGE SANTEE	4-	
5-	JIM MARTINY (FINIAS HUSHOAKES-' 91)	5-	
6-	SCOTT WHITWORTH (BORN RANCH)	6-	
7A-	WHITWORTH RANCHES / EMA LUWHITWORTH	7A-	
7B-	SCOTT WHITWORTH (COOK RANCH)	7B-	
8-	SCOTT WHITWORTH (GEORGE WHITWORTH '90)	8-	
9A-	DUANE MOEN (FT. OF INGRAM'S RANCH '93)	9A-	
9B-	SCOTT WHITWORTH (PT OF INGRAMS RANCH '93)	9B-	
10-	GILMAN MARTINY	10-	
11-	SPRING CREEK GRAZ C / O BRENT CUTLER - (HOWARD CUTLER '94)	11-	
12-	JESS RANKIN	12-	
13-	KENNY MADSEN	13-	
14A-	RALPH HATCH- (SOLD PART OF RANCH TO LAST CHANCE RCH- '92)	14A-	
14B-	LAST CHNCE RCH-P.WILMERDING- C/O JIM DOWTON(FT. HATCH JULY '92)	14B-	
15-	ROY ELLIS	15-	
16-	DAVE GEORGE (BORN STOKES -' 90)		

	WATER	DISTRICT	# 73		COST 24-HR						
	1994-	WATER	MASTER	REPORT	SEC.FEET						
USER #	TOTAL INCHES	TOTAL	ADOPTED			TOTAL NO. DAYS OF WATERMASTER					
	24-HR SEC.FEET	COST	BUDGET	CREDITS	DEBITS	DAYS	\$ PER DAY				AMOUNT
						160.00	\$42.52				\$6,803.31

CUSTER COUNTY											
# 1-	1207.00	193.85	187.20		-8.64	TOTAL NO. DAYS ASST. WATERMASTER					
# 2-	640.00	102.79	152.42	49.63		NONE					
# 3-	4275.39	686.63	849.91	183.28							
# 4-	2446.40	392.90	346.85		-46.05	OTHER EXPENSES CHARGED (SEC./CLERK/					
# 5A-	688.80	110.62	72.95		-37.67	POSTAGE/ EXCEL PROG. /GRANCE RENT					
# 5B-	688.80	110.62	72.95		-37.67	*****					
# 6-	512.00	82.23	107.19	24.98		TOTAL COST=					
# 7-	1371.40	220.25	455.58	235.33		*****					
# 8-	844.20	135.58	409.75	274.17		TOTAL # 24- HR SEC FEET DELIVERED=					
# 9-	1152.00	185.01	162.39		-22.62	COST/24 HR. SEC FEET=					
# 10-	640.00	102.79	145.21	42.43							
# 11	1328.00	213.28	193.87		-19.41						
# 12	256.00	41.11	58.50	17.38		CUSTER		LEMM			
# 13	1516.80	243.60	273.72	30.12		26666.89	CTS	25022.40	CTS		
# 14	810.10	130.10	102.85		-27.25	x 0.1606017		x 0.1606017			
# 15	1456.80	233.96	271.39	37.43		\$4,282.75		\$4,031.49			
# 16	992.00	159.32	143.27		-16.05						
# 17	592.00	95.08	90.89		-4.18	51.51%		48.49%			
# 18	32.00	5.14	3.98		-1.16						
# 19	64.00	10.28	7.96		-2.32						
# 20	1425.60	228.95	228.12		-0.83						
# 21	1328.00	213.28	165.22		-48.06						
# 22	1038.40	166.77	282.66	115.89							
# 23	1120.00	179.87	139.34		-40.53						
# 24	160.00	25.70	19.91		-5.79						
# 25	81.20	13.04	39.81	28.77							
CUSTER	*****	4282.75	0.00								
TOTALS	26666.89	4282.75	4983.89	1017.39	-316.23						

#	LEMM COOP										
1-	1306.12	219.40	304.94	85.54							
2-	1285.20	206.41	151.06		-55.35						
3-	870.40	139.79	224.99	85.20							
4-	592.00	95.08	73.65		-21.42						
5-	898.00	143.90	111.47		-32.43						
6-	528.00	85.05	65.89		-19.17						
7A-	1407.80	226.10	254.10	28.00							
7B-	738.71	118.64	143.20	24.58							
8-	824.00	100.22	77.63		-22.58	*					
9A-	1382.00	221.95	197.43		-24.52						
9B-	602.00	96.81	95.11		-1.70						
10-	751.80	120.74	92.33		-28.41						
11-	1488.80	238.64	198.90		-39.74						
12-	320.00	51.39	39.81		-11.58						
13-	608.00	97.31	75.39		-21.92						
14A-	1688.40	266.50	257.85	-8.65							
14B-	97.00	15.67	27.54	11.88	*						
15-	873.00	140.33	109.08		-31.25						
16-	128.00	20.56	15.92		-4.63	*					
17-	180.00	25.70	19.91		-5.79						

	U	V	W	X	Y	Z	AA	AB																				
1	#73	MORGAN CREEK-LEMHI CO.	PAGE 10	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
2	#1	USER/ NAME PAGE10	CFS	#1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
3	#1	EMA LU WHITWORTH RANCH.	3.20	#1	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	
4	#2	SCOTT WHITWORTH(INGRAM'89)	3.20	#2	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	
5	#3	DUANE MOEN(INGRAM'89TOLLY16	6.00	#3	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	
6	#4	EMA LU WHITWORTH/WHITW. RANCH.	4.80	#4	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	4.80	
7	#5	EMA LU WHITWORTH/WHITW. RANCH	1.80	#5	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	
8	#6A	RALPH HATCH(SOLD PT LAST CHINC	3.80	#6A	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	3.80	
9	#6B	LAST CHANCE RCH(HATCH'78)	1.80	#6B	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	
10	#7A	SCOTT WHITWORTH(INGRAM'89)	1.80	#7A	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	
11	#7B	DUANE MOEN(INGRAM '89)	.80	#7B	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	
12																												
13																												
14	#73	MORSE CK. LEMHI COUNTY	PAGE 11																									
15	#1	GEORGE SANTEE	2.40	#1	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	2.40	
16	#2	SCOTT WHITWORTH (HORN '87)	.91	#2	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	0.91	
17	#3	SCOTT WHITWORTH (COOK)	1.44	#3	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	1.40	
18	#4	EMERSON LATIMER	1.80	#4	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	
19	#5	WES THOMPSON	.80	#5	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	0.80	
20	#6	SPRING CK. GRAZ/CUTLER	1.20	#6	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	1.20	
21	#7	SCOTT WHITWORTH/COOK	3.20	#7	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	
22	#8	EMERSON LATIMER	3.20	#8	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	3.20	
23	#9	EMERSON LATIMER	1.80	#9	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	1.80	
24																												
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[illegible]

[illegible]

WATER RESOURCE COPY -

04/21/2005

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

RIGHT NUMBER: 73-4028
NAME AND ADDRESS: GEORGE E SANTEE JR
PO BOX 2365
IDAHO FALLS ID 83403-2365

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

Recommended as Right No. 73-61.

EXPLANATORY MATERIAL: Beneficial Use

RECOMMENDED AS RIGHT NO. _____: This is included for a claim that is PROPOSED to be disallowed because the right claimed is recommended pursuant to another right. The remark indicates the water right number of the OTHER right that is proposed to be recommended. If you are not mailed a notice of the recommendation of the OTHER right, then the OTHER right is recommended in another claimant's name.

*measurement of
Morse Cr. Canal?*

Water Right 73-4028

