

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 43-7042  
Date Received: 6/6/89  
Receipt No:  
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CONDIE BROTHERS  
4625 W 4100 S  
WEST VALLEY CITY UT 84120

Phone: (801)968-4943

2. Date of Priority: 07/25/1973

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10S      | 28E   | 5       |        | NW     | SW  |     | CASSIA |
| 10S      | 28E   | 5       |        | SW     | SE  |     | CASSIA |
| 10S      | 28E   | 8       |        | SW     | NW  |     | CASSIA |
| 10S      | 28E   | 8       |        | SW     | NW  |     | CASSIA |

5. Description of diverting works:

4 WELLS ALL INTERCONNECTED

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 17.02  | 5760       |
| DOMESTIC   | 01/01 | 12/31 | 0.04   | 2.4        |

7. Total Quantity Appropriated is:

17.06 C.F.S. and/or 5762.4 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:  
 Number of homes: 2

10. Place of use:

| Township | Range | Section | 1/4 | of 1/4 | Lot | Use           | Acres |  |               |     |
|----------|-------|---------|-----|--------|-----|---------------|-------|--|---------------|-----|
| 10S      | 28E   | 4       | SW  | NE     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | NE  | NE     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | NW  | NW     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | SW  | NW     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | NE  | SW     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | NW  | SW     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | SW  | SW     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | SE  | SW     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | NE  | SE     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | NW  | SE     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | SW  | SE     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | SE  | SE     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | SE  | NE     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | NW  | NE     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         |     |        |     |               |       |  | Section Acres | 560 |
|          |       |         | 10S | 28E    | 5   | NE            | NE    |  | IRRIGATION    | 40  |
| NW       | NE    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| SW       | NE    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| SE       | NE    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| NE       | NW    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| NW       | NW    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| SW       | NW    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| SE       | NW    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| NE       | SW    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| NW       | SW    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| SW       | SW    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| SE       | SW    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| NE       | SE    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| NW       | SE    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| SW       | SE    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
| SE       | SE    |         |     |        |     | IRRIGATION    | 40    |  |               |     |
|          |       |         |     |        |     | Section Acres | 640   |  |               |     |
| 10S      | 28E   | 8       | NE  | NE     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | NW  | NE     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | NE  | NW     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | NW  | NW     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | SW  | NW     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         | SE  | NW     |     | IRRIGATION    | 40    |  |               |     |
|          |       |         |     |        |     | Section Acres | 240   |  |               |     |
|          |       |         |     |        |     | Total Acres   | 1440  |  |               |     |

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:

14. Remarks:

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.  
TWO POINTS OF DIVERSION LOCATED IN SWNW, S8, T10S, R28E.  
CLAIM AMENDED PER LICENSE ISSUED 12/27/1990. jr

15. Basis of Claim: License

16. Signature(s)

State of Idaho  
Department of Water Resources

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**WATER RIGHT LICENSE**

WATER RIGHT NO. 43-07042

Department of Water Resources  
Southern Region Office

Priority: July 25, 1973

Maximum Diversion Rate: 17.06 CFS  
Maximum Diversion Volume:<sup>1</sup> 5762.4 AF

This is to certify, that VALLEY VESTA FARMS INC.

RT. 2 BOX 2640

BURLEY, ID 83318

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 9, 1973; and has submitted Proof of Beneficial Use on February 8, 1983. An examination indicates that the works have a diversion capacity of 17.060 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 17.02 CFS                | 5760.0 AF            |
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 | 2.4 AF               |
|                       | Totals               | 17.06 CFS                | 5762.4 AF            |

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 5, Township 10S, Range 28E  
NWSW , Sec. 5, Township 10S, Range 28E  
SWNW , Sec. 8, Township 10S, Range 28E  
CASSIA County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 10S        | 28E        | 4          | NENE 40      | NWNE 40      | SWNE 40      |              |
|            |            |            | SENE 40      | NWNW 40      | SWNW 40      |              |
|            |            |            | NESW 40      | NWSW 40      | SWSW 40      |              |
|            |            |            | SESW 40      | NESE 40      | NWSE 40      |              |
|            |            |            | SWSE 40      | SESE 40      |              | 560          |
|            |            | 5          | NENE 40      | NWNE 40      | SWNE 40      |              |
|            |            |            | SENE 40      | NENW 40      | NWNW 40      |              |
|            |            |            | SWNW 40      | SENW 40      | NESW 40      |              |
|            |            |            | NWSW 40      | SWSW 40      | SESW 40      |              |
|            |            |            | NESE 40      | NWSE 40      | SWSE 40      |              |
|            |            |            | SESE 40      |              |              | 640          |
|            |            | 8          | NENE 40      | NWNE 40      | NENW 40      |              |
|            |            |            | NWNW 40      | SWNW 40      | SENW 40      | 240          |

PLACE OF USE: DOMESTIC

TWN RGE SEC

10S 28E 8 SWNW

State of Idaho  
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 43-07042

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Domestic use is for 2 homes.  
2 points of diversion located in SWNW, S8, T10S, R28E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this

day of December, 1990.

Acting for R. Keith Higginson, Director

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: A43-07042  
Date Received: 6/06/1989  
Receipt No: 5007592  
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CONDIE BROTHERS 801-968-4943  
Address: 4625 W. 4100 S.  
WEST VALLEY CITY, UT 84120

2. Date of Priority: JUL 09, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10S      | 28E   | 5       | NW     | NW     | SW     |     | CASSIA |
|          |       |         | SW     | SW     | SE     |     | CASSIA |
|          |       | 8       | SW     | SW     | NW     |     | CASSIA |

5. Description of diverting works:  
4 WELLS ALL INTERCONNECTED

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 20.000 |      |        |

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

8. Total consumptive use is 4320.0 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 10S      | 28E   | 4       | SW     | NE     |     | IRR | 18.0  |

A43-07042

Page 1

Date: 06/06/89

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10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 10S      | 28E   | 4       | SE  |    | NE  |     | IRR | 15.0  |
|          |       |         | NW  |    | NW  |     | IRR | 5.0   |
|          |       |         | SW  |    | NW  |     | IRR | 5.0   |
|          |       |         | NE  |    | SW  |     | IRR | 40.0  |
|          |       |         | NW  |    | SW  |     | IRR | 40.0  |
|          |       |         | SW  |    | SW  |     | IRR | 40.0  |
|          |       |         | SE  |    | SW  |     | IRR | 40.0  |
|          |       |         | NE  |    | SE  |     | IRR | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR | 40.0  |
|          |       |         | SE  |    | SE  |     | IRR | 22.0  |

Section Acres 345.0

|   |    |    |     |      |
|---|----|----|-----|------|
| 5 | NE | NE | IRR | 40.0 |
|   | NW | NE | IRR | 40.0 |
|   | SW | NE | IRR | 40.0 |
|   | SE | NE | IRR | 40.0 |
|   | NE | NW | IRR | 40.0 |
|   | NW | NW | IRR | 40.0 |
|   | SW | NW | IRR | 40.0 |
|   | SE | NW | IRR | 40.0 |
|   | NE | SW | IRR | 40.0 |
|   | NW | SW | IRR | 40.0 |
|   | SW | SW | IRR | 40.0 |
|   | SE | SW | 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 640.0

|   |    |    |     |      |
|---|----|----|-----|------|
| 8 | NE | NE | IRR | 40.0 |
|   | NW | NE | IRR | 40.0 |
|   | SW | NE | IRR | 40.0 |
|   | SE | NE | IRR | 40.0 |
|   | NE | NW | IRR | 40.0 |
|   | NW | NW | IRR | 40.0 |
|   | SW | NW | IRR | 40.0 |
|   | SE | NW | IRR | 40.0 |
|   | NE | SW | IRR | 27.0 |
|   | NW | SW | IRR | 38.0 |
|   | NE | SE | IRR | 40.0 |
|   | NW | SE | IRR | 27.0 |

Section Acres 452.0

10. Place of Use: Continued

Total Acres 1437.0

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:  
NONE

14. Remarks:  
DOMESTIC WELL AS SHOWN ON THE FIELD EXAMINER'S REPORT IS TO  
BE CONNECTED INTO THE IRRIGATION WELL SYSTEM AND USED FOR BOTH  
DOMESTIC AND IRRIGATION SUPPLY.

15. Basis of Claim: PERMIT

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 Organizations:

I do solemnly swear or affirm that I am Partner Title \_\_\_\_\_ of Condie Bros Ralf River Farms Organization, that I have signed the foregoing document in the space below as Partner Title \_\_\_\_\_ of Condie Bros Ralf River Farms Organization and that the statements contained in the foregoing document are true and correct.

ST Phillips Condie Signature of Authorized Agent

Partner Condie Bros Title and Organization

June 16 1989 Date

State of Idaho )  
County of Twin Falls ) SS.

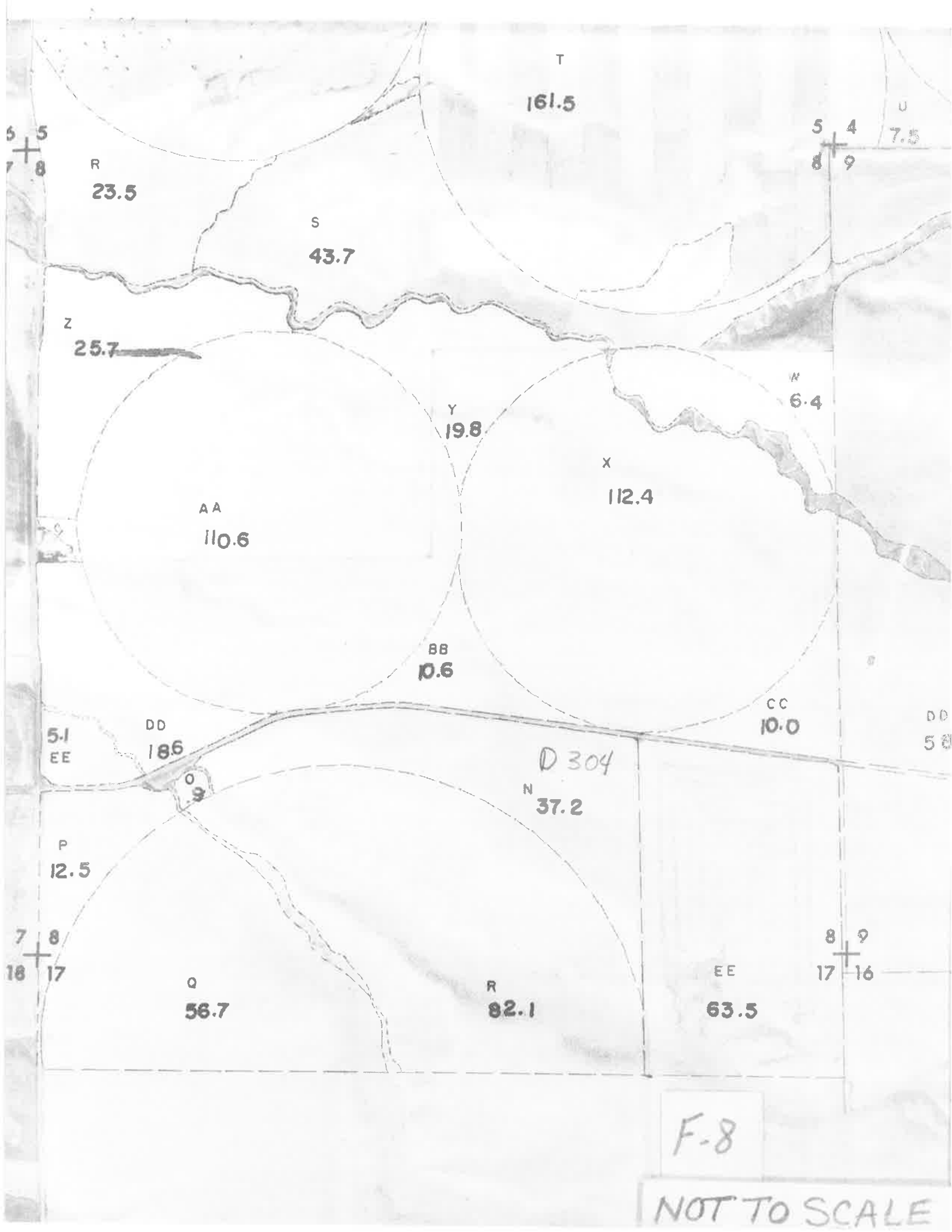
Subscribed and sworn (or affirmed) before me this 6th day  
of June 1989

Robert V. Westell  
Notary Public

Seal

Residing at Twin Falls, Idaho  
My Commission Expires 1/16/1995





31 32

6 5

F  
7.3

G  
130.9

E  
21.8

D  
153.1

H  
12.8

I  
32.5

Q  
130.9

P  
8.5

O  
12.8

6 5  
7 8

R  
23.5

S  
43.7

T  
161.5

5 4  
6 9 7.5

Z  
25.7

Y  
19.8

W

F-8

NOT TO SCALE

T

3  
3

5 4

D496

C  
42.2

B  
41.0

A  
42.2

K  
74.4

J  
4.8

O  
12.8

N  
14.5

M  
114.8

L  
126.8

V  
70.6

U  
7.5

5 4  
8 9

4 3  
9 10

D491

F-8

W  
6.4

CC  
391.2

NOT TO SCALE

Water Right Number - 43-07042

Prefix Translation: WATER RIGHT

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
VALLEY VESTA FARMS INC.

1 - RT. 2 BOX 2640

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +  
07/25/1973 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +  
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

10S 28E 5 NW SW (31) CASSIA

10S 28E 5 SW SE (31) CASSIA

10S 28E 8 SW NW (31) CASSIA

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

01 - IRRIGATION

03/15

11/15

17.020

5760.00

43 - DOMESTIC

01/01

12/31

0.020

2.40

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +  
17.060 5762.40 17.060+ - - - - - - - - - - - - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County

10S 28E 4 NE NE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 NW NE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 SW NE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 SE NE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 NW NW 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 SW NW 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 NE SW 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 NW SW 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 SW SW 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 SE SW 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 NE SE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 NW SE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 SW SE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 4 SE SE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 5 NE NE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 5 NW NE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 5 SW NE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 5 SE NE 40.0 01 IRRIGATION (31) CASSIA

10S 28E 5 NE NW 40.0 01 IRRIGATION (31) CASSIA

Water right number - 43-07042

Prefix Translation: WATER RIGHT

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County       |
|-----|-----|-----|-------|-----|-------|------|-------------|--------------|
| 10S | 28E | 5   | NW NW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 5   | SW NW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 5   | SE NW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 5   | NE SW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 5   | NW SW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 5   | SW SW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 5   | SE SW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 5   | NE SE |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 5   | NW SE |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 5   | SW SE |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 5   | SE SE |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 8   | NE NE |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 8   | NW NE |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 8   | NE NW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 8   | NW NW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 8   | SW NW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 8   | SE NW |     | 40.0  | 01   | IRRIGATION  | (31 ) CASSIA |
| 10S | 28E | 8   | SW NW |     |       | 43   | DOMESTIC    | (31 ) CASSIA |

Total Acres: 1440.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +  
Domestic use is for 2 homes.  
2 points of diversion located in SWNW, S8, T10S, R28E.

+ - - - - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +  
R31 - This right when combined with all other rights shall provide no  
- more than .02 cfs per acre nor more than 4.0 afa per acre for the  
- lands above.

+ - - - Decree Plaintiff - - - +      + - - - Decree Defendant - - - +      + - Decree Date - +  
00/00/0000

+ - - - - - Comments - - - - - +  
No Comments Found

+ - - Audit Fields - 09/22/87 05/28/88 CONVERT 02/27/89 JOHNSON 12/05/89 CURTIS 02/27/90 CURTIS

MICROFILMED  
MAR 0 4 1993

Water right number - 43-07042

Prefix Translation: WATER RIGHT

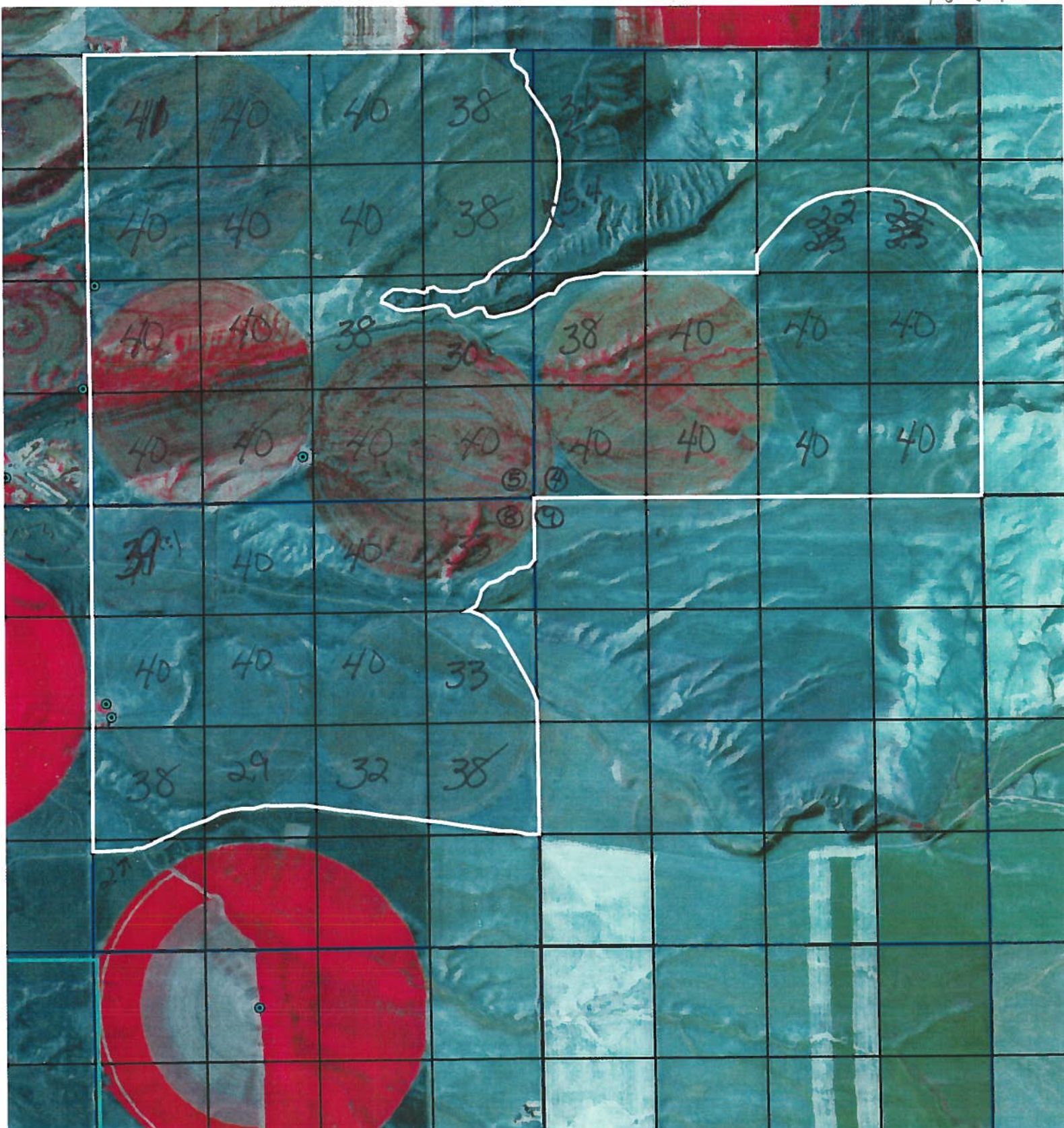
+ - - - - Water Rights Dates and Flags Area - - - - - +

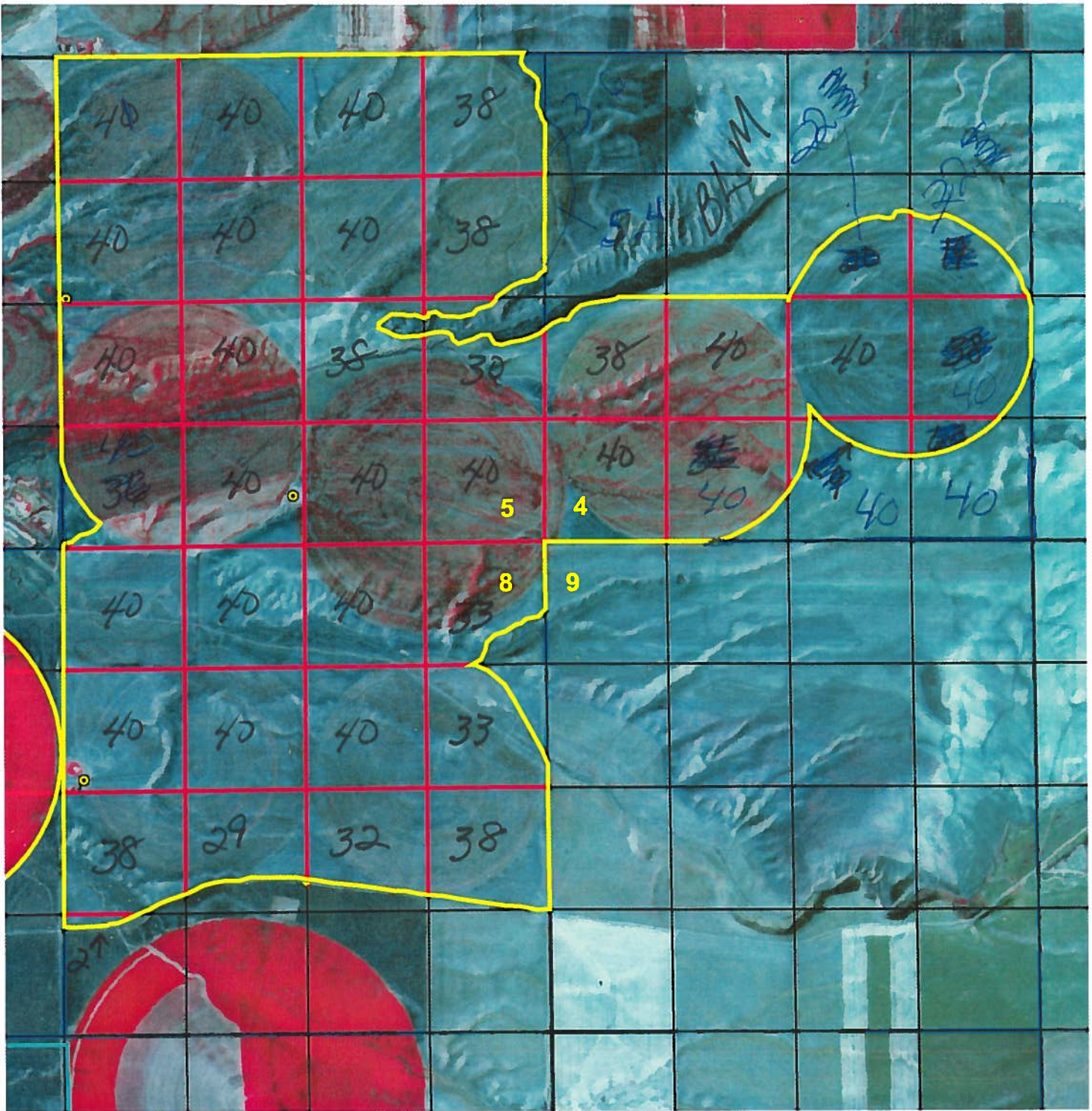
|                   |              |                  |              |                  |     |
|-------------------|--------------|------------------|--------------|------------------|-----|
| Proof Due Date    | - 08/01/1983 | Field Exam Made  | - 08/06/1987 | Field Exam Fee   | -   |
| Approved/Denied   | - 08/16/1973 | Protested Date   | - 00/00/0000 | Swan Falls       | - Y |
| Proof Made Date   | - 02/08/1983 | Hearing Date     | - 00/00/0000 | Temporary Right  | - P |
| Exam to S.O. Date | - 00/00/0000 | Verified Date    | - 00/00/0000 | DLE/Carey Act    | -   |
| Order Show Cause  | - 00/00/0000 | Receipt Number   | -            | Water District   | -   |
| Licensed Date     | - 12/27/1990 | Appl Received    | - 07/09/1973 | Transfer/Amended | - A |
| Decree Date       | - 00/00/0000 | Presumption Flag | -            |                  |     |

MICROFILMED

MAR U 4 1993

Shape per transfer #69257  
filed on 7/10/01  
area = 1440 Ac.





2.5 45

0 1320 2640 3960 Feet

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

TWP 10S, RNG 28E

Gis Field Map  
1987/1988 Napp Photography



Field Exam Date \_\_\_\_\_  
Jeanie Robertson



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

May 7, 2001

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Dear Water Users of the Raft River Valley,

Please find enclosed the Preliminary Director's Report for your water right claims in the Snake River Basin Adjudication. This is an important opportunity to review the Idaho Department of Water Resources' (IDWR) conclusions regarding your water rights, resolve errors, and have questions answered **before** the report is finalized for the SRBA Court.

#### CONTENTS OF THIS MAILING:

- ❖ Preliminary Director's Report Instructions (blue page, front and back)
- ❖ Letter From Karl Dreher, Director of IDWR
- ❖ **Your Water Right Recommendation(s) & Map(s)** with Notice of Error form(s)
- ❖ Proposed General Provisions for the Raft River Basin (with attachment)
- ❖ General Basin Map for the Raft River Area for vicinity reference
- ❖ Letter from the Presiding Judge, Snake River Basin Adjudication Court

Please join us for an informational presentation at **7:00 pm on May 30th, at Raft River Elementary School in Malta**. If you miss the informational meeting or need additional assistance then give us a call to set up an appointment.

Respectfully yours,

Douglas Jones, P.E.  
Water Rights Supervisor  
Southern Adjudication Unit  
Idaho Department of Water Resources

(Other instructions on the back)

## HOW TO REVIEW YOUR WATER RIGHT:

- ❖ Examine the water right print out and map carefully.
- ❖ Look for errors in spelling, names, and addresses on the water right print out.
- ❖ Look for differences between what IDWR proposes to recommend and what you think your water right should be. Complete the Notice of Error form(s) as instructed below if you disagree – or even if you agree!
- ❖ If you no longer own the property represented in the water right please forward this mailing to the new owner or contact IDWR-Southern Region Office, Adjudication Unit, (208)736-3033.
- ❖ If your address has changed correct the information on the Notice of Error form, sign it and return to IDWR. Or you may write a letter, signed by the claimant of record, describe the address change, and list the water rights involved.

## NOTICE OF ERROR INSTRUCTIONS:

- ❖ Please review the preliminary recommendation carefully. Your name, water right number and address have been pre-printed on this reply for your convenience. Check to be sure that the pre-printed information on this form is accurate.
- ❖ Please fill in your daytime and evening telephone numbers.
- ❖ If there is any portion of the preliminary recommendation that is inaccurate, or with which you disagree, please complete items number 1, 2 and 3 on the reply, sign where indicated, and return the reply in the envelope provided. This reply must be mailed before **June 15, 2001**. If IDWR has questions about the information included in your reply, a staff member will be in contact with you to set up an appointment. You may also return the reply in person at the public meeting on **May 30, 2001, at 7:00 p.m. in the Raft River Elementary School, Malta, ID.**
- ❖ Please indicate on the form if you agree with the proposed recommendation and return it to us. Feel free to write down questions, even if you agree, and we will strive to respond in a timely manner.
- ❖ If you have questions or do not understand this process, please call the Adjudication hotline toll free number: **1-800-451-4129** or contact the IDWR Southern Regional Office, located at 1341 Fillmore St, Twin Falls, ID 83301, **(208)736-3033**.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
TRANSFER NO. 69257

This is to certify that: **CONDIE BROTHERS**  
4625 W 4100 S  
WEST VALLEY CITY UT 84120  
(801)968-4943

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.

**Summary of Water Rights Before the Proposed Change**

| Right   | Origin/Basis | Priority   | Rate      | Volume    | Acres | Total   | Source       |
|---------|--------------|------------|-----------|-----------|-------|---------|--------------|
| 43-7042 | WR/Decreed   | 07/25/1973 | 17.06 cfs | 5762.4 af |       | 1,437.0 | GROUND WATER |

**Purpose of Transfer (Changes Proposed)**

| Current Number | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----------------|-------|-----|-----|---------|---------------|---------------|
| 43-7042        | NO    | NO  | YES | NO      | NO            | NO            |

**Summary of Water Rights After the Approved Change**

| Existing Right | New No. (changed portion) | Transfer Rate | Transfer Volume | Acres Limit | Total Acres | New No. (remaining portion) | Remaining Rate | Remaining Volume | Remaining Acre Limit | Remaining Total Acres |
|----------------|---------------------------|---------------|-----------------|-------------|-------------|-----------------------------|----------------|------------------|----------------------|-----------------------|
| 43-7042        | 43-7042                   | 17.06 cfs     | 5750.4 af       | 1,437.0     | 1,440.0     | N/A                         | N/A            | N/A              | N/A                  | N/A                   |
| <b>TOTALS</b>  |                           | 17.06 cfs     | 5750.4 af       | 1,437.0     | 1,440.0     | N/A                         | N/A            | N/A              | N/A                  | N/A                   |

Detailed Water Right Description(s) attached

Dated this 22<sup>nd</sup> day of July, 2002

*[Signature]*  
Chief, Water Allocation Bureau

MICROFILMED  
AUG 15 2002

**WATER RIGHT NO. 43-7042**  
**As Modified by Transfer No. 69257**

In accordance with the approval of Transfer No. 69257, Water Right No. 43-7042 is now described as follows.

**Right Holder:** CONDIE BROTHERS  
 4625 W 4100 S  
 WEST VALLEY CITY UT 84120

**Priority Date:** 07/25/1973

**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  | 17.02 CFS             | 5,748.0 AF    |
| DOMESTIC              | 01/01       | to 12/31  | 0.04 CFS              | 2.4 AF        |
|                       |             |           | 17.06 CFS             | 5,750.4 AF    |

**LOCATION OF POINT(S) OF DIVERSION:**

|              |                       |         |               |
|--------------|-----------------------|---------|---------------|
| GROUND WATER | NWNWSW Sec. 5 Twp 10S | Rge 28E | CASSIA County |
| GROUND WATER | SESESW Sec. 5 Twp 10S | Rge 28E | CASSIA County |
| GROUND WATER | SWSWNW Sec. 8 Twp 10S | Rge 28E | CASSIA County |
| GROUND WATER | SWSWNW Sec. 8 Twp 10S | Rge 28E | 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   |        |       |
| 10S | 28E | 4   |      |      | 22.0 | 22.0 |      |      | 3.8  | 5.4  |      |      | 40.0 | 68.0 | 40.0 | 30.0 | 40.0 | 40.0 | 40.0   | 371.0 |
| 10S | 28E | 5   | 38.0 | 40.0 | 40.0 | 38.0 | 40.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 30.0 | 38.0 | 40.0 | 40.0   | 625.0 |
|     |     |     | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |       |
| 10S | 28E | 8   | 33.0 | 40.0 | 40.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 29.0 | 38.0 | 2.0  |      |      | 38.0 | 32.0 |      | 444.0  |       |

Total Acres: 1440

**PLACE OF USE:** DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 28E | 8   |    |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |        |

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AUG 15 2002

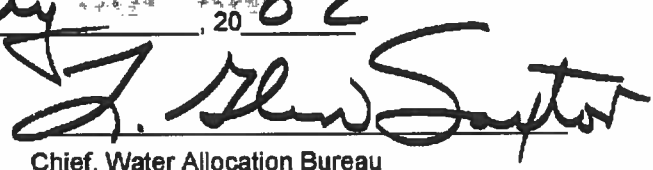
**WATER RIGHT NO. 43-7042**  
**As Modified by Transfer No. 69257**

**CONDITIONS OF APPROVAL**

1. This right is limited to the irrigation of 1437.0 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Right 43-7042 shall not exceed 17.06 cfs, nor a total combined annual volume of 5750.4 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. 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.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.
9. Domestic use is for 2 homes.

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 22<sup>nd</sup> day of July, 2002

  
Chief, Water Allocation Bureau

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AUG 15 2002

NOV 23 2001

Department of Water Resources

Page 1

Transfer No. 69257

Receipt No. 5024108

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**

**1. Applicant Information** CONDIE BROTHERS  
4625 W 4100 S  
WEST VALLEY CITY UT 84120  
(801)968-4943  
cell - 801-560-8089

Will this transfer result in an ownership change? \_\_\_\_\_ Yes ☒ No

**2. Current Water Right****Part 2 Attached for Each Right**

|         | Origin/Basis | Rate        | Volume    | Acres   | Total   | Source       |
|---------|--------------|-------------|-----------|---------|---------|--------------|
| 43-7042 | AJC/License  | * 17.06 cfs | 5762.4 af | 1,437.0 | 1,437.0 | GROUND WATER |

*Note: 2 1/2 acres being moved - fee is based on 2.5 cfs J.F.*

**3. Purpose of Transfer (Change Proposed)****Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

| Right   | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|---------|-------|-----|-----|---------|---------------|---------------|
| 43-7042 | NO    | NO  | YES | NO      | NO            | NO            |

**Describe the reason for the proposed changes**  
to move water to more suitable ground

**4. FOR CHANGES IN NATURE OF USE ONLY**

**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

**B. Describe the effects on other water uses resulting from the proposed change**

**5. Total Amounts Transferred**

|              | Rate      | Acres   | Total   | Volume    |
|--------------|-----------|---------|---------|-----------|
| 43-7042      | 17.06 cfs | 1,440.0 | 1,440.0 | 5762.4 af |
| <b>TOTAL</b> | 17.06 cfs | 1,440.0 | 1,440.0 |           |

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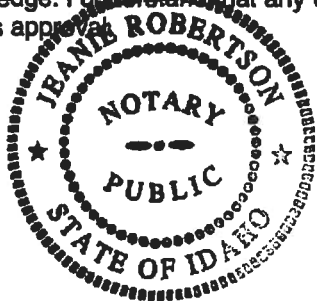
AUG 15 2002

(69257)

Transfer No. 69257  
Receipt No. \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.



Philip Budie - Part -  
The H. (Signature of Applicant)

Township & Condit Bros -  
(Title or Office)

Subscribed and sworn to before me this 9<sup>th</sup> day of July, 2001.

Jeanie Robertson  
(Notary Public)

My commission expires 9-23-06

MICROFILMED

AUG 15 2002

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

Current Water Right No. 43-7042

Priority Date: 07/25/1973

Origin: Adjudication Claim

Basis: License

Status: Active

Source: GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 03/15 11/15    | 17.02 CFS             | 5,760.0 AFA   |                    |
| DOMESTIC              | 01/01 12/31    | 0.04 CFS              | 2.4 AFA       |                    |
| Total Diversion       |                | 17.06 CFS             | 5,762.4 AFA   |                    |

Source and Point(s) of Diversion:

| <u>Source</u> | <u>Twp</u> | <u>Range</u> | <u>Section</u> | <u>1/4 of 1/4 of 1/4</u> | <u>Lot</u> | <u>County</u> |
|---------------|------------|--------------|----------------|--------------------------|------------|---------------|
| GROUND WATER  | 10S        | 28E          | 5              | NWNWSW                   |            | CASSIA        |
| GROUND WATER  | 10S        | 28E          | 5              | SESESW                   |            | CASSIA        |
| GROUND WATER  | 10S        | 28E          | 8              | SWSWNW                   |            | CASSIA        |
| GROUND WATER  | 10S        | 28E          | 8              | SWSWNW                   |            | CASSIA        |

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   |        |
| 10S | 28E | 4   | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 560.0  |
|     |     |     | L1   | L2   |      |      |      | L4   |      |      |      |      |      |      |      |      |      |      |        |
| 10S | 28E | 5   | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 641.0  |
|     |     |     | L1   | L2   |      |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |        |
| 10S | 28E | 8   | 37.0 | 40.0 |      |      | 40.0 | 39.0 | 40.0 | 40.0 |      |      |      |      |      |      |      |      | 236.0  |

Total Acres: 1437

PLACE OF USE: DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 28E | 8   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |

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MAY 15 2002

Page 4

Conditions/Remarks:

1. 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. TWO POINTS OF DIVERSION LOCATED IN T10S, R28E, S08, SWSWNW.

## Documentation of Ownership of the Current Place of Use

## Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

~~NO~~ Yes - Federal Land Bank

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

place of use is being moved to more suitable location

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

YES land is in crp

MICROFILMED

AUG 15 2002

Transfer No. 69257  
 Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
 APPLICATION FOR TRANSFER OF WATER RIGHT  
 PART 3A**

**Proposed Water Right No. 43-7042**

Priority Date: 07/25/1973  
 Origin: Adjudication Claim  
 Basis: License  
 Status: Active

**Source: GROUND WATER**

| <u>Beneficial Use</u>  | <u>From To</u> | <u>Diversion Rate</u> | <u>Volume</u>      | <u>Subuse Code</u> |
|------------------------|----------------|-----------------------|--------------------|--------------------|
| IRRIGATION             | 03/15 11/15    | 17.02 CFS             | 5,760.0 AFA        |                    |
| DOMESTIC               | 01/01 12/31    | 0.04 CFS              | 2.4 AFA            |                    |
| <b>Total Diversion</b> |                | <b>17.06 CFS</b>      | <b>5,762.4 AFA</b> |                    |

Source and Point(s) of Diversion:

| <u>Source</u> | <u>Twp</u> | <u>Range</u> | <u>Section</u> | <u>1/4 of 1/4 of 1/4</u> | <u>Lot</u> | <u>County</u> |
|---------------|------------|--------------|----------------|--------------------------|------------|---------------|
| GROUND WATER  | 10S        | 28E          | 5              | NWNWSW                   |            | CASSIA        |
| GROUND WATER  | 10S        | 28E          | 5              | SESESW                   |            | CASSIA        |
| GROUND WATER  | 10S        | 28E          | 8              | SWSWNW                   |            | CASSIA        |
| GROUND WATER  | 10S        | 28E          | 8              | SWSWNW                   |            | CASSIA        |

Describe the proposed diversion system

**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   |        |      |      |       |
| 10S | 28E | 4   |      |      | 22.0 | 22.0 |      |      | 3.6  | 5.4  |      |      | 40.0 | 38.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0   | 40.0 | 40.0 | 371.0 |
| 10S | 28E | 5   | 38.0 | 40.0 | 40.0 | 38.0 | 40.0 | 41.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 40.0 | 30.0 | 38.0 | 40.0   | 40.0 |      | 625.0 |
|     |     |     | L1   | L2   |      |      | L3   | L4   |      |      |      |      |      |      |      |      |      |      |        |      |      |       |
| 10S | 28E | 8   | 33.0 | 40.0 | 40.0 | 33.0 | 40.0 | 39.0 | 40.0 | 40.0 | 29.0 | 38.0 | 2.0  |      |      |      | 38.0 | 32.0 |        |      |      | 444.0 |

**Total Acres: 1440**

**MICROFILMED**

**AUG 13 2002**

T69257

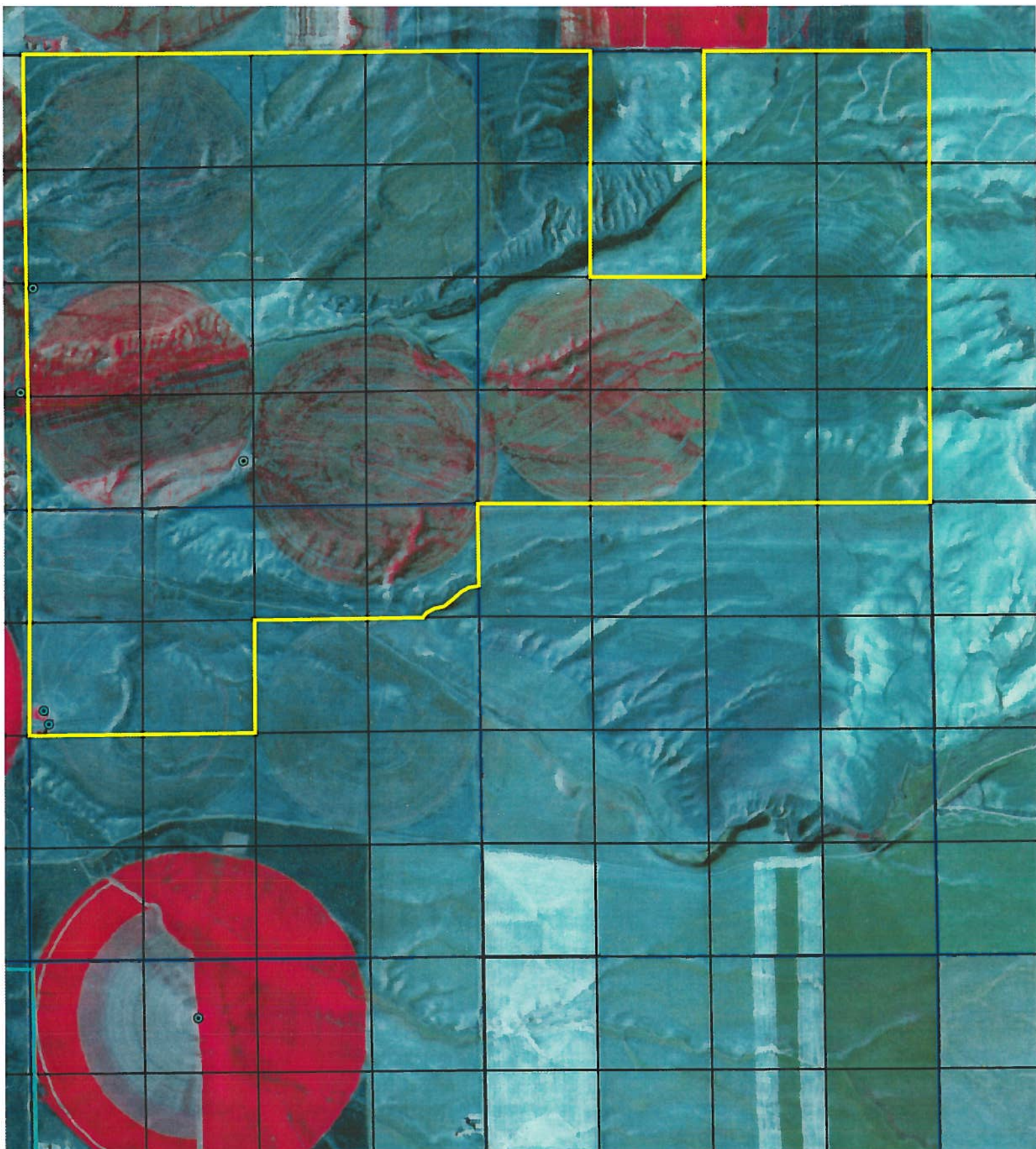
Page 6

PLACE OF USE: DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |        |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
| 10S | 28E | 8   |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |

MICROFILMED

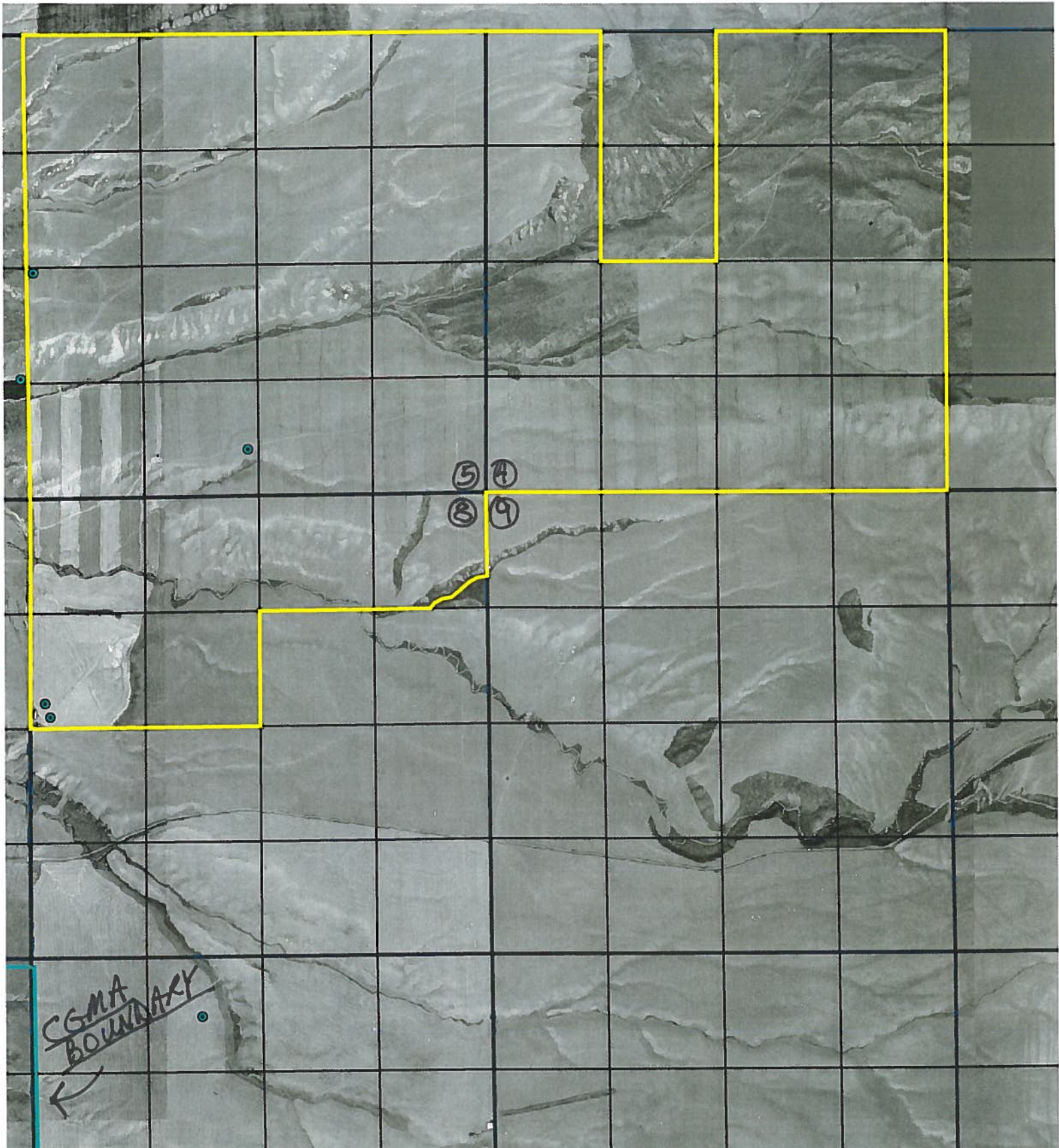
AUG 13 2002



1962 photo



1968 photo



State of Idaho  
Department of Water Resources

RECEIVED

OCT 26 1989

Department of Water Resources  
Southern Region Office

**WATER RIGHT LICENSE**  
WATER RIGHT NO. 43-07062

Priority: April 9, 1976

Maximum Diversion Rate: 5.51 CFS  
Maximum Diversion Volume:<sup>1</sup> 2260.0 AF

This is to certify, that WILLIAM REHN  
2020 OVERLAND AVE.  
BURLEY, ID 83318

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 9, 1976; and has submitted Proof of Beneficial Use on July 3, 1985. An examination indicates that the works have a diversion capacity of 5.510 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 5.51 CFS                 | 2260.0 AF            |

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 17, Township 10S, Range 28E  
NENW , Sec. 17, Township 10S, Range 28E  
CASSIA County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|--------------|
| 10S        | 28E        | 8          | SWSW 20      | SESW 39      | SWSE 20      |              | 79           |
|            |            | 17         | NWNE 39      | SWNE 23      | NENW 40      |              |              |
|            |            |            | NWNW 39      | SWNW 22      | SENE 39      |              |              |
|            |            |            | NESW 39      | NWSW 22      | SWSW 39      |              |              |
|            |            |            | SESW 40      | NWSE 22      | SWSE 39      | 403          |              |
|            |            | 20         | NWNE 22      | NENW 39      | NWNW 22      | 83           |              |

Total number of acres irrigated: 565

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

73-1062

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 43-07062

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 24<sup>TH</sup>  
day of OCTOBER, 1989.

Acting for R. Keith Higginson, Director

VERIFIED BY *J 11/8/2000*

11/08/2000

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

RIGHT NUMBER: 43-7042

NAME AND ADDRESS: CONDIE BROTHERS  
4625 W 4100 S  
WEST VALLEY CITY, UT 84120

SOURCE: GROUND WATER

QUANTITY: 17.06 CFS  
5762.4 AFY

PRIORITY DATE: 07/25/1973

POINT OF DIVERSION: T10S R28E S5 NWNWSW Within CASSIA County  
T10S R28E S5 SESESW Within CASSIA County  
T10S R28E S8 SWSWNW Within CASSIA County  
T10S R28E S8 SWSWNW Within CASSIA County

TWO POINTS OF DIVERSION LOCATED IN T10S, R28E, S08, SWSWNW.

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE   | PERIOD OF USE | QUANTITY    |
|------------------|---------------|-------------|
| IRRIGATION       | 03-15 11-15   | 17.02 CFS   |
|                  |               | 5,760.0 AFY |
| DOMESTIC 2 HOMES | 01-01 12-31   | 0.04 CFS    |
|                  |               | 2.4 AFY     |

PLACE OF USE:

| <u>DOMESTIC Within CASSIA County</u>   |       |      |    |              |       |      |    |
|----------------------------------------|-------|------|----|--------------|-------|------|----|
| T10S R28E S8                           |       |      |    |              |       |      |    |
|                                        |       |      |    |              |       |      |    |
| <u>IRRIGATION Within CASSIA County</u> |       |      |    |              |       |      |    |
| T10S R28E S4                           | LOT 1 | NENE | 40 | T10S R28E S4 | LOT 2 | NWNE | 40 |
| T10S R28E S4                           |       | SWNE | 40 | T10S R28E S4 |       | SENE | 40 |
| T10S R28E S4                           | LOT 4 | NWNW | 40 | T10S R28E S4 |       | SWNW | 40 |
| T10S R28E S4                           |       | NESW | 40 | T10S R28E S4 |       | NWSW | 40 |
| T10S R28E S4                           |       | SWSW | 40 | T10S R28E S4 |       | SESW | 40 |
| T10S R28E S4                           |       | NESE | 40 | T10S R28E S4 |       | NWSE | 40 |
| T10S R28E S4                           |       | SWSE | 40 | T10S R28E S4 |       | SESE | 40 |
| T10S R28E S5                           | LOT 1 | NENE | 40 | T10S R28E S5 | LOT 2 | NWNE | 40 |
| T10S R28E S5                           |       | SWNE | 40 | T10S R28E S5 |       | SENE | 40 |
| T10S R28E S5                           | LOT 3 | NENW | 40 | T10S R28E S5 | LOT 4 | NWNW | 41 |
| T10S R28E S5                           |       | SWNW | 40 | T10S R28E S5 |       | SENW | 40 |
| T10S R28E S5                           |       | NESW | 40 | T10S R28E S5 |       | NWSW | 40 |
| T10S R28E S5                           |       | SWSW | 40 | T10S R28E S5 |       | SESW | 40 |
| T10S R28E S5                           |       | NESE | 40 | T10S R28E S5 |       | NWSE | 40 |
| T10S R28E S5                           |       | SWSE | 40 | T10S R28E S5 |       | SESE | 40 |
| T10S R28E S8                           |       | NENE | 37 | T10S R28E S8 |       | NWNE | 40 |
| T10S R28E S8                           |       | NENW | 40 | T10S R28E S8 |       | NWNW | 39 |
| T10S R28E S8                           |       | SWNW | 40 | T10S R28E S8 |       | SENW | 40 |

1437 ACRES TOTAL

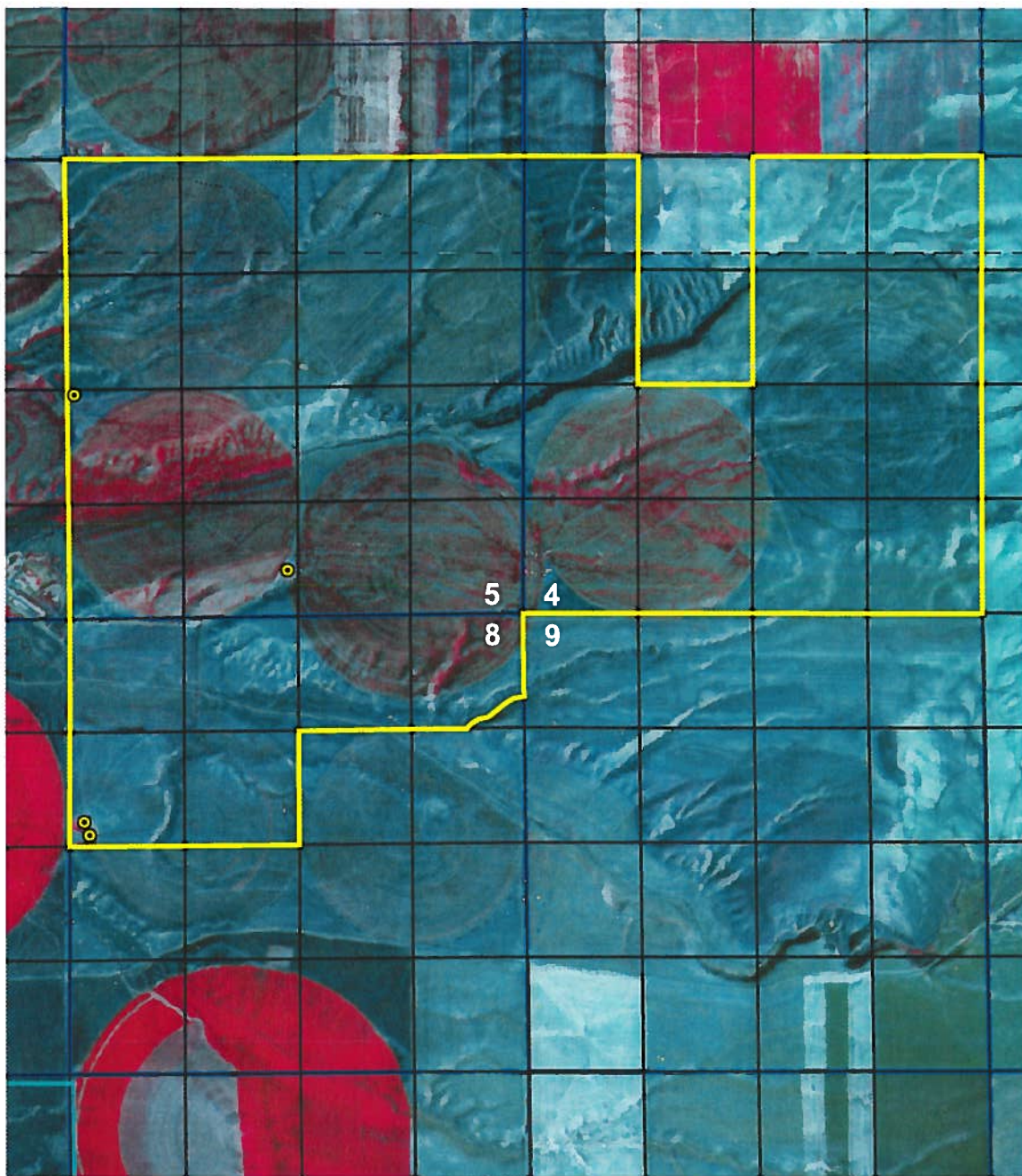
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 43-7042

43-07042



0 1320 2640 Feet



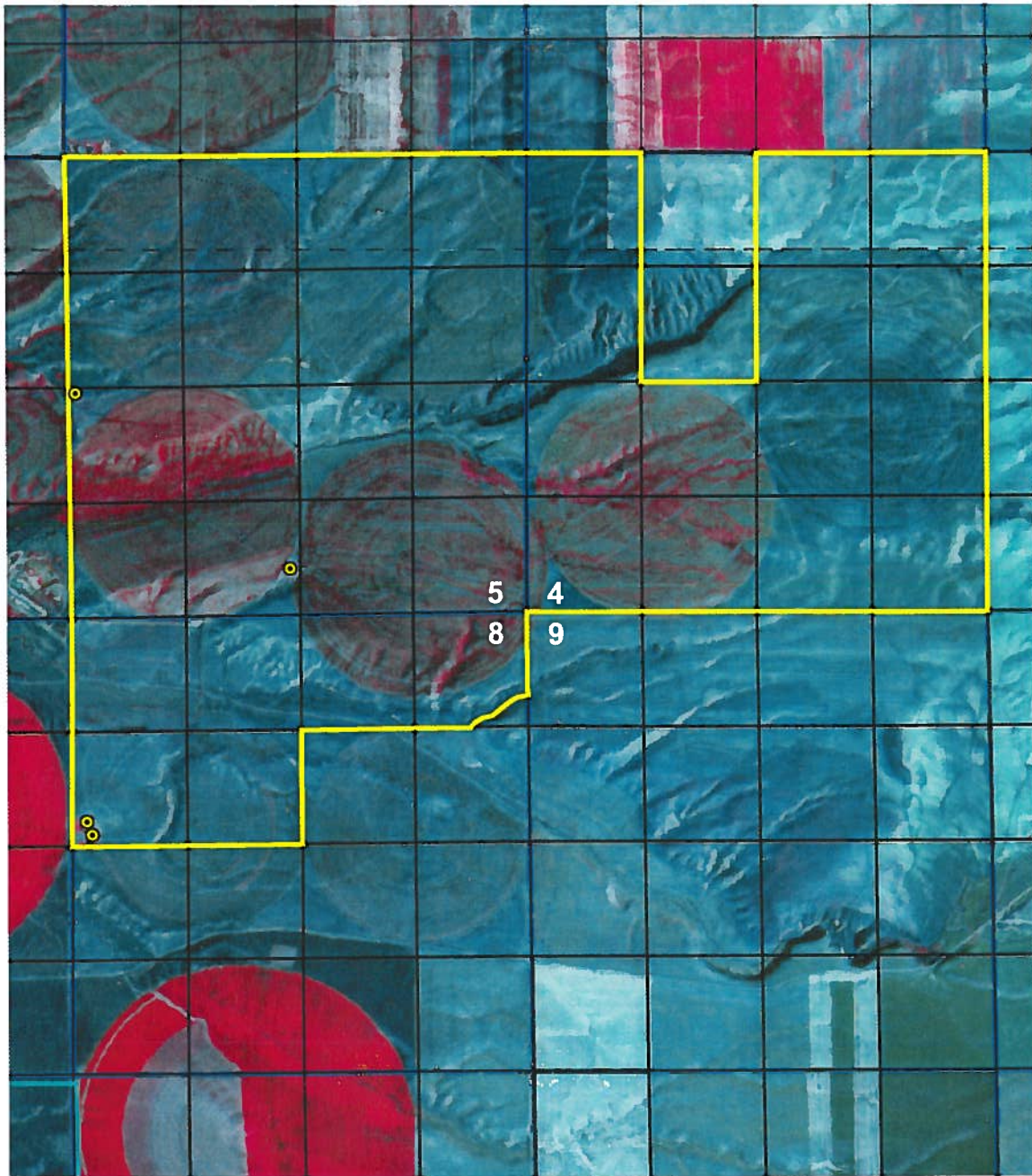
RECOMMENDED PLACE OF USE  
DATA ENTRY ON NOV. 8, 2000  
TWP 10S, RNG 28E, SEC. 4, 5, & 8



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

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

43-07042



0 1320 2640 Feet

RECOMMENDED PLACE OF USE  
DATA ENTRY ON NOV. 8, 2000  
TWP 10S, RNG 28E, SEC. 4, 5, & 8



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

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

A43-07042 7/9/63 20.0 cfs 1437 Ac.

- The claim was originally filed based on a permit in 1989.
- The licensing field exam was done in 1987
  - They were having financial difficulties at the time and asked and were given permission to have field exam done by "theoretical," since it would be very expensive to turn water on just for a measurement...
- Licensed in 1990 for 17.06 cfs and 1440 Ac.
  - Typo on license for 17.02 in. and 0.02 dom for a total of 17.06 cfs? (changed domestic to 0.04 cfs)
- Put into CRP program from 87-96
- confirmed with ASC 3 in 99 that they had signed up for CRP for another ten years
- License is significantly different than claim
  - N $\frac{1}{2}$  of S $\frac{1}{2}$  of Section 8 was claimed but notes in licensing f.e. seem to indicate those 209 acres were licensed to another w/ option to buy and were covered by another permit? (43-07062)
  - License put more acres in N $\frac{1}{2}$  of Section 4
  - did GIS per talk with claimant during field exam and came up with 1351 Ac.
  - will recommend as licensed
  - amended claim per license (amended it up to 1440 Ac. in POU original claim was for 1437 Ac.)

no water right!

CLAIM NUMBER 43-07042 (6. licensed)  
DATE \_\_\_\_\_  
AGENT \_\_\_\_\_

TRANSFER NUMBER \_\_\_\_\_  
42 CLAIMED ACRE TOTAL 1440  
GIS ACRE TOTAL 1437

|       | TWP | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |     |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|
|       |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |     |
| CLAIM | 10S | 28E | 04  | 40 | 40 | 40 | 40 |    | 40 | 40 |    | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 560 |
| GIS   |     |     |     | 40 | 40 | 40 | 40 |    | 40 | 40 |    | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 560 |
| RECOM |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| CLAIM | 10S | 28E | 05  | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 640 |
| GIS   |     |     |     | 40 | 40 | 40 | 40 | 40 | 41 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 641 |
| RECOM |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
| CLAIM | 10S | 28E | 08  | 40 | 40 |    |    | 40 | 40 | 40 | 40 |    |    |    |    |    |    |    |    | 240 |
| GIS   |     |     |     | 37 | 40 |    |    | 40 | 39 | 40 | 40 |    |    |    |    |    |    |    |    | 236 |
| RECOM |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |

343-POU.SHP \_\_\_\_\_  
SHAPE NOS. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

343-POD.SHP \_\_\_\_\_  
NOS. DESCRIPTION \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DBF TABLES UPDATED \_\_\_\_\_  
43-DBPOU.DBF \_\_\_\_\_  
43-DBPOD.DBF \_\_\_\_\_  
PAGE LAYOUT \_\_\_\_\_

State of Idaho  
Department of Water Resources

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**WATER RIGHT LICENSE**

WATER RIGHT NO. 43-07042

Department of Water Resources  
Southern Region Office

Priority: July 25, 1973

Maximum Diversion Rate: 17.06 CFS  
Maximum Diversion Volume:<sup>1</sup> 5762.4 AF

This is to certify, that VALLEY VESTA FARMS INC.

RT. 2 BOX 2640

BURLEY, ID 83318

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 9, 1973; and has submitted Proof of Beneficial Use on February 8, 1983. An examination indicates that the works have a diversion capacity of 17.060 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 03/15 to 11/15       | 17.02 CFS                | 5760.0 AF            |
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 | 2.4 AF               |
|                       | Totals               | 17.06 CFS                | 5762.4 AF            |

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 5, Township 10S, Range 28E  
NWSW , Sec. 5, Township 10S, Range 28E  
SWNW , Sec. 8, Township 10S, Range 28E  
CASSIA County

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 10S        | 28E        | 4          | NENE 40      | NWNE 40      | SWNE 40      |              |
|            |            |            | SENE 40      | NWNW 40      | SWNW 40      |              |
|            |            |            | NESW 40      | NWSW 40      | SWSW 40      |              |
|            |            |            | SESW 40      | NESE 40      | NWSE 40      |              |
|            |            |            | SWSE 40      | SESE 40      |              | 560          |
|            |            | 5          | NENE 40      | NWNE 40      | SWNE 40      |              |
|            |            |            | SENE 40      | NENW 40      | NWNW 40      |              |
|            |            |            | SWNW 40      | SENW 40      | NESW 40      |              |
|            |            |            | NWSW 40      | SWSW 40      | SESW 40      |              |
|            |            |            | NESE 40      | NWSE 40      | SWSE 40      |              |
|            |            |            | SESE 40      |              |              | 640          |
|            |            | 8          | NENE 40      | NWNE 40      | NENW 40      |              |
|            |            |            | NWNW 40      | SWNW 40      | SENW 40      | 240          |

PLACE OF USE: DOMESTIC

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |
|------------|------------|------------|
| 10S        | 28E        | 8          |
|            |            | SWNW       |

State of Idaho  
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 43-07042

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Domestic use is for 2 homes.  
2 points of diversion located in SWNW, S8, T10S, R28E.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this \_\_\_\_\_ day of \_\_\_\_\_, 1990.

Acting for R. Keith Higginson, Director

State of Idaho  
Department of Water Resources

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FEB 18 1990  
APPROVED  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 43-07042

Date of Priority: July 25, 1973

Maximum Diversion Rate: 17.06 CFS  
Maximum Diversion Volume:<sup>1</sup> 5762.4 AF

Comes now  
RT. 2 BOX 2640  
BURLEY, ID 83318

VALLEY VESTA FARMS INC. + *Condie Bros Rat River Farm*  
and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 43-07042, and requests that the permit be changed as follows:

Source: GROUNDWATER

| <u>BENEFICIAL USE</u>                     | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u>                                                                                                                 | <u>ANNUAL VOLUME</u> |
|-------------------------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| IRRIGATION                                | 03/15 to 11/15       | 17.02 CFS                                                                                                                                | 5760.0 AF            |
| DOMESTIC                                  | 01/01 to 12/31       | 0.04                                                                                                                                     | 2.4 AF               |
| <u>LOCATION OF POINT(S) OF DIVERSION:</u> |                      | SWSE, Sec. 5, Township 10S, Range 28E<br>NWSW, Sec. 5, Township 10S, Range 28E<br>SWNW, Sec. 8, Township 10S, Range 28E<br>CASSIA County |                      |

PLACE OF USE: IRRIGATION

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|------------|------------|------------|--------------|--------------|--------------|--------------|
| 10S        | 28E        | 4          | NENE 40      | NWNE 40      | SWNE 40      | 560          |
|            |            |            | SENE 40      | NWNW 40      | SWNW 40      |              |
|            |            |            | NESW 40      | NWSW 40      | SWSW 40      |              |
|            |            |            | SESW 40      | NESE 40      | NWSE 40      |              |
|            |            |            | SWSE 40      | SESE 40      |              |              |
|            |            |            | 5            | NENE 40      | NWNE 40      |              |
|            | SENE 40    | NENW 40    |              | NWNW 40      |              |              |
|            | SWNW 40    | SENW 40    |              | NESW 40      |              |              |
|            | NWSW 40    | SWSW 40    |              | SESW 40      |              |              |
|            | NESE 40    | NWSE 40    |              | SWSE 40      |              |              |
|            | SESE 40    |            |              |              |              |              |
|            | 8          | NENE 40    | NWNE 40      | NENW 40      | 240          |              |
| NWNW 40    |            | SWNW 40    | SENW 40      |              |              |              |

Total number of acres irrigated: 1440

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Burley, Idaho, this 8<sup>th</sup> day of February, 1990.

*Rat River Farm*  
*Stacy Condie (Farm)*  
(Signature)  
Valley Vesta Farms Inc.

State of Idaho  
Department of Water Resources

APPLICATION FOR AMENDMENT  
(For Licensing Purposes)  
WATER RIGHT NO. 43-07042

\*\*\*\*\*

FOR DEPARTMENT USE ONLY

#C014581

Preliminary check by KW Fee = \$20.00 ✓ Received by J. M. Sauter Date 2/12/90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 43-07042 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 27<sup>th</sup> day of December, 1990.

J. M. Sauter  
Acting for R. Keith Higginson, Director

43-07042

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 43-7042  
FROM: ROXANNE MC CARTHY  
RE: PRIORITY ADVANCE REVIEW  
DATE: 24-OCT-1989

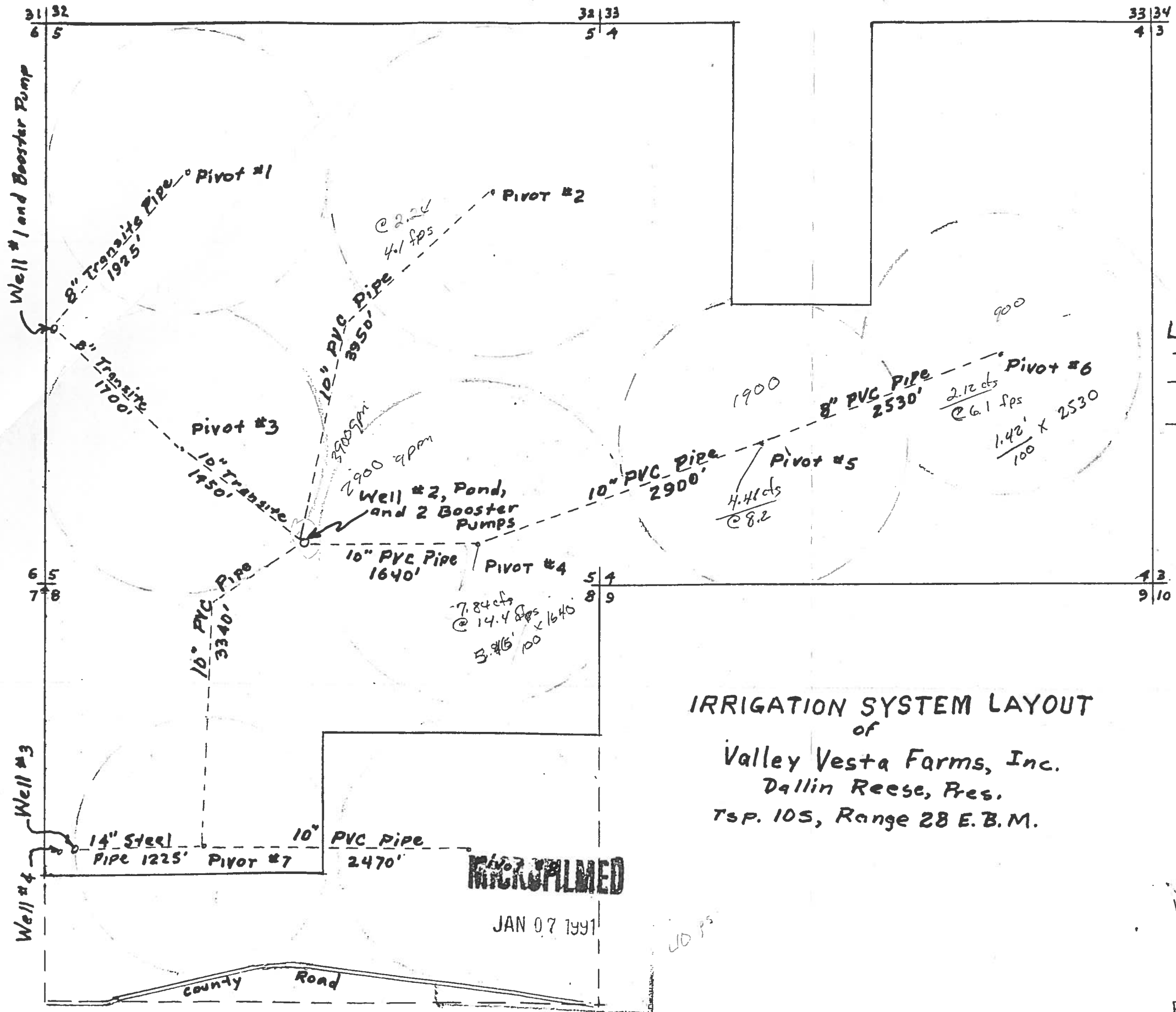
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NOV 20 2000  
Department of Water Resources  
Southern Region

=====

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

| <u>PERMIT</u>                      | <u>DATE</u>       | <u>JULIAN</u> |
|------------------------------------|-------------------|---------------|
| Permit priority Date:              | JULY 09 1973      | 190           |
| <b>EXAM FEE NOTICE</b>             |                   |               |
| Exam Fee Notice Date:              | AUGUST 12 1986    | 224           |
| Exam Fee/Info Sheet Received Date: | SEPTEMBER 19 1986 | 262           |
| Exam Fee or Info Due Date:         | OCTOBER 11 1986   | 284           |
| Days Late:                         |                   | 0 DAY(S)      |
| <b>CERTIFIED EXAM</b>              |                   |               |
| Exam Received Date:                | AUGUST 28 1987    | 240           |
| Exam by Examiner Due Date:         | AUGUST 12 1987    | 224           |
| Days Late:                         |                   | 16 DAY(S)     |
| <b>NEW PRIORITY DATE</b>           |                   |               |
| Original Priority Date:            | JULY 09 1973      | 190           |
| Total Days Late:                   |                   | 16 DAY(S)     |
| New Priority Date:                 | JULY 25 1973      | 206           |

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JAN 07 1991



Scale 1" = 1000'

- Legend**
- Property Lines
  - Leased Property Lines
  - Buried Pipe Lines
  - Section Corners

IRRIGATION SYSTEM LAYOUT  
of  
Valley Vesta Farms, Inc.  
Dallin Reese, Pres.  
TSP. 10S, Range 28 E.B.M.

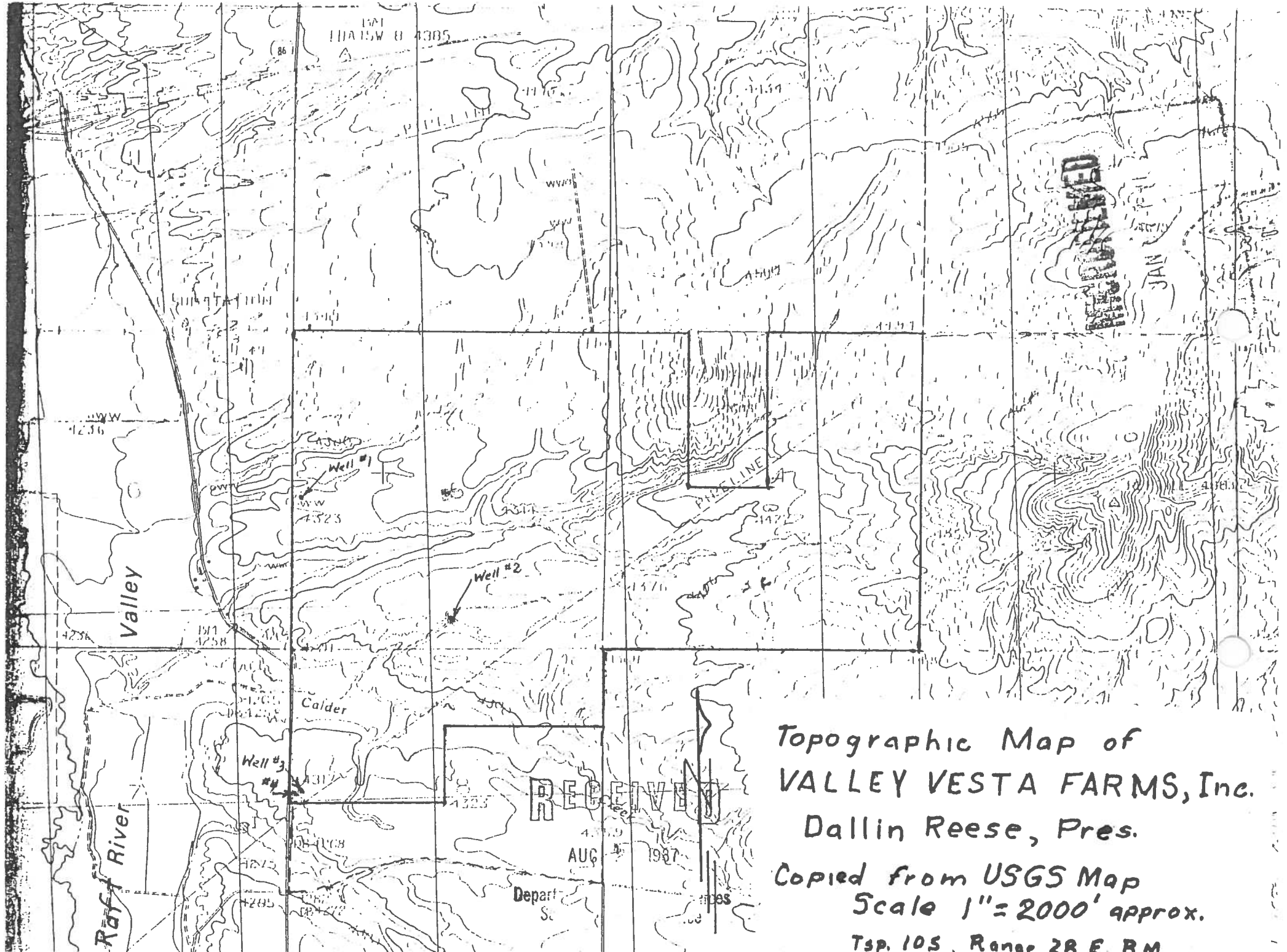
**MICROFILMED**

JAN 07 1991

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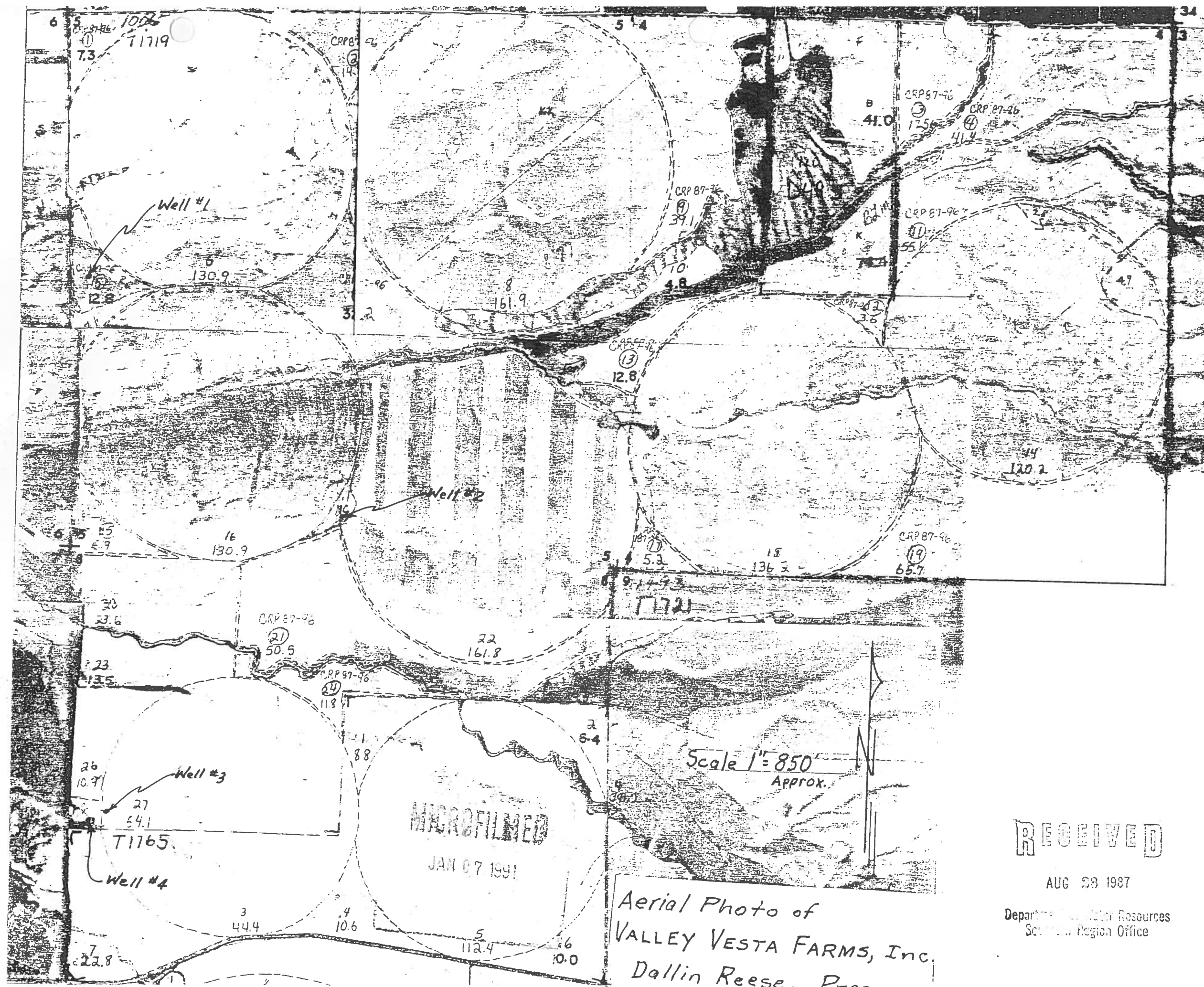
Department of Resources  
Southern Region Office



Topographic Map of  
VALLEY VESTA FARMS, Inc.  
Dallin Reese, Pres.

Copied from USGS Map  
Scale 1" = 2000' approx.

Tsp. 10S. Range 2R E RM



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Department of Water Resources  
Southwest Region Office

Aerial Photo of  
VALLEY VESTA FARMS, Inc.  
Dallin Reese, Pres.

# POINT OF DIVERSION OVERLAP REVIEW

| WR-NUMBER | TWP | RNG | SC | TRACT |     |     | LT | #SOURCE     | #NAME        |
|-----------|-----|-----|----|-------|-----|-----|----|-------------|--------------|
|           |     |     |    | 1\4   | 1\4 | 1\4 |    |             |              |
| 4307042   | 10S | 28E | 5  | NW    | SW  |     |    | GROUNDWATER | VALLEY VESTA |
| 4307042   | 10S | 28E | 5  | NE    | NE  |     |    | GROUNDWATER | VALLEY VESTA |
| 4307042   | 10S | 28E | 5  | NW    | NW  |     |    | GROUNDWATER | VALLEY VESTA |
| 4307042   | 10S | 28E | 4  | SW    | SW  |     |    | GROUNDWATER | VALLEY VESTA |
| 4307042   | 10S | 28E | 8  | SW    | NW  |     |    | GROUNDWATER | VALLEY VESTA |

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6/86

AUG 28 1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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Department of Water Resources  
Southern Region Office

**BENEFICIAL USE FIELD REPORT**

Department of Water Resources

**A. GENERAL INFORMATION**

Dallin J. Reese

Permit No. 43-7042

1. Owner: Valley Vesta Farms, Inc. (Pres.)

Phone No. 208/678-2534

Current Address: Rt. 2, Box 2540, Burley, Idaho 83318

2. Accompanied by: R. V. Worstell & J. R. Worstell

EXAM. DATE: Aug. 6, 1987

Address: 1504 Poplar Ave., Twin Falls, ID. 83301

Phone No. 208/733-5840

Relationship to Permit Holder: None

3. Source: Groundwater tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with same place of use: None

☐ Copies Attached

2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

**C. SYSTEM DESCRIPTION**

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached

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Scale: 1" = 1000 ft.

2. ☒ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required).

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☒ Aerial Photo Attached  
(required for irrigation of 10 acres or more).

# System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure number of sprinklers, etc.)  
See attached description and explanation

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make      | Hp       | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|-----------------|----------|------------------|-----------|-----------------------------------|
| Well #1                               | Allis Chalmers  | 150      | C-8450           | Layne     | 10"                               |
| + Booster Pump                        | Marathon        | 60       | 1474232          |           | 10"                               |
| Well #2                               | US Motors/Titan | 350      | None             | Johnson   | 10"                               |
| + 2 Booster Pumps                     | US Electric     | 125 each |                  | Johnson   | 10"                               |
| Well #3                               | US Electric     | 450      |                  | Johnson   | 12"                               |
| Well #4                               |                 | 5        | Domestic Supply  |           | 2"                                |

\*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | B. M. Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------------|--------|---------------------------------|
| 1          |            | NW  | SW  |     | 5    | 10S  | 28E        | Cassia | Scaled from Aerial Photos       |
| 2          |            | SW  | SE  |     | 5    | 10S  | 28E        | Cassia | " " " "                         |
| 3          |            | SW  | NW  |     | 8    | 10S  | 28E        | Cassia | " " " "                         |
| 4          |            | SW  | NW  |     | 8    | 10S  | 28E        | Cassia | 5 HP Pump-Domestic supply       |

6. Place(s) of Use:

Indicate Method of Determination Aerial Photo

| Twp.                                                                                        | B. M. Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|---------------------------------------------------------------------------------------------|------------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|                                                                                             |            |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 10S                                                                                         | 28E        | 4    | 40     | 40     | 40     | 40     |        | 40     | 40     |        | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 560    |
| 10S                                                                                         | 28E        | 5    | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 40     | 640    |
| 10S                                                                                         | 28E        | 8    | 40     | 40     |        |        | 40     | 40     | 40     | 40     |        |        |        |        |        |        |        |        | 240    |
|                                                                                             |            |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
| * 10S                                                                                       | 28E        | 8    |        |        | 40     | 40     |        |        |        |        | 26     | 38     |        |        | 36     | 29     |        |        | 209    |
| *Note: This land is leased (option to buy) from William Rehn who has filed Permit #43-7062. |            |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                                                                                             |            |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|                                                                                             |            |      |        |        |        |        |        |        |        |        |        |        |        |        | Total  |        |        |        | 1649   |

Do not use this space

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment       | Type                                              | Make    | Model No. | Serial No. | Size | Calib. Date |
|-----------------------------|---------------------------------------------------|---------|-----------|------------|------|-------------|
| Collins tube & Water column |                                                   | Collins |           |            |      |             |
| Manometer                   | Measured Pump #2 only. See narrative explanation. |         |           |            |      |             |
|                             |                                                   |         |           |            |      |             |
|                             |                                                   |         |           |            |      |             |

2. **Measurements:** (For Pump #2 only)

Pipe ID = 10.192" or 0.849'; Pipe pressure = 6 psi

Avg. manometer press. differential (4 readings) = 68" w.c. = h

Static GW level = 145', Pumping level = 186.5'

#### E. FLOW CALCULATIONS (For Pump #2 only)

☐ Additional Computation Sheets Attached

1. Measured Method:  $Q(\text{cfs}) = A(\text{ft}^2) \times V(\text{fps})$   $A = (.849')^2 \times .7854 = 0.567 \text{ ft}^2$   
 $V = 1.638 \text{ fps} = 1.638 \times 68 = 13.5 \text{ fps}$   $Q = 0.567 \times 13.5 = 7.65 \text{ cfs}$   
 $Q(\text{gpm}) = 7.65 \times 449 = 3435 \text{ gpm}$

2. Alternate Method for Checking Purposes:

#### F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: \_\_\_\_\_ psi  $\times 2.31 =$  \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)

Total Head: (1) + (2) = \_\_\_\_\_ (3) ; Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3)  $\times$  (4)  $\div 8.8 =$  \_\_\_\_\_ (5)

Meter Input KW:  $3.6 \times$  \_\_\_\_\_ KH  $\times$  \_\_\_\_\_ CTR or \_\_\_\_\_ MULT  $\times$  \_\_\_\_\_ PTR  $\times$  \_\_\_\_\_ N / \_\_\_\_\_ T = \_\_\_\_\_ (6)

Meter Input HP: (6)  $\times 1.34 =$  \_\_\_\_\_ (7)

Panel Input KW: \_\_\_\_\_ Ave PF  $\times$  \_\_\_\_\_ Ave Volts  $\times$  \_\_\_\_\_ Ave Amps  $\times .001732 =$  \_\_\_\_\_ (6)

Panel Input HP: (6)  $\times 1.34 =$  \_\_\_\_\_ (7) Efficiency: (5) / (7)  $\times 100 =$  \_\_\_\_\_ %

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1649 \text{ acres} \times 4.5 \text{ ft./yr.} = 7420 \text{ ac. ft./yr.}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 17.02 \times 245 \times 1.9835 = 8271 \text{ ac. ft.}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 7420 \text{ ac. ft.}$

2. Volume Calculations for Other Uses:

Domestic Use - 2 Households @ 13,000 gal./day = 26,000 gal./day

or .04 cfs constant flow.

## H. REMARKS AND OVERLAP REVIEW ANALYSIS

See attached notes of explanation

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| Irrigation     | 3/15          | 11/15 | 17.02                        | 7420 afa                 |
| Domestic       | Constant      |       | 0.04                         | 29 afa                   |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | 17.06                        | 7449                     |

### 2. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

## J. AUTHENTICATION

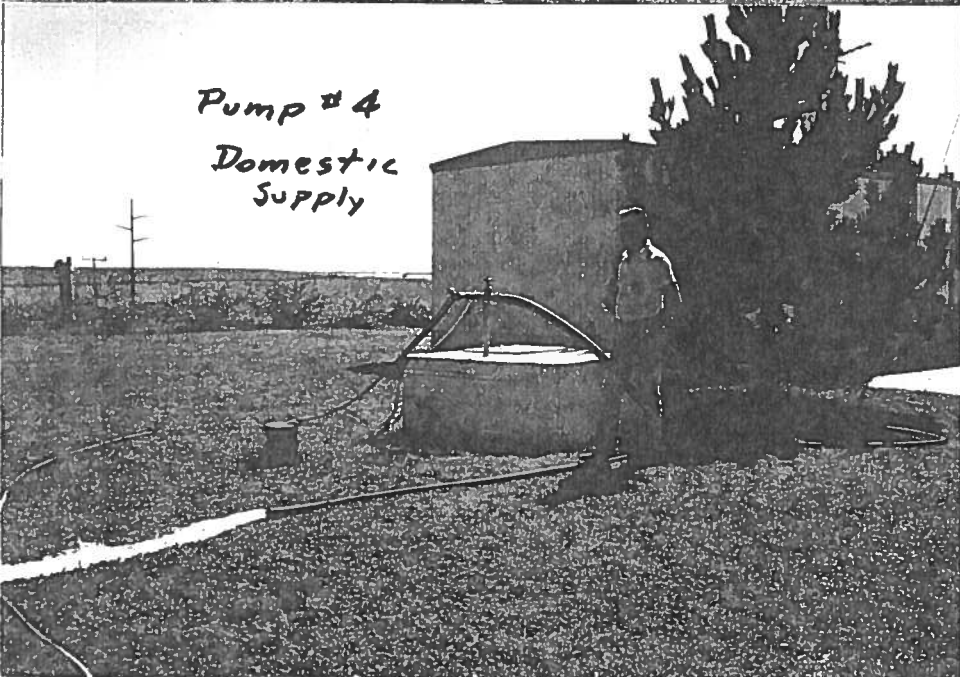
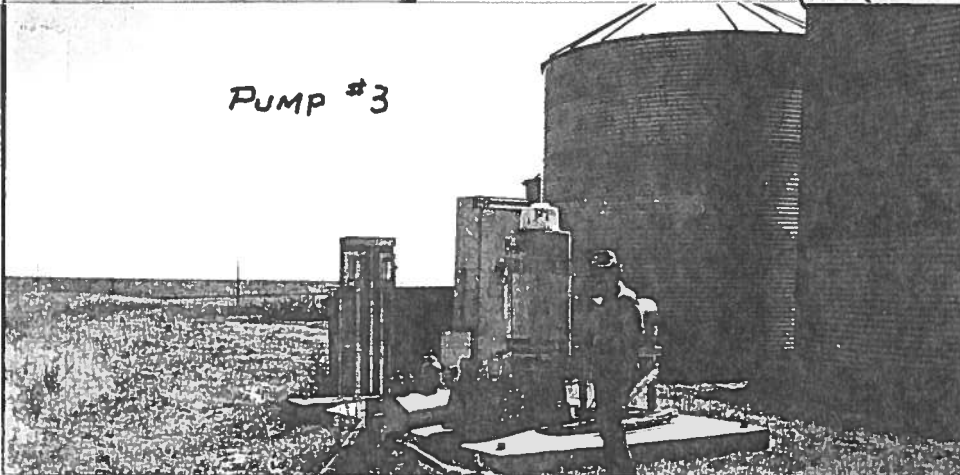
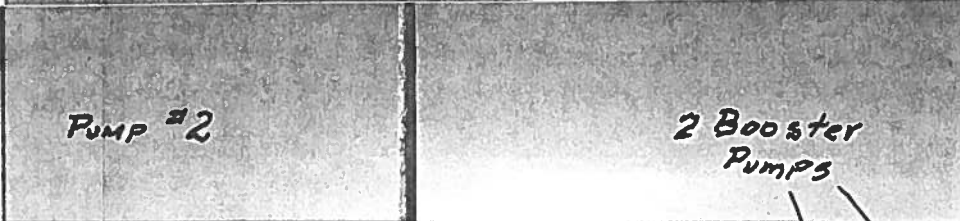
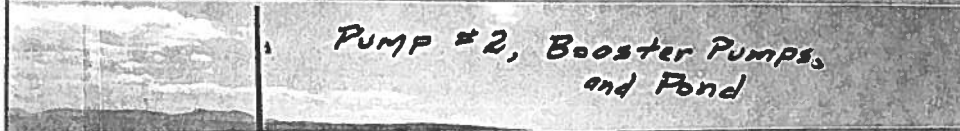
Field Examiner's Name Robert V. Worstell  
Certified Examiner Signature Robert V. Worstell  
No. 87-116  
Certification Date March 12, 1987  
Field Report Preparation Date Aug. 18, 1987

Robert V. Worstell  
CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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JAN 12 1988



MICROFILMED

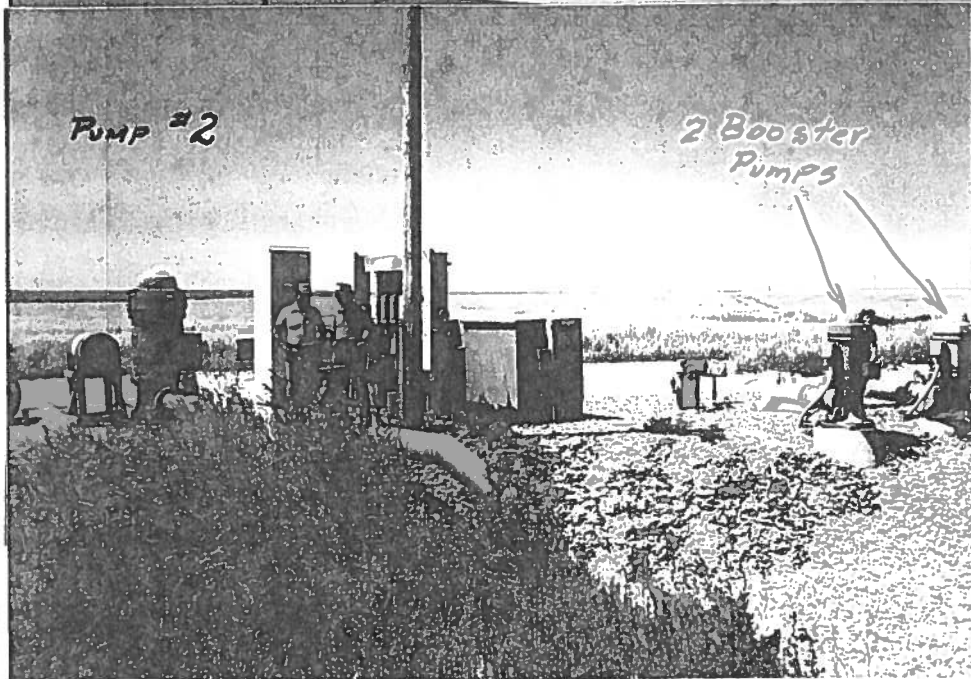
JAN 07 1991

PUMP #1

PUMP #2, Booster Pumps  
and Pond

PUMP #2

2 Booster  
Pumps



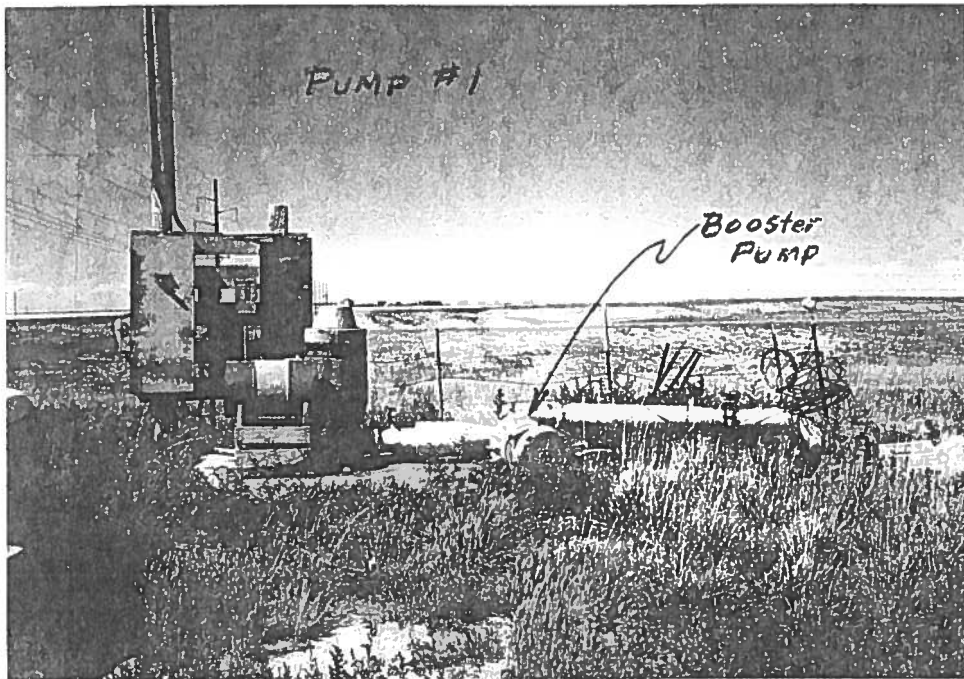
MICROFILMED

JAN 07 1991



MICROFILMED

JAN 67 1991



MICROFILMED

JAN 07 1991

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AUG 28 1987

RECEIVED

SEP 01 1987

SYSTEM DESCRIPTION

Department of Water Resources  
Southern Region Office

Department of Water Resources

The water from three irrigation wells is applied by up to eight pivot irrigation systems (together with hand lines and wheel lines in the "corner" areas) so that up to 1649 acres can be irrigated. The three wells are inter-connected by buried pipe lines as shown on the drawing of the irrigation system layout. There is also a domestic well (#4) near well #3.

The total capacity of the irrigation wells and the relative depths are as follows:

| <u>Irrigation Well<br/>Number</u> | <u>Yield<br/>g.p.m.</u> | <u>Total Depth<br/>Feet</u> | <u>Pump Lift<br/>Feet</u> |
|-----------------------------------|-------------------------|-----------------------------|---------------------------|
| 1                                 | 900 (a)                 | 870                         | 382                       |
| 2                                 | 3440 (b)                | 530                         | 186                       |
| 3                                 | 3300 (a)                | 600                         | 300                       |
| Total                             | 7640                    |                             |                           |

The approximate area\* irrigated by each pivot is:

|    |           |    |                              |
|----|-----------|----|------------------------------|
| #1 | 131 acres | #5 | 136 acres                    |
| #2 | 162 acres | #6 | 120 acres                    |
| #3 | 131 acres | #7 | 109 acres (36 acres leased)  |
| #4 | 162 acres | #8 | 112 acres (109 acres leased) |

The balance of the 1649 acres is irrigated by wheel lines and hand lines.

There is a 60 HP centrifugal booster pump that operates in conjunction with the turbine pump on well #1.

The turbine pump at well #2 discharges into a pond and two 125 HP short coupled <sup>turbine</sup> booster pumps draw from this pond to deliver water to the buried pipe lines.

The combination of pumps can be operated at any time to match the number of pivots and sprinkler lines that are needed.

Due to the low price of grain and financial limitations, Mr. Reese only irrigated in 1987 with pivot numbers 3, 4, and 5 and hand lines in the corner areas between pivots 1, 2, 3, and 4. Mr. Reese stated that in 1986 the areas irrigated by pivots 2, 6, 7, and 8 (and surrounding corner areas) were

Footnote

JAN 07 1991

\*Areas are planimeted measurements of aerial photos by the ASCS Office in Burley, Idaho

(a) Well test by Driller R.O. Denton, Paul, Idaho

(b) Pump test under operating conditions 8/6/87

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SEP 01 1987

System Description  
Page 2

AUG 28 1987

Department of Water Resources  
Southern Region Office

Department of Water Resources

placed in the "Conservation Reserve" program of the U.S. Department of Agriculture. This area must not be irrigated for the next ten years to comply with this program. The area served by pivot #1 (and surrounding corners) was placed in the U.S. Department of Agriculture "set aside" program for the 1987 season and was not irrigated in 1987. It is expected to be returned to production in 1988. The areas irrigated in 1987 were supplied from well #2 with its 350 HP pump and two 125 HP booster pumps. The 350 HP pump was the only pump that could be tested for completion of this Beneficial Use Field Report. Mr. Reese stated the total area was irrigated between 1981 and 1986. I noted that the total area had indeed been cultivated and farmed recently - as late as the 1986 season.

The well capacities or yields reported for wells #1 and #3 are the values reported for the well tests made by the well driller when these wells were completed.

Part of the water has been applied to irrigate property leased (with option to buy) from Mr. William Rehn, the neighbor to the South of Mr. Reese's property. Mr. Rehn has filed a permit (#43-7062) to irrigate this land and has requested that the Department of Water Resources staff assist him in completion of his Beneficial Use Report when it is eventually out of the Conservation Reserve program.

Since the total flows of this system could not be tested under normal full operating conditions, Mr. Reese will request an exception to this requirement from the Director of the Department of Water Resources (as provided under Rule 6, paragraph 6, 4 of Beneficial Use Examination Rules and Regulations - adopted 10/7/86).

*Robert V. Thorstall, P.E.*

RECEIVED

SEP 01 1987

/HITTIER  
C. SOUZA  
TE R. WHITTIER

WHITTIER & SOUZA, P.A.  
ATTORNEYS AT LAW  
940 EAST CLARK  
POCATELLO, IDAHO 83205

P. O. BOX 4082  
PHONE 233-6444

September 28, 1987

RECEIVED

OCT 5 1987

Department of Water Resources  
Southern Region Office

Department of Water Resources  
1041 Blue Lake Boulevard North  
Twin Falls, ID 83301

Re: Valley Vesta Farms, Inc. - Dallin J. Reese, Pres.  
Permit No. 43-7042

Dear Sirs:

Please be advised that this office has been asked to correspond with you in reference to the current status of the aforementioned permit. It is my understanding that there has been further correspondence and documentation submitted to the Department in order to obtain a license for the aforementioned permit.

It is my understanding that the beneficial use rules and regulations as adopted October 7, 1986 provides that a licensed and approved engineer conduct a study and submit a report and that this report includes many things, including, a measuring of the flows of the particular diversion permit in question.

Furthermore, the beneficial use rules and regulations 6.4 as adopted October 7, 1986 further provides that there are exceptions to the aforementioned requirement, the actual, physical measurement of flows.

There situations which arise where a theoretical assessment and measurement and estimation can be made when it is not practical or possible for the actual measurement to take place.

My involvement with Valley Vesta Farms, Inc. and Dallin Reese, its president, surround the financial situation of this particular farming operation. I have been involved in a series of negotiations with major secured and unsecured creditors in order to avoid a bankruptcy situation for the permit holder.

43-7042

Department of Water Resources  
September 28, 1987  
Page 2

At best, the financial and farming situation for this particular operation has been difficult. The basis for this is that the income that has been able to be produced on this particular operation has not been able to meet the existing and on-going expenses of the farming operation. We have begun and are in the process of negotiating with each and every individual creditor to, hopefully, restructure the financial situation so that we can continue this farming operation.

One portion of this negotiation concerns the CPR Program which would allow the operation to put a portion of the ground in question in the CPR Program and receive those benefits which would help structure our repayment to creditors. However, the bottomline is that we have not had excess liquid funds in order to pay creditors. In fact, the lending institution which had provided operating capital for this farming operation terminated that relationship over a year ago. This resulted in no major input of capital to finance the operation of the farm. The existing power requirements and the cost for the same have been a major factor for us in considering going into the CPR Program. Since that program will not be required, a good portion of the ground in question could be irrigated and therefore, would not require the power.

Therefore, the issue as to having the measurement taken of the pumps in question is that just to turn the pumps on in order to provide the opportunity for the engineer to physically measure the flow, is not feasible. In discussing this matter with Dallin Reese, we simply have not been able to make the financial decision to spend the great amount of money that it would take to turn the pumps on since, as stated hereinabove, the financial condition of the farming business has not allowed any additional monies available to expend for such a purpose.

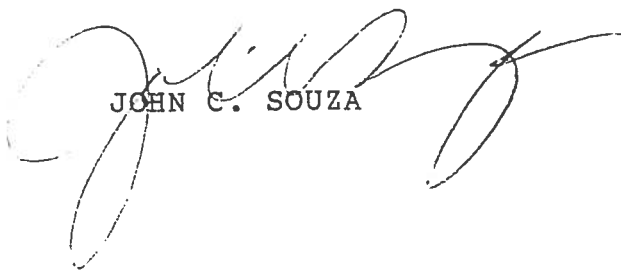
Therefore, pursuant to Rule 64, as aforementioned, we would ask the Director to allow the engineer to give his report concerning the theoretical measurement of the flow and not require the permit holder herein to have the flow measured physically.

Department of Water Resources  
September 28, 1987  
Page 3

If there is any additional information required,  
please feel free to contact this office.

Very truly yours,

WHITTIER & SOUZA, P.A.



JOHN C. SOUZA

JCS/lis

cc: Dallin Reese

WHITTIER  
IN C. SOUZA  
ONTE R. WHITTIER

WHITTIER & SOUZA, P.A.  
ATTORNEYS AT LAW  
940 EAST CLARK  
POCATELLO, IDAHO 83205

P. O. BOX 40  
PHONE 233-64

September 28, 1987

RECEIVED

OCT 5 1987

Department of Water Resources  
Twin Falls Office

Department of Water Resources  
1041 Blue Lake Boulevard North  
Twin Falls, ID 83301

Re: Valley Vesta Farms, Inc. - Dallin J. Reese, Pres.  
Permit No. 43-7042

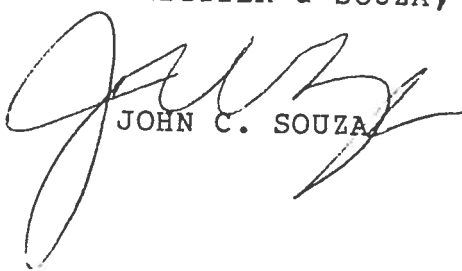
Dear Sirs:

Please be advised that pursuant to the matters that are pending before the Department of Water Resources, enclosed herein please find a copy of the lease between the permit holder and William and June Rehn.

If you have any questions or comments, please feel free to contact me.

Very truly yours,

WHITTIER & SOUZA, P.A.

  
JOHN C. SOUZA

JCS/lis

Enclosure

cc: R. V. Worstell  
1504 Poplar  
Twin Falls, ID 83301

2-1072



## OPTION FOR PURCHASE OF REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, That William Rehn and June Rehn, husband and wife

the \*party of the first part, for and in consideration of that certain Lease agreement dated January 13, 1982 ~~XXXXX~~ Dollars, to the first party ~~XXXXX~~ do hereby bargain, give and grant to Dallin J Reese and Arlene I. Reese, husband and wife

the \*party of the second part, for a period of one year, with renewal terms to be negotiated annually beginning April 30, 1983, so long as that certain lease agreement is in force. from the date hereof, the sole, exclusive and irrevocable right and option to purchase that certain real estate situate, lying and being in the County of Cassia and State of Idaho, more particularly bounded and described as follows, to-wit:

TOWNSHIP 10 SOUTH, RANGE 28 EAST, BOISE MERIDIAN  
Section 8: S $\frac{1}{2}$ NE $\frac{1}{4}$  and all that part of the S $\frac{1}{2}$  lying North of an existing county road.  
Containing approximately 238 acres.

*Extended to April 30, 1985. D.J.R. - J.V.P.  
Extended to April 30, 1989 - D.J.R. J.V.P.*

at and for the agreed price of One Hundred Fifteen Thousand and No/100--(\$115,000.)-----Dollars to be paid (if the said party of the second part shall elect to purchase hereunder) in manner and form as follows, to-wit:

1. Twenty Five Thousand Dollars (\$25,000.) down at the time option is exercised by party of the second part.
2. Ninety Thousand Dollars (\$90,000) together with interest from date, at the rate of 12 per cent per annum, amortized for 6 years as follows:
  - a. Twenty one Thousand Eight Hundred Forty One and 96/100-Dollars (\$21,841.96) each year on the anniversary date of party of the second part exercising this option, for six (6) consecutive years until paid in full.
3. The above terms of this option are to be re-negotiated each year beginning April 30, 1983, and each succeeding year so long as that certain Farm Lease agreement dated January 13, 1982, between the party of the first part and party of the second part shall remain in force.

said party of the second part shall elect to purchase said premises hereunder and shall pay said consid-  
eration and deliver any documents to said party of the first part, in time, manner and form as hereinbefore specified,  
said party of the first part agrees forthwith to convey said premises free of all encumbrances except .....  
none

said party of the second part by good and sufficient deed with covenants of warranty, together with title insurance  
insuring good marketable title; but in case said party of the second part shall not within said period elect to pur-  
chase said premises as aforesaid then this agreement shall at the expiration of said period become at once null and  
void, and the said party of the first part may and shall retain to first party's own use and benefit all money before  
that time paid hereunder.

Done at Burley, Idaho, this 13th day of January, 1982

If executed by a corporation, affix corporate seal

\*\*\* Dallin J Reese  
Dallin J Reese party of second part

Arlene I. Reese  
Arlene I Reese party of second part

William Rehn  
William Rehn party of first part

June Rehn  
June Rehn party of first part

STATE OF ~~OREGON~~ Idaho )  
County of Cassia ) ss.  
January 14, 1982

Personally appeared the above named.....  
Dallin J Reese  
Arlene I. Reese  
William Rehn & June Rehn

.....and acknowledged the foregoing instru-  
ment to be ..... a voluntary act and deed.

Before me:  
(OFFICIAL SEAL) [Signature]  
Notary Public for ~~Oregon~~ Idaho  
My commission expires: 8-1-84

Idaho  
STATE OF ~~OREGON~~, County of ..... ) ss.  
....., 19.....

Personally appeared ..... and  
..... who, being duly sworn,  
each for himself and not one for the other, did say that the former is the  
..... president and that the latter is the  
..... secretary of .....

....., a corporation,  
and that the seal affixed to the foregoing instrument is the corporate seal  
of said corporation and that said instrument was signed and sealed in be-  
half of said corporation by authority of its board of directors; and each of  
them acknowledged said instrument to be its voluntary act and deed.  
Before me:

Notary Public for ~~Oregon~~ Idaho (OFFICIAL SEAL)  
My commission expires:

BEFORE THE DEPARTMENT OF WATER RESOURCES **RECEIVED**

OF THE

DEC 8 1989

STATE OF IDAHO

Department of Water Resources  
Southern Region Office

IN THE MATTER OF PERMIT )

NO. 43-7042 IN THE NAME )

OF VALLEY VESTA FARMS INC. )

ORDER OF REINSTATEMENT  
& REMOVAL OF MEASURING  
DEVICE REQUIREMENT

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 43-7042 for the issuance of a license, the Department finds, concludes and orders as follows:

FINDINGS OF FACT

1. On August 16, 1973 the Department approved Application for Permit No. 43-7042 to appropriate the public waters of the State of Idaho with a proposed priority of July 9, 1973.

2. On August 12, 1986 the Department sent the permit holder a notice that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. If the permit holder elected to have a certified examiner conduct the inspection, a completed field examination report was required to be submitted to the Department on or before August 12, 1987.

3. On August 28, 1987 the Department received a completed field report from a certified examiner, 16 days after the date of lapsing of the permit.

43-7042

4. The permit was originally issued with the requirement that a measuring device of a type approved by the department be installed and maintained as part of the diverting works.

5. The Department has determined that a measuring device is not required at this time for a determination of the quantity of water appropriated under the permit.

#### CONCLUSIONS OF LAW

1. The permit should be reinstated with an advance in the date of priority pursuant to the provisions of Section 42-218, Idaho Code.

2. The date of priority of Permit No. 43-7042 should be advanced a total of 16 days due to late submittal of the certified exam.

3. The condition of approval requiring the installation and maintenance of a measuring device should be removed.

#### ORDER

IT IS HEREBY ORDERED that Permit No. 43-7042 is REINSTATED.

IT IS FURTHER ORDERED that the date of priority of Permit No. 43-7042 is advanced to July 25, 1973.

IT IS FURTHER ORDERED that the condition of approval requiring that a measuring device be installed and maintained is hereby REMOVED.

Dated this 6<sup>th</sup> day of December, 1989.

  
Chief, Water Allocation Bureau

CLAIM NUMBER

43-07042

DATE

AGENT

(F.E. 8/6/87)  
LICENSED 12/27/90  
TRANSFER NUMBER

CLAIMED ACRE TOTAL 143

ACRE TOTAL 144

|                | TWP | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|----------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|                |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| CLAIM          | 10S | 28E | 4   |    |    | 18 | 15 |    | 5  | 5  |    | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 22 |
| GIS            |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 3  |
| <del>10S</del> | 10S | 28E | 4   | 40 | 40 | 40 | 40 |    | 40 | 40 |    | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 5  |
| CLAIM          | 10S | 28E | 5   | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 6  |
| GIS            |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| <del>10S</del> | 10S | 28E | 5   | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 6  |
| CLAIM          | 10S | 28E | 8   |    |    |    |    |    |    |    |    |    |    |    |    | 40 | 27 |    |    |
| GIS            |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| <del>10S</del> | 10S | 28E | 8   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 2  |

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

11/16/99

Condie Bros.

- still not being irrigated  
(no pumps, etc.)

big field exam in 8/6/87  
(ask for copy?)

licensed in 12/27/90

SCS map indicates CRP  
from 87-96

CLAIM NUMBER

43-07042

DATE

AGENT

LICENSED

TRANSFER NUMBER

CLAIMED ACRE TOTAL

ACRE TOTAL

(F.E. 8/6/87)

12/27/90

143

144

|                  | TWP | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |   |
|------------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|---|
|                  |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |   |
| CLAIM            | 10S | 28E | 4   |    |    | 18 | 15 |    | 5  | 5  |    | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 22 | 3 |
| GIS              |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |
| <del>LESC.</del> | 10S | 28E | 4   | 40 | 40 | 40 | 40 |    | 40 | 40 |    | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 5 |
|                  |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |
| CLAIM            | 10S | 28E | 5   | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 6 |
| GIS              |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |
| <del>LESC.</del> | 10S | 28E | 5   | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 6 |
|                  |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |
| CLAIM            | 10S | 28E | 8   | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 27 | 38 |    |    | 40 | 27 |    |    |   |
| GIS              |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |   |
| <del>LESC.</del> | 10S | 28E | 8   | 40 | 40 |    |    | 40 | 40 | 40 | 40 |    |    |    |    |    |    |    |    | 2 |

B43-POU.SHP

SHAPE NOS.

B43-POD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

Well #1  
NWWSW  
well 150  
Dooste 60

1006  
T1719

350 H.P.  
Well #2 into pond  
2 booster  
pump,  
125 H.P. Each

Dry  
verified

BLM

HEL 14.8  
3  
13 CRP  
36 86-97

C.R.P 87-96

Never  
Invis. Dry  
land

CRP 87-96  
23.6 NW  
HEL

CRP 87-96

50.5 NW  
HEL

161.8 NW  
HEL

CRP 87-96  
13.5 NW  
HEL

CRP 87-96

CRP 87-96

CRP 87-96

SWSWNW  
#3  
400-450 H.P.

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

CRP 87-96

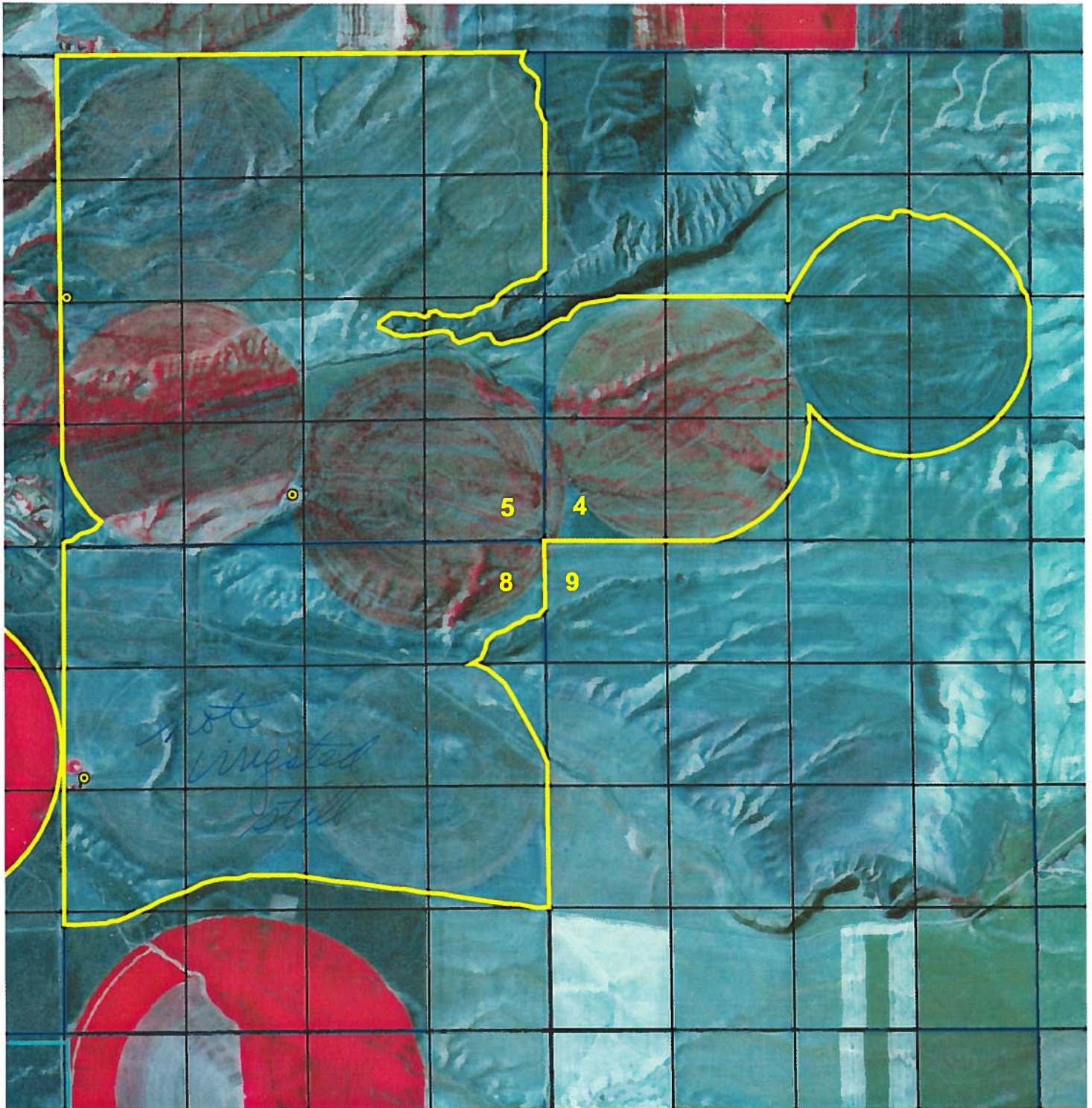
CRP 87-96

CRP

House  
well

1006  
TX765

Utah Department of Water Resources



0 1320 2640 3960 Feet

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

TWP 10S, RNG 28E

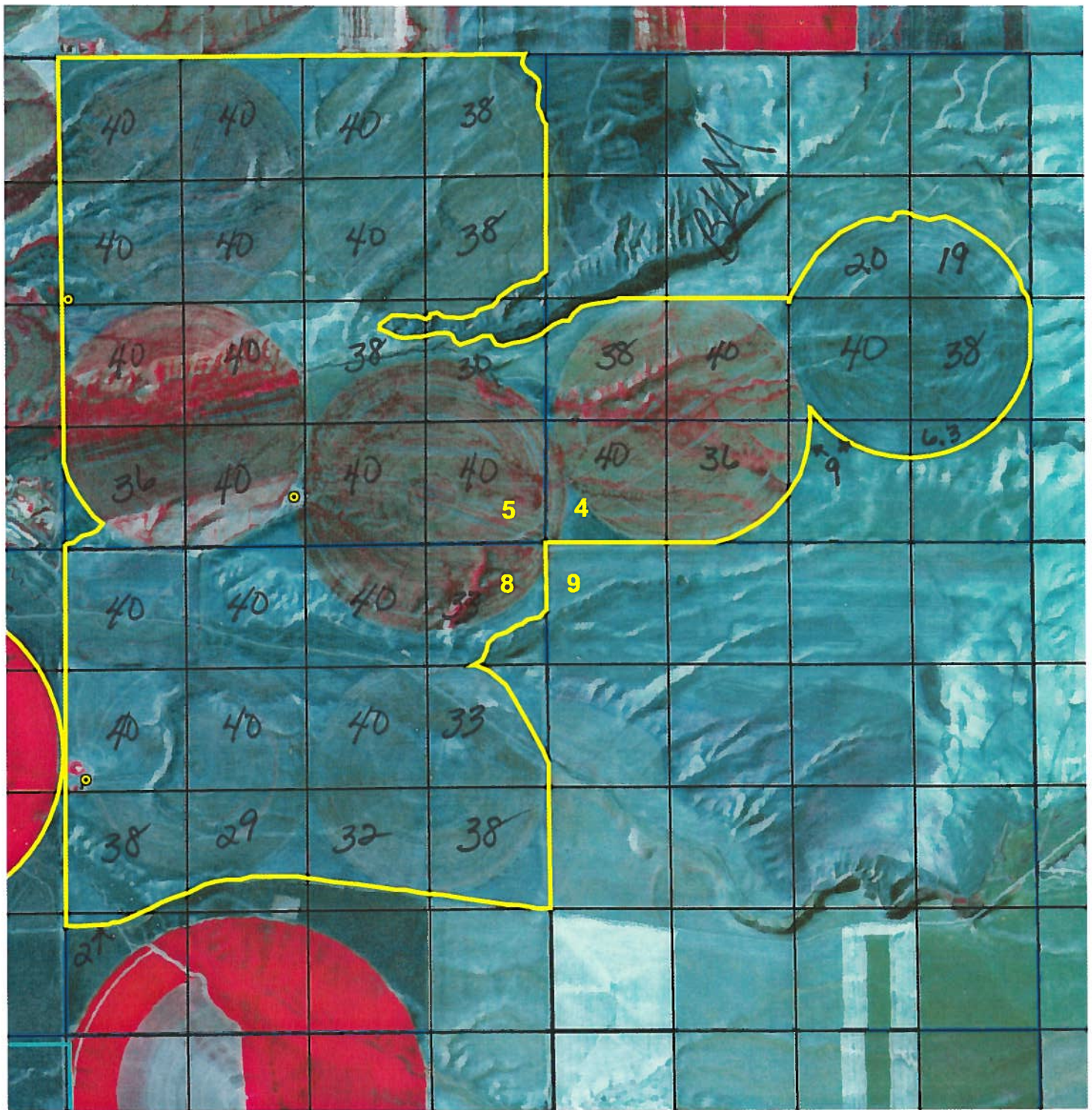
1352 Ac.

Gis Field Map  
1987/1988 Napp Photography

Field Exam Date 11/16/99  
Jeanie Robertson



Idaho Department of Water Resources



0 1320 2640 3960 Feet

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

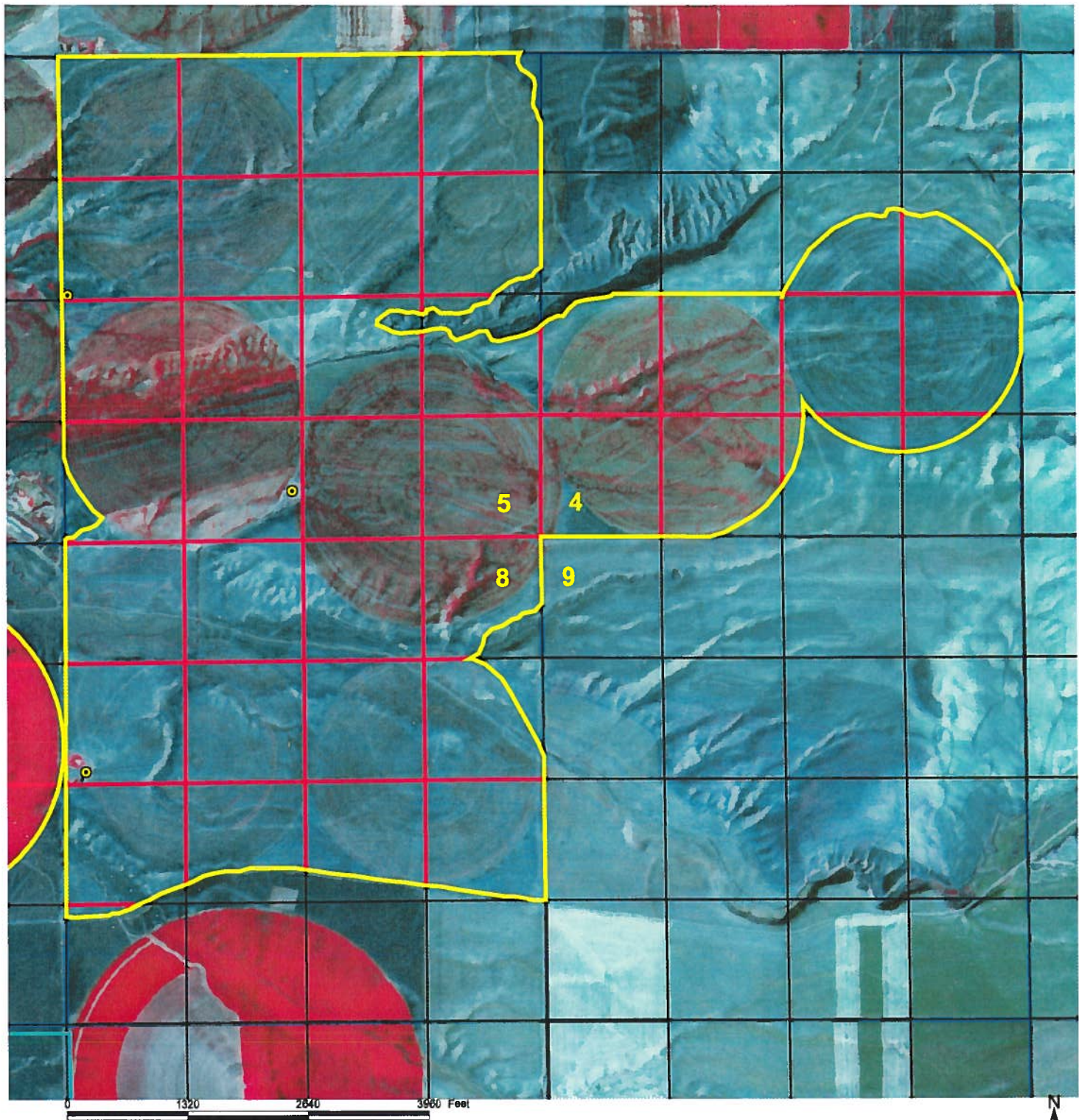
TWP 10S, RNG 28E

Gis Field Map  
1987/1988 Napp Photography

Field Exam Date \_\_\_\_\_  
Jeanie Robertson



Idaho Department of Water Resources



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

TWP 10S, RNG 28E

Gis Field Map  
1987/1988 Napp Photography

Field Exam Date \_\_\_\_\_  
Jeanie Robertson

CLAIM NUMBER A43-07042 (claimed) DATE \_\_\_\_\_  
AGENT \_\_\_\_\_

TRANSFER NUMBER \_\_\_\_\_  
CLAIMED ACRE TOTAL 143  
GIS ACRE TOTAL 1356

|       | TWP | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|       |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| CLAIM | 10S | 28E | 4   |    |    | 18 | 15 |    | 5  | 5  |    | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 22 |
| GIS   | 10S | 28E | 4   |    |    | 20 | 19 |    | 0  | 0  |    | 40 | 38 | 40 | 36 | 38 | 40 | 9  | 6  |
| RECOM | 10S | 28E | 4   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| CLAIM | 10S | 28E | 5   | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 |
| GIS   | 10S | 28E | 5   | 38 | 40 | 40 | 38 | 40 | 41 | 40 | 40 | 40 | 40 | 36 | 40 | 30 | 38 | 40 | 40 |
| RECOM | 10S | 28E | 5   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| CLAIM | 10S | 28E | 8   | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 40 | 27 | 38 |    |    | 40 | 27 |    |    |
| GIS   | 10S | 28E | 8   | 33 | 40 | 40 | 33 | 40 | 40 | 40 | 40 | 29 | 38 | 2  |    | 38 | 32 |    |    |
| RECOM | 10S | 28E | 8   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

B43-DBPOU.SHP  
SHAPE NOS.

43-DBPOD.SHP

NOS. DESCRIPTION

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

1/5/94

Condie Bros. (Well #1)  
(not running - land in CRP)

plate # 6026

no pump or motor at this time

1 picture roll 9: 3

T10S, R28E  
NWNWSW Sec. 5.

---

Condie Bros. (Well #3)  
(not running - land in CRP)

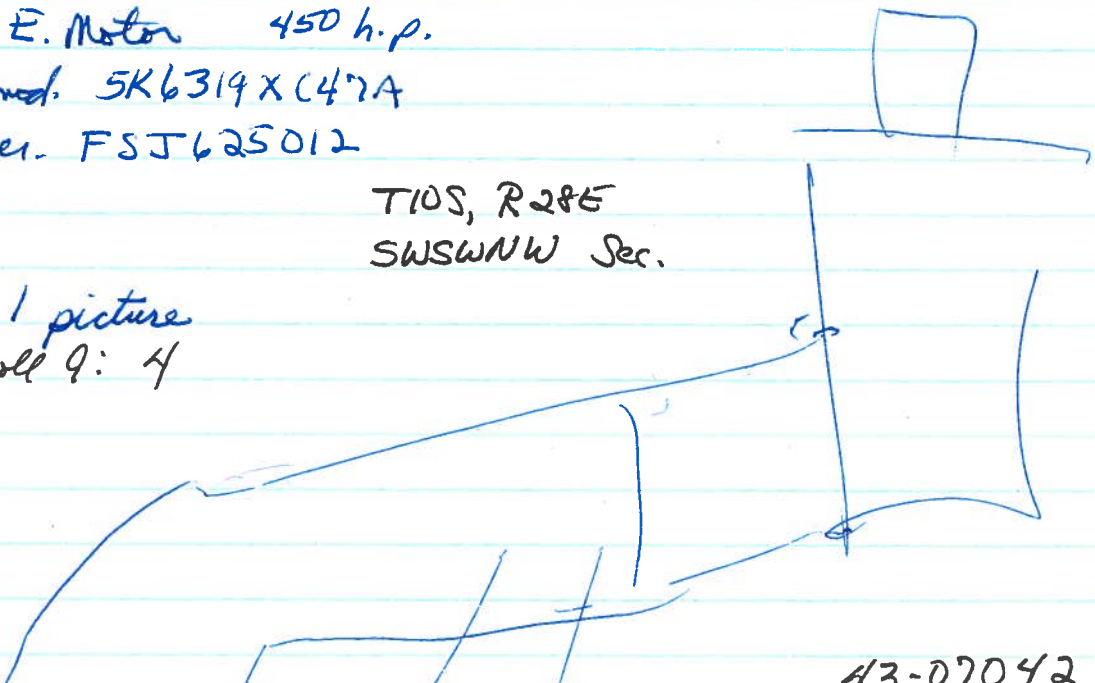
plate # 6010

Johnston Pump (no plate)  
cement says 6/15/81

G.E. Motor 450 h.p.  
mod. 5K6319X(47A  
ser. FSTJ625012

T10S, R28E  
SWSWNW Sec.

1 picture  
roll 9: 4



A2-07042



Well #1      Condie Bros.    43-07042  
T10S, R28E    NWNWSW    Sec. 5



Well #3      Condie Bros.    43-07042  
T10S, R28E, SWSWNW    Sec. 8

7/5/94

Condie Bros. Well #2  
(not running - land in CR)

43-07042

Johnston Pump  
(no plate)

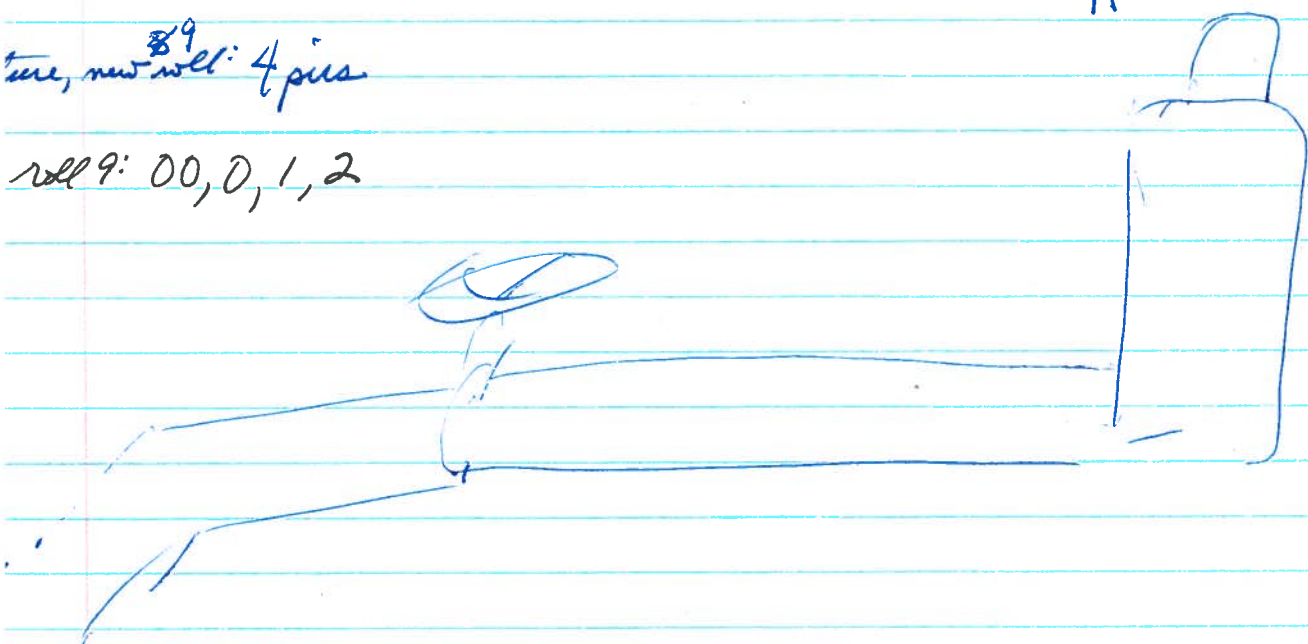
U.S. Motor hp-350  
FD# CE9537-847 80-03931

T10S, R28E, SESESW 1/4 Sec. 5

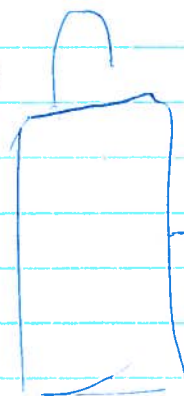
A.

ture, new well: 4 p.u.s.

roll 9: 00, 0, 1, 2



Booster Pump  
(only foundation)



Johnston Pumps (no plate)

U.S. Motor 125 h.p.  
FD# B-D982-03-826

R2136732 MI



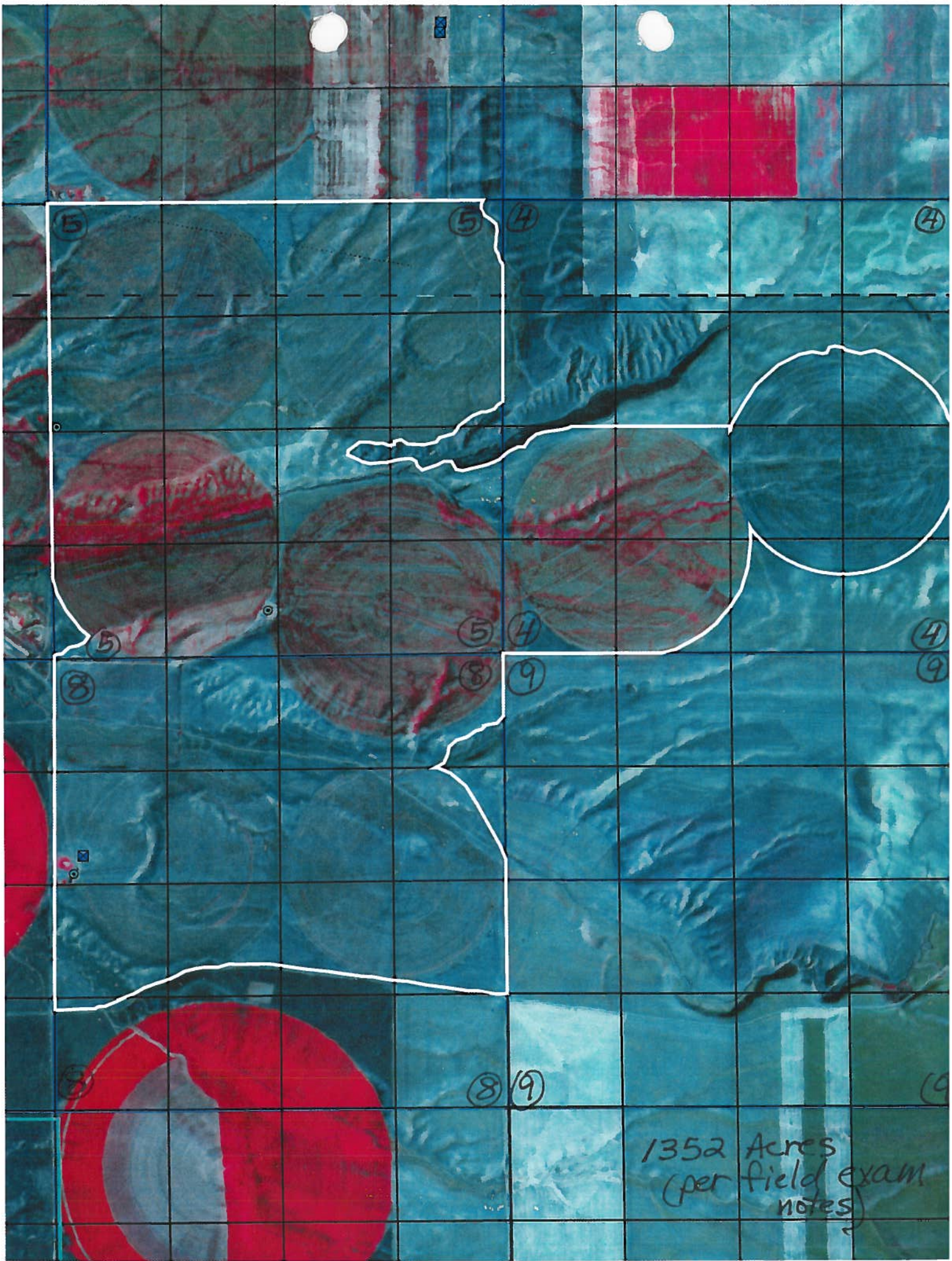
Condie Bros.

Well #2

SESE SW of Sec. 5

T10S, R28E

43-07042



1352 Acres  
(per field exam  
notes)

## COMMUNICATION DOCUMENTATION

Claim No. A43-07042

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

IDWR Employee/Agent Jeanie Robertson/Allen Merritt Date 6/30/94Contact Person(s) Dallin Reese (Burley) former owner of Condie Bros. ClaimNature of Contact Field Exam (Condie Bros. Claim)

Substance of Communication Had Mr. Reese locate the wells and draw on the ASCS map which acres had been irrigated. The land is now all in CSP. It appears there may be some problems as the license upon which the claim is based is different from the claim, and some acres which were never irrigated were licensed while others ~~they~~<sup>that</sup> are irrigated were not included in the license.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

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11/08/00  
6

PAGE: 3  
PROFILE REPORT

CLAIM NUMBER: A43-07042

| OWNER<br>CODE | NAME & ADDRESS  | PRIORITY<br>DATE        | WATER USE  | USE PERIOD<br>FROM TO      | DIVERSION<br>RATE                                  | DIVERSION<br>VOLUME                         |
|---------------|-----------------|-------------------------|------------|----------------------------|----------------------------------------------------|---------------------------------------------|
| C             | CONDIE BROTHERS | 07/09/1973<br>7/25/1973 | IRRIGATION | 03-15 11-15<br>01-01 12-31 | 20.000-CFS<br>TOTAL DIVERSION:<br>CONSUMPTIVE USE: | 17.02<br>17.06<br>576<br>576<br>4320.00-AFA |

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT Licen.

Point(s) of Diversion: T10S R28E S05 S08  
NWNWSW SWSWNW  
SESESW SWSWSE  
2 pools here - 1 dom.)

CASSIA County  
CASSIA County

Place of use Legal Description for: IRRIGATION

|     |     |   |   | NE   |      |      |      | NW |    |    |    | SW   |      |      |      | SE |    |    |    |      |      |      |      |    |    |    |    |      |      |      |      |     |             |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |        |
|-----|-----|---|---|------|------|------|------|----|----|----|----|------|------|------|------|----|----|----|----|------|------|------|------|----|----|----|----|------|------|------|------|-----|-------------|-------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--------|
|     |     |   |   | NENE | NWNE | SWNE | SENE |    |    |    |    | NENW | NWNW | SWNW | SENW |    |    |    |    | NESW | NWSW | SWSW | SESW |    |    |    |    | NESE | NWSE | SWSE | SESE | SUM |             |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |        |
| T   | R   | S | : | Lt   | Ac   | Lt   | Ac   | Lt | Ac | Lt | Ac | Lt   | Ac   | Lt   | Ac   | Lt | Ac | Lt | Ac | Lt   | Ac   | Lt   | Ac   | Lt | Ac | Lt | Ac | Lt   | Ac   | :    |      |     |             |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |        |
| 10S | 28E | 4 | : | 40   | 40   | 40   | 40   | :  |    |    |    | 40   | 40   | :    |      |    |    | 40 | 40 | 40   | 40   | :    | 40   | 40 | 40 | 40 | :  | 40   | 40   | 40   | 40   | :   | 345.0       |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |        |
| 10S | 28E | 5 | : | 40   | 40   | 40   | 40   | :  | 40 | 40 | 40 | 40   | :    | 40   | 40   | 40 | 40 | :  | 40 | 40   | 40   | 40   | :    | 40 | 40 | 40 | 40 | :    | 40   | 40   | 40   | 40  | :           | 640.0 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |        |
| 10S | 28E | 8 | : | 40   | 40   | 40   | 40   | :  | 40 | 40 | 40 | 40   | :    | 40   | 40   | 40 | 40 | :  | 40 | 40   | 40   | 40   | :    | 40 | 40 | 40 | 40 | :    | 40   | 40   | 40   | 40  | :           | 452.0 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |        |
|     |     |   |   |      |      |      |      |    |    |    |    |      |      |      |      |    |    |    |    |      |      |      |      |    |    |    |    |      |      |      |      |     | TOTAL ACRES |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1437.0 |

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: NONE

Conditions of Approval:

- 001 - A measuring device of a type approved by the Department shall  
- be permanently installed and maintained as part of the diverting  
- works.

Remarks: GEN DOMESTIC WELL AS SHOWN ON THE FIELD EXAMINER'S REPORT IS TO  
BE CONNECTED INTO THE IRRIGATION WELL SYSTEM AND USED FOR BOTH  
DOMESTIC AND IRRIGATION SUPPLY.

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

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

Cond. Code C18  
Remarks:  
POD - F02  
10 in SWSI  
of 2

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

09:50:14  
11/08/00

PAGE: 2  
QUICKLOOK INFORMATION

5  
CLAIM NUMBER: A43-07042

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

BARCODE UPDATED  
WHOM/DATE



