

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: A43-07130
Date Received: 5/25/1989
Receipt No: C007062
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: SPENCER BROTHERS
Address: HC 72 BOX 2418
MALTA ID

435-827-5573

83342

2. Date of Priority: OCT 6, 1978

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	24E	12	NE	NE	NE		CASSIA
			SW	SW	NE		CASSIA

5. Description of diverting works:
2 WELLS WITH PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.950		

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

8. Total consumptive use is 1096.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
16S	24E	12	NE	NE		IRR	24.0
			NW	NE		IRR	4.0
			SW	NE		IRR	32.0
			SE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	100.0
	25E	6	SW	SW	4	IRR 3.0
			SE	SW	3	IRR 26.0
			SW	SE	2	IRR 23.0
			SE	SE	1	IRR 10.0
					Section Acres	62.0
		7	NW	NE		IRR 40.0
			NE	NW		IRR 40.0
			NW	NW	1	IRR 37.5
			SW	NW	2	IRR 36.0
					Section Acres	153.5
		31	SE	SW		IRR 15.0
			SW	SE		IRR 30.0
			SE	SE		IRR 5.0
					Section Acres	50.0
					Total Acres	365.5

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:

43-00047A, 43-00327, 43-04150, 43-04089, 43-04090, 43-02556

14. Remarks:

THIS CLAIM IS BASED UPON A PERMIT. THIS RIGHT REPRESENTS AN EXPANSION IN THE NUMBER OF IRRIGATED ACRES WHICH RESULTED FROM CONVERSION TO SPRINKLERS. THE NUMBER OF ACRES THIS EXPANSION ADDED TO OUR ORIGINAL NUMBER OF IRRIGATED ACRES IS 51.5. SEE ATTACHED MAP IDENTIFYING THE SPECIFIC 51.5 ACRES. OUR IRRIGATION SYSTEM INTEGRATES TWO WELLS, RAFT RIVER WATERS AND CIRCLE CREEK WATERS. ALL LANDS ARE IRRIGATED WITH THE SURFACE WATERS AND WITH WATER FROM THE WELL IN THE SWSWNE, S12, T16S, R24E. OUR SECOND WELL IS USED TO IRRIGATE ONLY A PORTION OF THE TOTAL ACRES, SEE A43-04090. WE COMBINE ALL WATERS INTO A POND AND THEN PUMP FROM THE POND. BECAUSE OF THIS SYSTEM WE HAVE CLAIMED A PERMISSABLE PLACE OF USE UNDER THIS RIGHT.

4-5-2000: OWNERSHIP CHANGE WARD TO SPENCER PER ASSIGNMENT OF

14. Remarks: Continued

PERMIT AND WD SUBMITTED. NOTE LAND IN POU NOT CONVEYED IS BLM -VH

15. Basis of Claim: PERMIT

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

APR 22 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.initial review:
4/22/99 sec
OK

UNDIVIDED INTEREST:

A43-10185

1. Water Right No(s): (same)
- Adjudication Claim No(s): A43-00327, A43-00047A, -02556, -04089, -04090, -04150
ALL D&S Decreed → A43-10251, A43-10250, A43-10245 (Ded matches claims) → (& A43-07130)
will file Assignment for
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
(Map on file w/claim AND → A43-00327)
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: HAROLD OLEN & LORRAYNE B WARD
4. New Owner/Claimant(s): SPENCER BROTHERS STANLEY A. SPENCER
New Mailing Address: HC 72 BOX 2418 MICHAEL O. SPENCER
City, State and ZIP Code: MALTA, ID 83342
New Telephone Number: 435 (208) 827-5573
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or CARL W. SPENCER
5. Date you acquired the property: April 1, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock 433 head BEEF CATTLE
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): Spencer Brothers by Stanley A. Spencer
- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

REAL ESTATE PURCHASE AND SALE AGREEMENT

HAROLD OLEN WARD AND LORRAYNE B. WARD, as co-trustees of THE HAROLD AND LORRAYNE WARD TRUST, under trust agreement dated April 23, 1991, (hereinafter "Seller"), agrees to sell, and SPENCER BROTHERS, a Utah general partnership consisting of STANLEY A. SPENCER, MICHAEL O. SPENCER AND CARL W. SPENCER, as partners, (hereinafter collectively "Buyer") agrees to purchase the real properties (hereinafter "Properties") more fully described in Exhibit A, attached hereto and incorporated herein, on the following terms and conditions:

1. **Purchase Price.** The purchase price for the Properties shall be *Six Hundred Fifty-Five Thousand Dollars (\$655,000)*, of which *One Hundred Sixty-Eight Thousand Seven Hundred Fifty Dollars (\$168,750)* shall be payable in cash at closing. The remainder shall be paid to Seller by Buyer in the form of a Promissory Note (hereinafter "Note"), attached hereto as Exhibit B and incorporated herein. Upon the termination of the Note, all amounts still owed to Seller shall be paid by Buyer in one cash payment. Said Note shall be secured by a Mortgage on the Properties, attached hereto as Exhibit C and incorporated herein.

2. **Escrow.** Within five (5) days of execution of this Agreement by Buyer and Seller, the parties agree to open an escrow with Cassia County Abstract Company (hereinafter "Closing Agent") at an office selected by Seller. In the event of any alleged or apparent conflict or contradiction between the terms of this Agreement and any escrow agreement, this Agreement will govern.

3. **Closing.** The following provisions shall govern the closing of this transaction:

3.1 **Closing Date.** The sale and purchase of the Properties shall be closed at the offices of Closing Agent within ten (10) days after the date of this Agreement or such earlier date as is mutually agreed upon in writing by the parties. The closing date may be extended by mutual agreement of the parties, not to exceed thirty (30) days.

3.2 **Seller's Obligations at Closing.** On or before the closing date, the Seller shall: (a) deliver to the Closing Agent a warranty deed covering the Properties, duly executed and acknowledged in recordable form conveying to Buyer fee simple interest in the Properties; (b) convey by appropriate instrument all grazing rights, subject to escrow waiver; (c) execute and deliver to the Closing Agent a closing and disbursement statement in a form acceptable to Seller; and (d) take such further action and deliver such other documents necessary to close this transaction in accordance with the terms of this Agreement.

3.3 Buyer's Obligations at Closing. On or before the closing date, Buyer shall: (a) deliver or cause to be delivered to the Closing Agent guaranteed funds in the amount Buyer is obligated to pay on the closing date pursuant to the terms of this Agreement; (b) execute and deliver to the Closing Agent a closing and disbursement statement in a form acceptable to Buyer; and (c) take such further action and deliver whatever documents are necessary to close the transaction in accordance with the terms of this Agreement.

3.4 Escrow Fees and Other Costs. Costs of title insurance (described below) and all real property taxes against the Properties for 1998 and prior years shall be borne by Seller. Taxes for 1999 and all utility, irrigation, or water district charges or fees shall be prorated as of the date of closing. There will be no further proration of taxes, utilities, or assessments between Buyer and Seller after the closing. All prorations will be final at closing and not subject to change. Buyer shall pay recording costs for the deed and any appraisal fees. All other escrow fees and other costs of Closing Agent to close this transaction shall be borne equally between Buyer and Seller, except Buyer is responsible for all costs associated with financing. Other expenses incurred by Buyer or Seller with respect to this transaction, including attorney's fees or other professional fees, shall be borne and paid exclusively by the party incurring the same without reimbursement.

3.5 Closing Agent Obligations. The Closing Agent is instructed as follows: (a) prepare closing statements for execution by Seller and Buyer in accordance with the terms of this Agreement; (b) collect all funds to be received from the parties at closing and disburse and pay the same to the parties or other persons entitled to the same in accordance with the terms of this Agreement and approved on the closing statements; and (c) collect the various instruments and documents and information to be provided by the parties, secure the required signatures and acknowledgments, record such instruments and documents where necessary and in proper sequence, and deliver the same to the respective parties, as required to close this transaction in accordance with the terms of this Agreement.

4. Seller's Representations and Warranties. Seller represents and warrants to Buyer that:

4.1 Seller has received no notice from any governmental agency that the Properties is in violation of any statute, law, ordinance, deed restriction, rules or regulations affecting the Properties.

4.2 Seller is not aware of any pending or threatened litigation or condemnation proceeding affecting the Properties, nor are there any agreements to convey any portion of the Properties to any party other than Buyer.

4.3 Seller is not a foreign person within the meaning of Section 1445 of the Internal Revenue Code of 1986 and will execute an affidavit to this effect to be delivered to Buyer at closing and include Seller's tax identification number.

4.4 Seller has not received any notice of default or breach by Seller of any covenant, condition, restriction, right-of-way or easement affecting the Properties.

5. **Condition of Properties.** Buyer acknowledges for Buyer and Buyer's successors, heirs, and assigns, that Buyer has been given a reasonable opportunity to inspect and investigate the Properties. In purchasing the Properties, Buyer is not relying on any representations by Seller, or its agents or employees concerning the condition or safety of the Properties and/or any improvements thereon. Buyer is advised to obtain and pay for the services of one or more qualified specialists to inspect the Properties on Buyer's behalf.

Buyer further states that it is relying solely upon its own inspection of the Properties and not upon any representation made to it by any person whomsoever who is an agent or employee of Seller, and is purchasing the Properties in the condition in which it now is without any obligation on the part of Seller to make any changes, alterations, or repairs thereto.

6. **Due Diligence.** Buyer shall conduct any studies or reviews deemed necessary by Buyer to conduct Buyer's due diligence. All reviews and studies shall be at Buyer's sole cost and expense, and Buyer shall defend, indemnify and hold Seller and Seller's tenant(s) harmless from all claims arising out of Buyer's actions and those of his employees or agents hereunder. Buyer is responsible to conduct all studies on the Properties.

7. **Title Insurance.** At closing, the Seller shall furnish to Buyer a standard owner's title insurance policy in the amount of the purchase price of the Properties showing marketable and insurable title. Within ten (10) days after this Agreement is signed, the Seller shall furnish to the Buyer a commitment for a title insurance policy showing the condition of the title to said Properties. The title shall be free and clear of all liens and encumbrances excepting only the accruing taxes, levies and assessments and any clouds suffered or incurred against the property by Buyer. Buyer shall have fifteen (15) days from receipt of the commitment within which to object in writing to the condition of the title as set forth in the report. If the Buyer does not so object, the Buyer shall be deemed to have accepted the condition of the title. Otherwise, Seller shall, so far as reasonably possible, cure all defects objected to by Buyer before closing. If Seller does not remove objections to Buyer's satisfaction, Buyer may terminate this Agreement without further obligation to Seller.

8. **Grazing Rights.** All Forest (West End C&H Allotment) and Bureau of Land Management grazing permits (Clear Creek Allotment, Jim Sage Allotment, Gully Allotment, and Almo Seeding Allotment) associated with the Properties sold/purchased are to be attached to the land parcels designated as the "Base Property" which is listed below:

NE 1/4 NE 1/4, S 1/2 NE 1/4 of Section 12, Township 16 South,
Range 24, E.B.M.

Lots 1, 2, 3, & 4 Section 6, Township South, Range 25 E.B.M.

NW 1/4 NE 1/4, NE 1/4, NW 1/4, Lots 1 & 2 Section 7, Township
16 South, Range 25, E.B.M.

Appropriate documents listing the Seller as the lien holder of the first mortgage on the Base Property will be initiated and filed, with the appropriate federal agencies with a copy to the Buyer and the Seller.

9. **Appraisal.** Buyer may obtain an appraisal of the Properties at Buyer's cost.

10. **Notice.** Any notice under this Agreement shall be deemed given and delivered on the date when personally delivered, or if mailed, on the same date it is deposited in the United States mail in a sealed envelope by registered or certified mail, return receipt requested, postage prepaid and properly addressed. Until change by notice in writing, notices to Seller shall be addressed as follows:

The Harold and Lorraine Ward Trust
7209 Kingston Dr.
Boise, ID 83704

Notices to Buyer shall be addressed as follows:

Spencer Brothers
HC 72, Box 2418
Malta, ID 83342

Buyer and Seller may change their addresses by notice given as required above.

11. **Broker.** Buyer and Seller represent that no broker was involved in this transaction, and no broker is entitled to any compensation for this transaction. If any broker claims any compensation for this transaction, the party allegedly responsible for the acts giving rise to the claim will defend and indemnify the other innocent party.

12. **Default.** If either party shall fail to comply with the terms of this Agreement, the nondefaulting party shall send written notice and provide a thirty (30) day period to cure. If the default is not cured within the time allowed, the defaulting party agrees to pay all attorney's fees and costs incurred by the nondefaulting party. If suit is filed to interpret or enforce this Agreement, the unsuccessful party to such litigation agrees to pay the prevailing party all costs and expenses, including attorney's fees, incurred by the prevailing party whether incurred in district court, on appeal or in bankruptcy court.

13. **No waiver of Breach.** No waiver of any provision hereof shall be effective unless in writing and signed by the waiving party. No such waiver shall be effective as to any subsequent breach of the same or another provision of this Agreement. The failure of Seller to exercise its rights upon default by Buyer shall not constitute or be construed as a waiver of the right to insist upon strict performance by the Buyer of all the terms and provisions of this Agreement.

14. **Like-Kind Exchange.** Seller and Buyer may elect to effect the purchase or sale of the Properties pursuant to the tax-free exchange provisions of Section 1031 of the Internal Revenue Code, and each party agrees to reasonably cooperate with the other to effect such a tax-free exchange; provided, however, that the party requesting the tax free exchange shall bear all costs arising out of any tax-free exchange it may elect to undertake, and that the Closing shall not be extended in order to accommodate any such exchange. Buyer agrees that any cash that may become available to it as a result of such an exchange shall be immediately applied to reduce the Note, but such payment shall not reduce the payment schedule.

15. **Survival.** All the terms and conditions hereof and all instruments referred to herein and contemplated hereby shall survive closing and the transfer of title to Buyer and shall remain in full force and effect in accordance with their terms.

16. **Successors and Assigns.** This Agreement shall bind each of the parties and their respective heirs, personal representatives, successors, and assigns; provided, however, this Agreement shall not be assigned by any party without the other's prior written consent, which will not be unreasonably withheld. However, Seller is not required to approve any assignee who in Seller's opinion does not have the same or better qualifications and financial backing as Buyer.

17. **Entire Agreement.** This Agreement, with any exhibits incorporated by reference, constitutes the final expression of the parties' agreement and is a complete and exclusive statement of the terms of that agreement. This Agreement supersedes all prior or contemporaneous negotiations, discussions and understandings, whether oral or written or otherwise, all of which are of no further effect. This Agreement may not be changed, modified, explained or supplemented by any extrinsic evidence outside of this Agreement, including, but not limited to, usage of trade, course of dealing and course of performance. This Agreement may only be modified or amended by a writing signed by each party.

18. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Idaho.

DATED as of this 1 day of Apr. 1, 1999.

SELLER:

THE HAROLD AND LORRAYNE WARD TRUST

By Harold Olen Ward
Harold Olen Ward, Trustee

By Lorrayne B. Ward
Lorrayne B. Ward, Trustee

BUYER:

SPENCER BROTHERS

By Stanley A. Spencer
Stanley A. Spencer, Partner

By Michael O. Spencer
Michael O. Spencer, Partner

By Carl W. Spencer
Carl W. Spencer, Partner

EXHIBIT A

File Number: 14466

The land referred to is described as follows:

PARCEL #1:

TOWNSHIP 15 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 34: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$

Section 35: NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$

Section 35: NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Excepting a Right-of-Way 2 rods wide for a
road on the South section line.

TOWNSHIP 15 SOUTH, RANGE 25 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 11: NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 12: S $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 15 SOUTH, RANGE 26 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 4: N $\frac{1}{4}$ SW $\frac{1}{4}$

Section 5: N $\frac{1}{4}$ S $\frac{1}{4}$

Section 7: NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 2, 3 & 4

Section 8: W $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 16 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

SECTION 12: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NE $\frac{1}{4}$

TOWNSHIP 16 South, RANGE 25 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 6: Lots 1, 2, 3 & 4

Section 7: NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 1 & 2

PARCEL #2:

TOWNSHIP 16 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 2: Lot 2

PARCEL #3: An undivided one-half interest in

TOWNSHIP 16 SOUTH, RANGE 25 EAST, BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 19: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$

Section 20: W $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 29: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 30: E $\frac{1}{4}$ E $\frac{1}{4}$

SUBJECT TO Road Right-of-Way along the South side.

ALL IN CASSIA COUNTY, STATE OF IDAHO

EXHIBIT A

**Legal Description of Property
Located in Box Elder County, Utah**

TOWNSHIP 14 NORTH, RANGE 16 WEST, SALT LAKE MERIDIAN

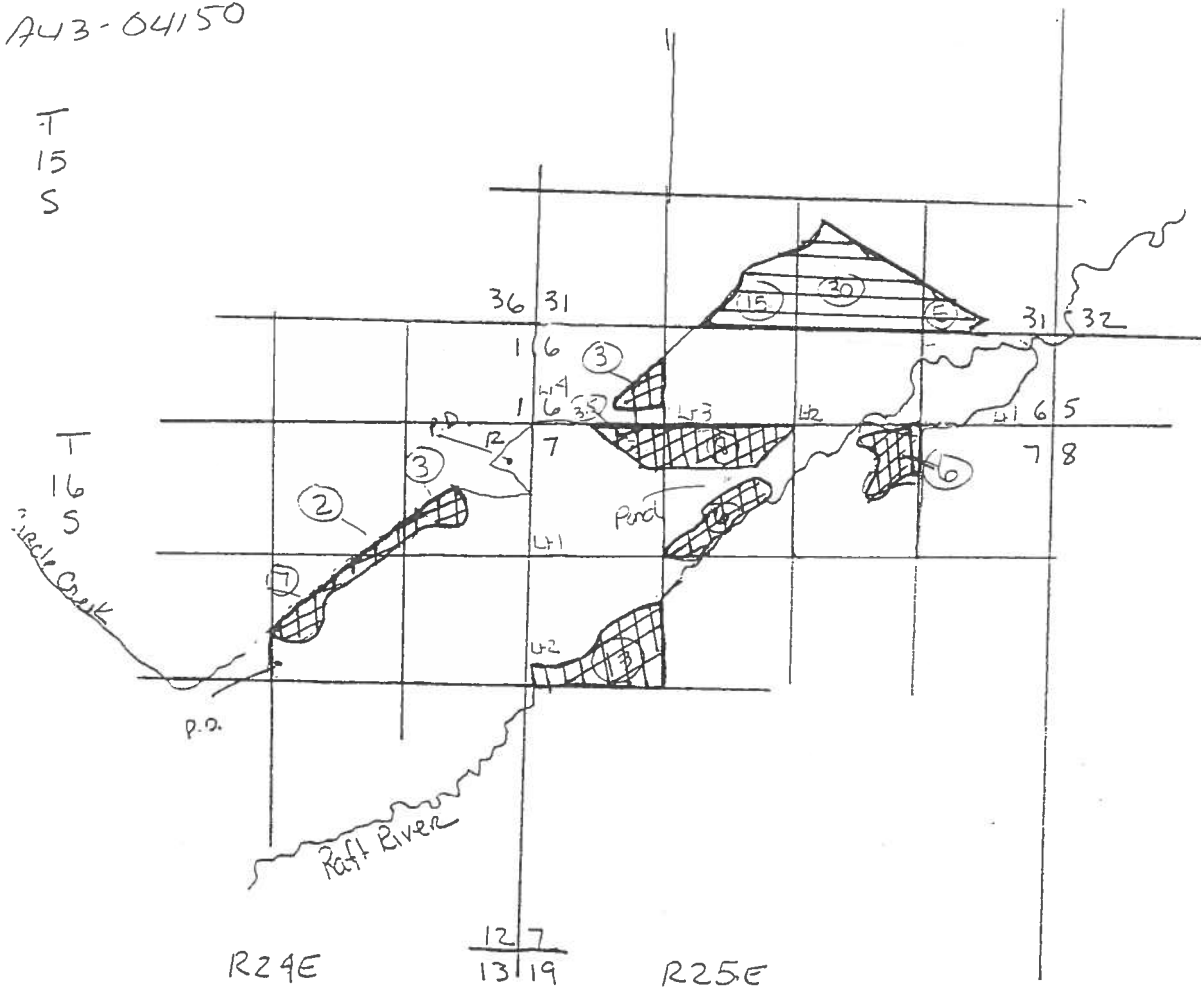
Section 20: E1/2 of NW1/4; SW1/4 of NE1/4; NW1/4 of SE1/4; W1/2 of NW1/4 and N1/2 of SW1/4

ALL IN BOX ELDER COUNTY, STATE OF UTAH

T
15
S

cc: to all claims

(also: A43-4090)



 1962 = Red = SOAC covered under license 43-02556
 1978 = Blue = SI.SAC covered under Permit 43-67130

Total Expansion
across = 101.5

R24E R25E

A43-00327

T15S

T16S

2	3	30	31	34
3	40	23	R	R

Change of Ownership¹⁸ Co
4/22/99
SCC

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

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Date Received: 5/25/1989
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Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: HAROLD OLEN WARD 208-334-1079
Address: 7209 KINGSTON DR.
BOISE ID 83704
AND/OR
Name: LORRAYNE B. WARD 208-334-1079
Address: 7209 KINGSTON DR.
BOISE ID 83704
2. Date of Priority: OCT 6, 1978
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 16S | 24E | 12 | NE | NE | NE | | CASSIA |
| | | | SW | SW | NE | | CASSIA |
5. Description of diverting works:
2 WELLS WITH PUMPS
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.950 | | |
7. Total Quantity Appropriated is:
2.950 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 1096.5 Acre Feet Per Annum.
9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	24E	12	NE	NE		IRR	24.0
			NW	NE		IRR	4.0
			SW	NE		IRR	32.0
			SE	NE		IRR	40.0
						Section Acres	100.0
	25E	6	SW	SW	4	IRR	3.0
			SE	SW	3	IRR	26.0
			SW	SE	2	IRR	23.0
			SE	SE	1	IRR	10.0
						Section Acres	62.0
		7	NW	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW	1	IRR	37.5
			SW	NW	2	IRR	36.0
						Section Acres	153.5
		31	SE	SW		IRR	15.0
			SW	SE		IRR	30.0
			SE	SE		IRR	5.0
						Section Acres	50.0
						Total Acres	365.5

11. Place of use in counties: CASSIA

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

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THIS CLAIM IS BASED UPON A PERMIT. THIS RIGHT REPRESENTS AN EXPANSION IN THE NUMBER OF IRRIGATED ACRES WHICH RESULTED FROM CONVERSION TO SPRINKLERS. THE NUMBER OF ACRES THIS EXPANSION ADDED TO OUR ORIGINAL NUMBER OF IRRIGATED ACRES IS 51.5. SEE ATTACHED MAP IDENTIFYING THE SPECIFIC 51.5 ACRES. OUR IRRIGATION SYSTEM INTEGRATES TWO WELLS, RAFT RIVER WATERS AND CIRCLE CREEK WATERS. ALL LANDS ARE IRRIGATED WITH THE SURFACE WATERS AND WITH WATER FROM THE WELL IN THE SWSWNE, S12, T16S, R24E. OUR SECOND WELL IS USED TO IRRIGATE ONLY A PORTION OF THE TOTAL ACRES, SEE A43-04090. WE COMBINE ALL WATERS INTO A POND AND THEN PUMP FROM

THE POND. BECAUSE OF THIS SYSTEM WE HAVE CLAIMED A PERMISSABLE PLACE OF USE UNDER THIS RIGHT.

16. Signature(s)

Number of attachments: _____

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

State of Idaho)
County of Ada) SS.

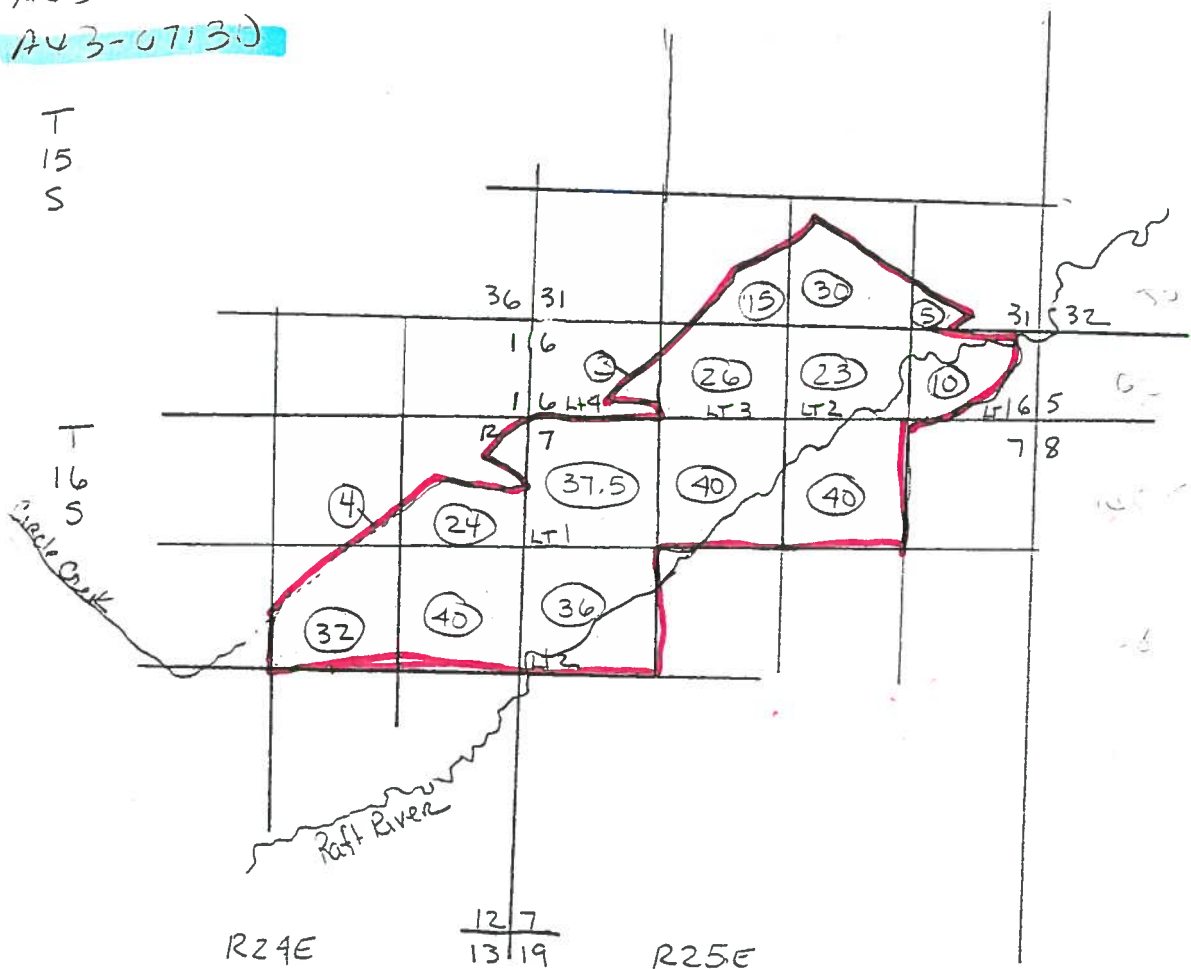
Witness my hand and seal this 9th day of January, 2020 at San Francisco, California

 Notary Public

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
 My Commission Expires December 7, 1994

1743-00047A
 1743-00327
 1743-02556
 1743-04089
 1743-04150
 1743-07130

T
 15
 S



TOTAL ACRES = 365.5 AC

1962 expansion = 50 AC (43-02556)

1978 Expansion = 51.5 AC (43-07130)

original orig acres = 264. AC

1743-00047A	1743-04150
1743-00327	1743-04089

MICROFILMED

MAR 04 1993

A43-07130

A43-02556

A43-04089

A43-00047A

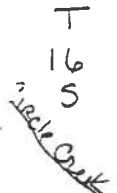
A43-00327

A43-04150

T

15

5



2 phases of Expansion:

1962 - Red = SOAC covered under license 43-035

1978 = Blue = 51.5 ac covered under Permit 43-0713

Total Expansion
across = 101.5

MICROFILMED

MAR 04 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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Ident. Number: A43-07130
Date Received: 5/25/89
Receipt No: 6007062
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HAROLD OLEN WARD 208-334-1079
Address: 7209 KINGSTON DR.
BOISE, ID 83704

AND/OR

Name: LORRAYNE B. WARD 208-334-1079
Address: 7209 KINGSTON DR.
BOISE, ID 83704

2. Date of Priority: OCT 06, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16S	24E	12	NE	NE	NE		CASSIA
			SW	SW	NE		CASSIA

5. Description of diverting works:
2 WELLS WITH PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.950		

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

8. Total consumptive use is 247.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	24E	12	SW	NE		IRR	12.0
						Section Acres	12.0
	25E	6	SW	SW	4	IRR	7.0
			SE	SW	3	IRR	3.0
			SW	SE	2	IRR	5.0
			SE	SE	1	IRR	7.0
						Section Acres	22.0
		7	NW	NE		IRR	6.0
			NE	NW		IRR	7.0
			NW	NW	1	IRR	8.0
			SW	NW	2	IRR	14.0
						Section Acres	35.0
						Total Acres	69.0

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:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Harold Allen Ward Date: 5/25/89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 25TH day
of MAY 19 89

Jeff Peppersack
Notary Public

Seal

Residing at _____

My Commission Expires _____

Jeff Peppersack, Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

A43-07130

LOT 4 7	LOT 5 3	LOT 2 5	LOT 1 7
LOT 1 8	LOT 7 7	LOT 6 6	
LOT 2 14			

WELL #1

WELL #2

12

P

R

R

A

E

CALIFORNIA

VALLLEY

MICROFILMED

MAR 04 1993

Water Right Number - 43-07130

Prefix Translation:

WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - -
 *** C - CURRENT OWNER ***
 WARD HAROLD OLEN
 1 - 7209 KINGSTON DRIVE
 2 -
 3 -
 City- BOISE State- ID Zip- 83704
 Phone -
 1 - 7209 KINGSTON DRIVE
 2 -
 3 -
 City- BOISE State- ID Zip- 83704
 Phone -

WARD

LORRAYNE B.

State- ID Zip- 83704
 City- BOISE
 Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
 10/06/1978 17 SOUTHERN P - PERMIT

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

+ - - - - TwN Rng Sec Tract Lot Rflg County Point of Diversion - - - - - Stream Index (Blank if no Index Code)
 16S 24E 12 NE NE (31) CASSIA
 16S 24E 12 SW NE (31) CASSIA

+ - - - - Code Description Period From Period To Water Use - - - - - Diversion Rate Diversion Volume
 01 - IRRIGATION 03/15 11/15 2.950

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
 2.950

TwN	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
16S	24E	12	NE NE		11.0	01	IRRIGATION	(31) CASSIA	
16S	24E	12	NW NE		38.0	01	IRRIGATION	(31) CASSIA	
16S	24E	12	SW NE		12.0	01	IRRIGATION	(31) CASSIA	
16S	25E	6	SW SW	4	27.0	01	IRRIGATION	(31) CASSIA	
16S	25E	6	SE SW	3	3.0	01	IRRIGATION	(31) CASSIA	
16S	25E	6	SW SE	2	5.0	01	IRRIGATION	(31) CASSIA	
16S	25E	6	SE SE	1	17.0	01	IRRIGATION	(31) CASSIA	
16S	25E	7	NW NE		6.0	01	IRRIGATION	(31) CASSIA	
16S	25E	7	NE NE		7.0	01	IRRIGATION	(31) CASSIA	
16S	25E	7	NW NW		8.0	01	IRRIGATION	(31) CASSIA	
16S	25E	7	SW NW		14.0	01	IRRIGATION	(31) CASSIA	

Total Acres: 148.0

+ - - Diversion Means - WELL AND PUMP

MICROFILMED
 MAR 04 1993

WATER RIGHT

+ - - Other Rights for Same Use -

	Remarks
THIS APPLICATION IS BEING FILED AS AN ADDITION TO A A WATER RIGHT ON THESE SAME WELLS	

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

01C - A flow measurement port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

	Decree Plaintiff	Decree Defendant
+ - - - -	- - - +	+ - - - -

+ - Decree Date - +
00/00/0000[illegible]

+- Audit Fields - 09/22/87 05/28/88 CONVERT 01/23/89 CURTIS

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

Proof Due Date	- 01/01/1989	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 02/08/1979	Protested Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 12/22/1988	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carrey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		

MICROFILMED
MAR 04 1995

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

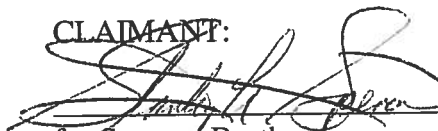
In Re SRBA	)	Subcase No.: 43-7130
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

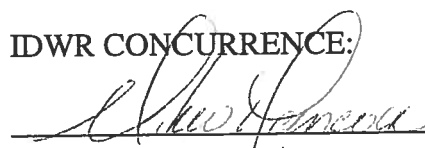
CLAIMANT:


for Spencer Brothers 7-15-02
Date

OBJECTOR:

Larry A. Brown, US DOJ Date
Attorney for BLM

IDWR CONCURRENCE:


Sr. Water Resource Agent 7-15-02
Date

Approved as to form Date
Attorney for IDWR

CERTIFICATE OF SERVICE

I certify that on _____, 2002, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated and addressed as follows:

1. Original to:

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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

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

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Spencer Brothers
HC 72 Box 2418
Malta, ID 83342

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Dept. of Justice
Environment & Nat'l Resources Div.
550 W. Fort St. MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

07/11/2002

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

RIGHT NUMBER: 43-7130

NAME AND ADDRESS: SPENCER BROTHERS
HC 72 BOX 2418
MALTA ID 83342

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: ~~1-100~~ 0.16 CFS
~~220-00~~ 32.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF ~~6-93~~ 6.36 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF ~~1460~~ 1272 AF. COMBINED RIGHT NOS.: 43-2556, 43-4089, 43-4090.

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 43-47A, 43-327, 43-2556, 43-4089, 43-4090 AND 43-4150 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 10/06/1978

POINT OF DIVERSION:

T16S R24E S12 NENENE Within CASSIA County

T16S R24E S12 SWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	~~1-100~~ 0.160 CFS ~~220-00~~ 32.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R25E S31	SESW	13.0	T15S R25E S31	SWSE	28.0
~~TS5S R25E S31~~	~~SESE~~	~~5.6~~	~~T16S R25E S12~~	~~NWNE~~	~~1.3~~
T16S R24E S12	NENE	18.0	T16S R24E S12	SWNE	32.0
T16S R24E S12	SENE	40.0	T16S R25E S06 Lot 4	SWSW	1.2
T16S R25E S06 Lot 3	SESW	29.0	T16S R25E S06 Lot 2	SWSE	29.0
T16S R25E S06 Lot 1	SESE	13.0	T16S R25E S07	NWNE	40.0
T16S R25E S07	NENW	40.0	T16S R25E S07 Lot 1	NWNW	38.0
T16S R25E S07 Lot 2	SWNW	38.0			

~~365-1~~ 318.2 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF ~~365~~ 318 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-47A, 43-327, 43-2556, 43-4089, 43-4090, 43-4150.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF ~~55~~ 8 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43B.

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.

~~THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.~~

EXPLANATORY MATERIAL: ~~Permit~~ License

Water Right 43-7130

SAS
VAK

09/19/2001

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

RIGHT NUMBER: 43-7130
NAME AND ADDRESS: SPENCER BROTHERS
HC 72 BOX 2418
MALTA ID 83342

**-POUs ON BLM
-CLAIMANT IS NOT AUTHORIZED
TO FARM PUBLIC LAND**

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY:

1.100 CFS 0.16
220.00 AFY 32 AFY

$8 \times 4 = 32$ af

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.93 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1460 AF. COMBINED RIGHT NOS.: 43-2556, 43-4089, 43-4090.

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 43-47A, 43-327, 43-2556, 43-4089, 43-4090 AND 43-4150 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 10/06/1978

POINT OF
DIVERSION:

T16S R24E S12 NENENE Within CASSIA County
T16S R24E S12 SWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.100 CFS 0.16
 220.00 AFY 32

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R25E S31 BLM SESE	13.0	T15S R25E S31 BLM SWSE	28.0
T15S R25E S31 BLM SESE	5.6	T16S R24E S12 NENE	18.0
T16S R24E S12 BLM NWNE	1.3	T16S R24E S12 SWNE	32.0
T16S R24E S12 SENE	40.0	T16S R25E S06 Lot 4 SWSW	1.2
T16S R25E S06 Lot 3 SESE	29.0	T16S R25E S06 Lot 2 SWSE	29.0
T16S R25E S06 Lot 1 SESE	12.0	T16S R25E S07 NWNE	40.0
T16S R25E S07 NENW	40.0	T16S R25E S07 Lot 1 NWNW	38.0
T16S R25E S07 Lot 2 SWNW	38.0		

318.2
 365.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 55 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 365 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-47A, 43-327, 43-2556, 43-4089, 43-4090, 43-4150.

includes
all rights

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

-46.9
acres

09/19/2001

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

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.

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43B.

EXPLANATORY MATERIAL:

BASIS OF CLAIM -

Permit

License

RECEIVED

FEB 19 2002

Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

A. Subcase 43-07130

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau of
Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

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

Name: Spencer Brothers

Address: HC 72 Box 2418; Malta, Idaho 83342

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

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

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. **I object because:**

☐ This water right should not exist.

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

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

Gary A. Madenford
(Signature of person filing objection)

Larry C. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

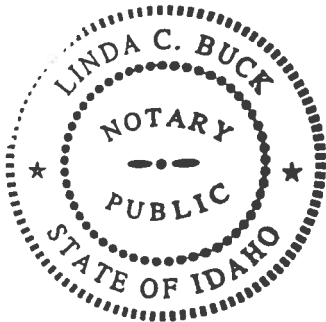
February 7, 2002

Linda C. Buck

Notary Public for Idaho

Residing at: Mountain Home

My Commission Expires: 12-21-2005



INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on Feb. 8, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: Spencer Brothers
Address: HC 72 Box 2418; Malta, Idaho 83342

Name:
Address: ;

Name:
Address: ;

Name:
Address: ;

3. Copies to:

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

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

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


Signature of Objector or attorney mailing on Objector's behalf

09/19/2001

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

RIGHT NUMBER: 43-7130
NAME AND ADDRESS: SPENCER BROTHERS
HC 72 BOX 2418
MALTA ID 83342

**-POUs ON BLM
-CLAIMANT IS NOT AUTHORIZED
TO FARM PUBLIC LAND**

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.100 CFS
220.00 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.93 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1460 AF. COMBINED RIGHT NOS.: 43-2556, 43-4089, 43-4090.

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 43-47A, 43-327, 43-2556, 43-4089, 43-4090 AND 43-4150 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 10/06/1978

POINT OF
DIVERSION:

T16S R24E S12 NENENE Within CASSIA County
T16S R24E S12 SWSWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.100 CFS 220.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T15S R25E S31 BLM SESW	13.0	T15S R25E S31 BLM SWSE	28.0
T15S R25E S31 BLM SESE	5.6	T16S R24E S12 NENE	18.0
T16S R24E S12 BLM NWNE	1.3	T16S R24E S12 SWNE	32.0
T16S R24E S12 SENE	40.0	T16S R25E S06 Lot 4 SWSW	1.2
T16S R25E S06 Lot 3 SESW	29.0	T16S R25E S06 Lot 2 SWSE	29.0
T16S R25E S06 Lot 1 SESE	12.0	T16S R25E S07 NWNE	40.0
T16S R25E S07 NENW	40.0	T16S R25E S07 Lot 1 NWNW	38.0
T16S R25E S07 Lot 2 SWNW	38.0		

365.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 55 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 365 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-47A, 43-327, 43-2556, 43-4089, 43-4090, 43-4150.

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

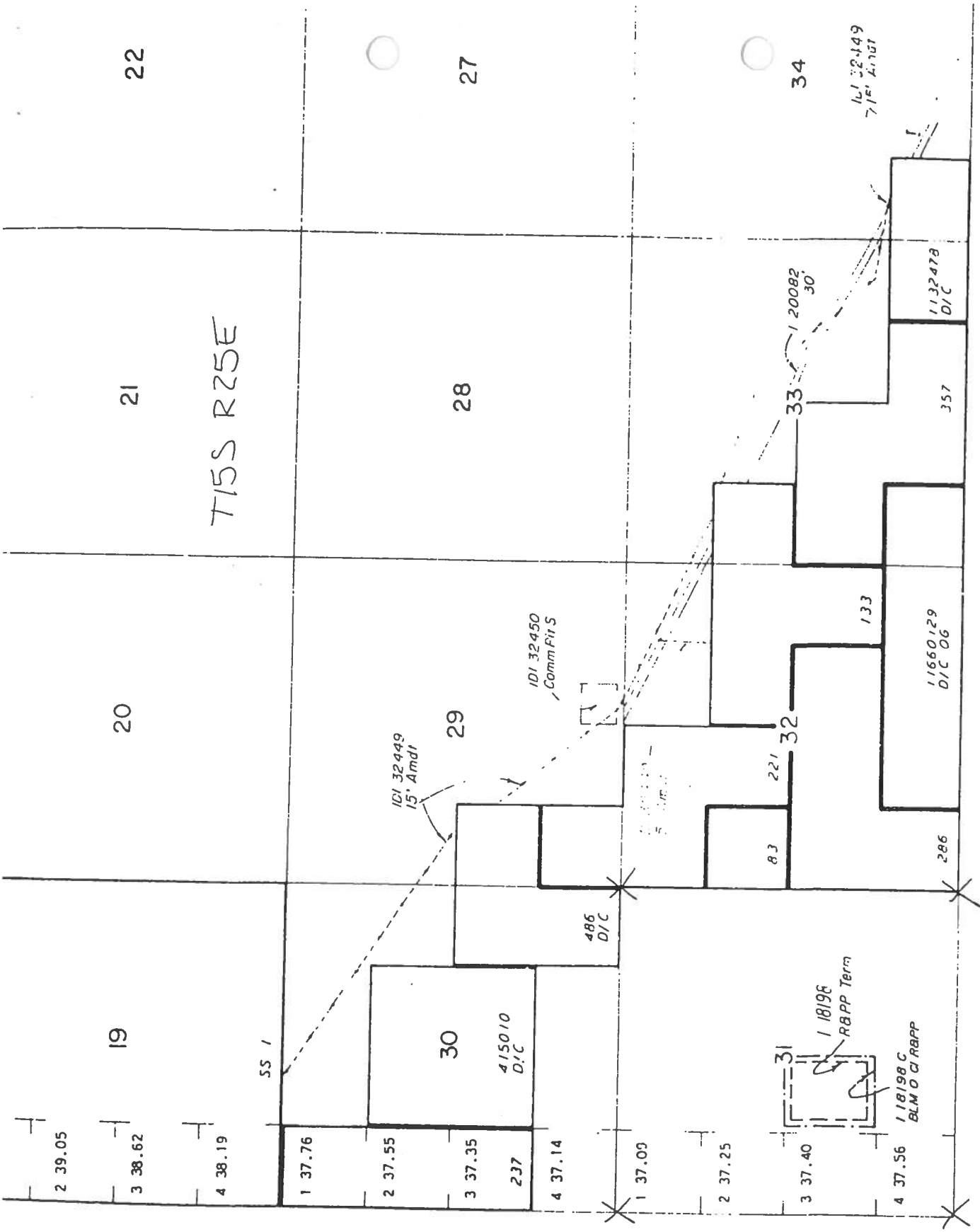
09/19/2001

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

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.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit



SCALE in Chinese

TOWNSHIP 15 SOUTH RANGE 25 EAST OF THE BOISE MERIDIAN, IDAHO

CASSIA COUNTY
BOWLEY DISTRICT SEC. 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

MT PLAT

INDEX TO SEGREGATED TRACTS			
TRACT NO.	T	R	SEC.
1	15	25	1
2	15	25	2
3	15	25	3
4	15	25	4
5	15	25	5
6	15	25	6
7	15	25	7
8	15	25	8
9	15	25	9
10	15	25	10
11	15	25	11
12	15	25	12
13	15	25	13
14	15	25	14
15	15	25	15
16	15	25	16
17	15	25	17
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15 S. 26 E.



THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

FOR CORRECT EFFECTIVE DATE OF WITHDRAWAL, SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

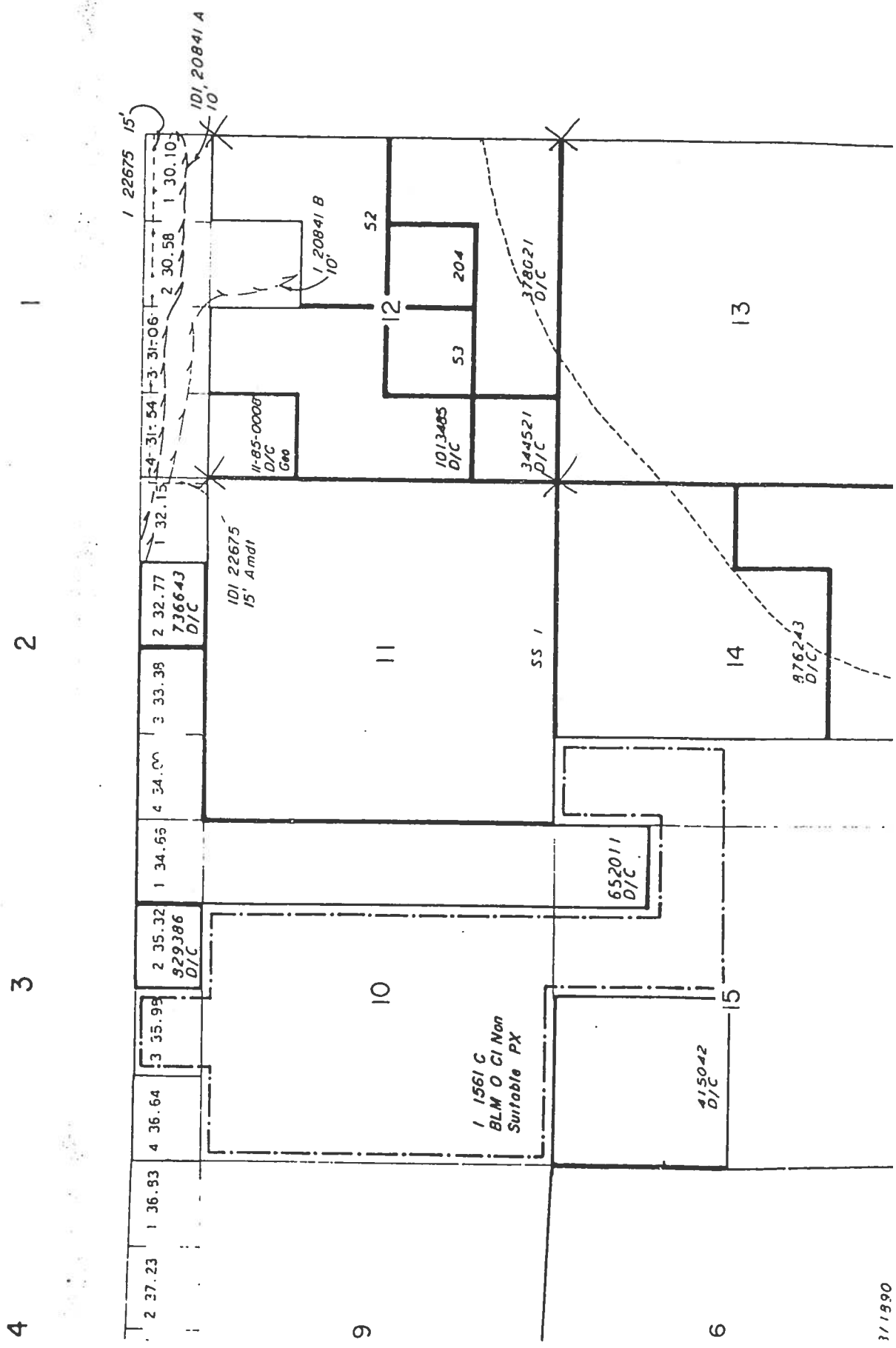
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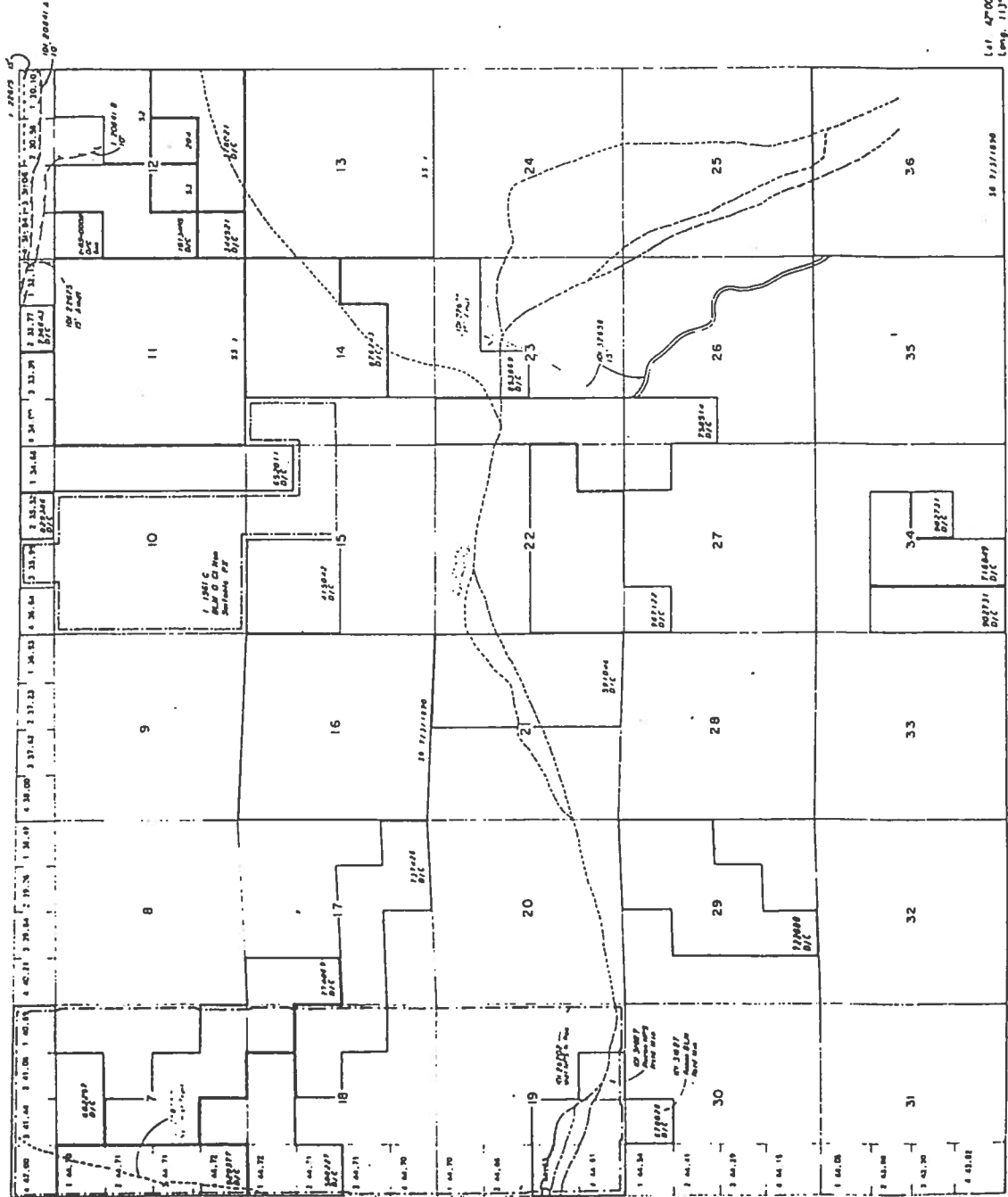
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MT PLAT

INDEX TO SEGREGATED TRACTS			
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H THE PLAT IS THE PROPERTY OF THE BUTLER DISTRICT. IT IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE BUTLER DISTRICT. THE BUTLER DISTRICT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAT. THE BUTLER DISTRICT IS NOT RESPONSIBLE FOR ANY CHANGES IN THE PLAT AFTER IT HAS BEEN FILED.

THE NOTATION SHOWN ON WITHDRAWS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.

Base Map
T. 153
R. 24E

8.5

FOR ORDERS EFFECTIVE DISPOSAL OR USE OF UNRECORDED LANDS REFER TO MOST OF RELEVANT DOCUMENTS

DATE TO	DATE TO
JUL 28 1999	DATE TO

USE PLAT.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 43-07130

Priority: October 06, 1978

It is hereby certified that SPENCER BROTHERS
HC 72 BOX 2418
MALTA ID 83342 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated October 06, 1978; and has
submitted Proof of Beneficial Use on December 22, 1988. An examination indicates that the works have
a diversion capacity of 6.93 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	1.10 CFS	220.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, Twp 16S, Rge 24E, B.M., CASSIA County

GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, Twp 16S, Rge 24E, B.M., 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	
15S 25E 31												13.0			28.0	5.6	46.6
16S 24E 12	18.0	1.3	32.0	40.0													91.3
16S 25E 6											1.2	29.0			29.0	12.0	71.2
16S 25E 7			40.0		40.0	38.0	38.0				L 4	L 3			L 2	L 1	156.0
						L 1	L 2										

Total Acres: 365.1

CONDITIONS OF APPROVAL

1. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
2. After specific notification by the department, the right holder shall install a suitable measuring device 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.

Page 2

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 43-07130

3. This right is limited to the irrigation of 55 acres within the place of use described above in a single irrigation season.
4. Rights 43-00047A, 43-00327, 43-02556 and 43-07130 when combined shall not exceed a total diversion rate of 7.30 cfs, a total annual maximum diversion volume of 1460.1 af at the field headgate, and the irrigation of 365.1 acres.
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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 21st day of JUNE, 2001.

Acting for


KARL J. DREHER
Director

05/10/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-7130

SPENCER BROTHERS

HC 72 BOX 2418

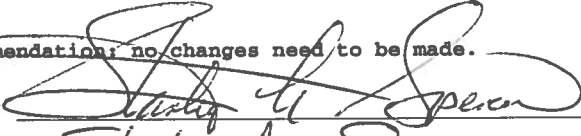
MALTA ID 83342

Telephone Number: (435)827-5573

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.
DATE: 6/4/01 SIGNATURE: 
Please print your name: Stanley A. Spencer

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

12/18/2000

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

RIGHT NUMBER: 43-7130

NAME AND ADDRESS: SPENCER BROTHERS
HC 72 BOX 2418
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 1.1 CFS
220 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.93 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1460 AF. COMBINED RIGHT NOS.: 43-2556, 43-4089, 43-4090.

THIS RIGHT WHEN COMBINED WITH RIGHT NOS. 43-47A, 43-327, 43-2556, 43-4089, 43-4090 AND 43-4150 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 10/06/1978

POINT OF DIVERSION:	T16S R24E S12	NENENE	Within CASSIA County
	T16S R24E S12	SWSWNE	Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	1.10 CFS 220.00 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County

T15S R25E S31	SESW	13	T15S R25E S31	SWSE	28
T15S R25E S31	SESE	5.6	T16S R24E S12	NENE	18
T16S R24E S12	NWNE	1.3	T16S R24E S12	SWNE	32
T16S R24E S12	SENE	40	T16S R25E S6	LOT 4	SWSW 1.2
T16S R25E S6	LOT 3	SESW 29	T16S R25E S6	LOT 2	SWSE 29
T16S R25E S6	LOT 1	SESE 12	T16S R25E S7		NWNE 40
T16S R25E S7		NENW 40	T16S R25E S7	LOT 1	NWNW 38
T16S R25E S7	LOT 2	SWNW 38			

365.1 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 55 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 365 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-47A, 43-327, 43-2556, 43-4089, 43-4090, 43-4150.

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.

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

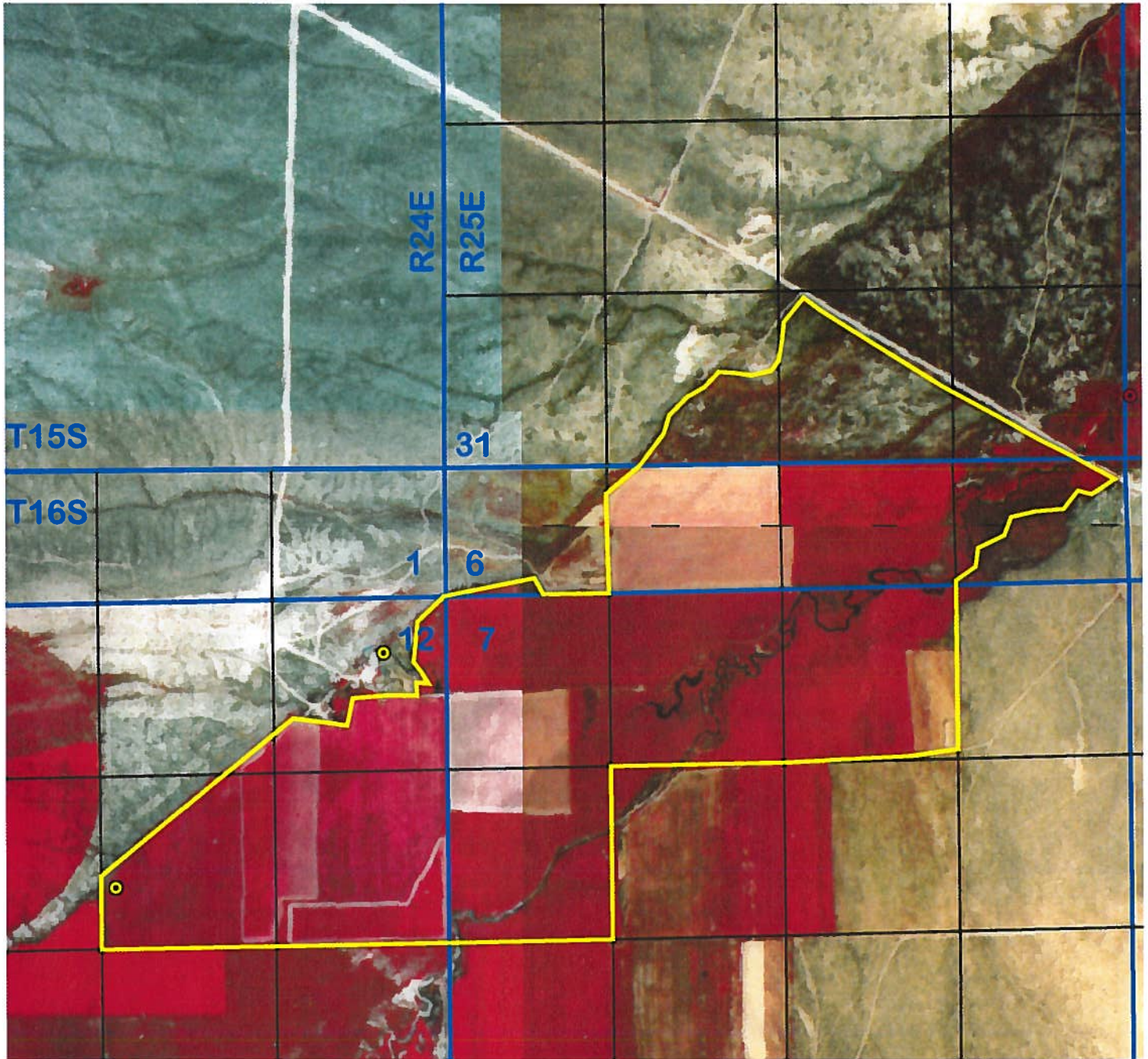
THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF WATER DISTRICT 43B.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

Idaho Department of Water Resources

**RIGHTS: 43-47A, 43-327, 43-2556,
43-4089, 43-4090, 43-4150, 43-7130**

RECOMMENDED PLACE OF USE
TWP 15S, RNG 25E, Sec 31
TWP 16S, RNG 24E, Sec 1, 12
TWP 16S, RNG 15E, Sec 6, 7
Data entry on December 14, 2000



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



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

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 43-07130

Date of Priority: October 06, 1978

Maximum Diversion Rate: 1.10 CFS
Maximum Diversion Volume: 220.0 AF

Comes now **SPENCER BROTHERS**
HC 72 BOX 2418
MALTA ID 83342

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. 43-07130, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.10 CFS	220.0 AF

LOCATION OF POINT(S) OF DIVERSION:

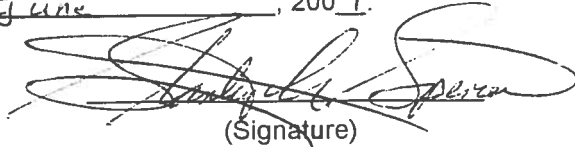
GROUND WATER SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, Twp 16S, Rge 24E, B.M., CASSIA County
GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12, Twp 16S, Rge 24E, B.M., CASSIA County

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	
15S 25E 31												13.0			28.0	5.6	46.6
16S 24E 12	18.0	1.3	32.0	40.0													91.3
16S 25E 6									1.2	29.0					29.0	12.0	71.2
16S 25E 7		40.0			40.0	38.0	38.0		L 4	L 3				L 2	L 1		156.0
						L 1	L 2										

Total Acres: 365.1

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 this 4th day of June, 2001.


(Signature)

Hancock, Vikie

From: Walker, Kay
Sent: Wednesday, April 11, 2001 12:24 PM
To: Hancock, Vikie
Subject: RE: 43-7130

Thanks for the heads-up... I will put a copy of your e-mail in the file so we don't take adverse action in case he doesn't send me a letter - I talked with him late yesterday and told him I thought the preliminary reports for B43 had gone out a couple of weeks ago... No wonder he sounded so confused when I was talking about the recommendations and system as a whole. Oops! Glad you have straightened me out. Kay

-----Original Message-----

From: Hancock, Vikie
Sent: Wednesday, April 11, 2001 11:52 AM
To: Walker, Kay
Subject: 43-7130

Kay

I talked to Stan Spencer about the appl for amendment that you sent him. He was concerned that the diversion rate on the proposed license was less than what was on the original claim he has. I explained that he would not really have a good idea of what total diversion rate he had until he saw his various preliminary reports on the ranch. (We are sending the B43 Preliminary out the end of May). My original advice to him was to go ahead and send in the \$50 and the amendment, but now after talking to Corey, I called him back and left a message to hold off on it until he sees all his preliminary recommendations. Corey pointed out that his time for disputing his license may be shorter than the time he will have to fully investigate his rights as recommended.

Hopefully he didn't run right out to the mailbox and then leave for the day. I asked him to call me back, so I'll advise him to send you a letter of his intent to wait on the amendment, and why, if that is what he decides to do.

Vikie

KDC Sta

COMMUNICATION DOCUMENTATION

From: Vikie Hancock

April 11, 2001

Regarding:

Permit 43-7130

Customer:

Stan Spencer 1-435-827-5573

[illegible]

Mr. Spencer purchased property on which SRBA water rights were originally filed upon by Harold Olin Ward. He called regarding an application to amend a permit that was sent to him by Kay Walker of allocations in Boise. According to my conversation with Kay, he had to amend his permit because I had recommended a PPU, and in order to license the right as recommended in the SRBA, they needed to add ¼ ¼ s to the permit. She had also told Mr. Spencer that he should have received his preliminary reports, which have not been sent out as of this date.

I explained to him that he would be receiving the preliminary reports the end of May, and the reason that he had to amend his permit. He said that it didn't look like he had received as much water as was on the original claim filed by Ward. I told him that perhaps when he was able to go over all his rights on the ranch it would make more sense, and that I remembered that the claims as filed by Ward were quite confusing. I explained the public meeting, Notice of Error process and also the Objection process. He asked if he could meet with me now to discuss the claims, and I said that it would be better to wait until the report was out. He asked if he should go ahead and sign the amendment and send in the \$50 to Boise and I said yes, that then they could license it. I told him that he could object to that license as claimed in the SRBA if he eventually thought that it was incorrect.

Hancock, Vikie

From: Walker, Kay
Sent: Thursday, April 05, 2001 8:14 AM
To: Hancock, Vikie
Subject: RE: Permit 43-07130

Hi, Vikie! The amendment is necessary to add the ppu to the permit. They didn't have all the 40's listed on the permit so had to request an amendment to cover them. Hope this helps. kay

-----Original Message-----

From: Hancock, Vikie
Sent: Thursday, April 05, 2001 8:11 AM
To: Walker, Kay
Subject: RE: Permit 43-07130

Thanks a lot for the warning. Since I'm not always sure of the procedures for allocations, what exactly made the amendment necessary (just in case they do call me I won't sound like a complete idiot). Don't even think that you need to be sorry about how long it took you - we're fairly behind on this basin ourselves for the same reason. Our QC-ing of recommendations is now finding stuff we tried to do at the beginning of database migration and actually thought we'd done right and now find out didn't really happen even though it looked like it did. Follow? Thanks again.

Vikie

-----Original Message-----

From: Walker, Kay
Sent: Wednesday, April 04, 2001 2:09 PM
To: Hancock, Vikie
Subject: Permit 43-07130

WARNING!! WARNING!! I have just prepared a licensing amendment to go out on Spencer Brothers permit. I am warning you in case they call and complain about the amendment fee. I have prepared the proposed license in accordance with your preliminary report. Sorry it has taken so long to get it to this stage. The data base migration has made progress on my part real slow. Let me know if there are problems. Kay

RECOMMENDATION NOTES

From: Vikie Hancock 

12/14/00

Regarding: 43-2556, 43-4090
43-4089, 43-7130

Originally filed by Harold Olen Ward, purchased by Spencer.

The above claims are for irrigation from ground water. Surface water from Raft River and Circle Creek is also appurtenant to the same place of use.

Evidence in the file supports the following in regard to the development of groundwater usage on the Ward farm:

- In 1951 a well was drilled in the NENE Section 12, T16S R24E. The well tested at 2.5 cfs. It was equipped with a 40 HP motor and used for gravity irrigation. According to the well log, it was 200 feet deep and 16 inches in diameter.
- In February 1960, Dwayne Ward applied for a permit (43-2490) to irrigate 146 acres from the 1951 well. Disposition of witnesses state that water was first applied to the land in 1958. Licensing field exam in 1965 found 114 acres and measured capacity of this well with a 40 HP pump at 2.72 cfs. License was issued for 114 acres and 2.28 cfs. This license was not claimed in the SRBA.
- In 1962 Dwayne Ward applied for a permit (43-2556) for 2.5 cfs of water to irrigate 214 acres from ground water, POD NENE Section 12.
- In June 1966, Mr. Ward inquired as to whether he could drill a new well under the existing permit. He was informed that the well had to be in the NENE Section 12 and would be limited to the permitted diversion rate, and must be completed before November 1967.
- In August 1966 a new well for irrigation was completed for H. Olen Ward. According to the well log, this well was located in the NENE Section 12, was 300 feet deep and had a 20 inch casing. The licensed driller was Bishop. The signature on the log is undecipherable.
- 1968 field exam found POD in NENE Section 12 and measured a capacity of 3.59 cfs. The well was equipped with a 75 HP motor.
- In August 1973 an Amendment of permit 43-2556 was filed to change the POD to the SWNE Section 12 and rearrange the 214 acres to be irrigated. See memo in file stating that no well was drilled in the NENE Section 12. Note that according to affidavits there was a well in the SWNE existing since 1947 and re-drilled by Jack Erickson in 1967. There are no prior historical documents which reference this well.
- December 1973 field exam found POD in the NENE and 185 acres irrigated from that POD. There is no mention of the well in the SWNE even though it was on the amended application for permit. Application was amended in

1975 to agree with the field exam POU and POD. License 43-2556 was issued for 185 acres and 2.5 cfs, one POD in the NENE Sec 12.

- In 1978, Harold Olen Ward filed two statutory claims and one application for permit, all for groundwater. Statutory claim 43-4090, priority date 1951, was for 145 acres that included all but two of the acres licensed under 43-2490 with 1960 priority date. Statutory claim 43-4089 claimed beneficial use from 1947 from the well in SWNE. The permit, 43-7130, listed both wells as POD, and described them as a 20 inch diameter well in SWNE and a 16 inch diameter well in the NENE Sec 12.
- In 1989 Harold Olen Ward filed four SRBA claims. 43-2556, based upon the 1962 license and 43-4090 for 196 acres based upon the statutory claim. (No claim based upon license 43-2490 was submitted). 43-4089 based upon the statutory claim with priority date 1947, and 43-7130 based upon the 1978 permit for acres developed prior to 1985. 43-2556, -4089 and -4090 have overlapping places of use. 43-7130 is for acres added after sprinkler irrigation was expanded in 1979.
- Calculations done by Scott King and Cindy Bird from information received from Spencer Brothers in February 2000 determine that the maximum diversion rate of the SWNE Sec 12 well is 3.98 cfs. That together the wells in the NENE and SWNE Section 12 have produced as much as 7.31 cfs and have a current capacity of 5.1 cfs.

Findings:

According to evidence in license file 43-2490, 114 acres were irrigated from the well in the NENE Sec 12 in 1965, and had been developed by 1958. Therefore, beneficial use claim 43-4090 should be limited to 114 acres and 2.28 cfs with a priority date no earlier than 1958. Since all but nine of these acres were included in license 43-2556, 43-2556 and 43-4090 should be limited, when combined, to 185 acres and a diversion rate of 3.59 cfs which was the measured capacity of the NENE well at the time of licensing.

Statutory claim 43-4089, asserting a 1948 priority date, was filed for 265 acres and 5.3 cfs in 1978, however affidavits submitted with SRBA claim 43-4089 in 1989 state that between 120 and 130 acres were irrigated from a well in the SWNE beginning in 1948. This claim should therefore be recommended for 130 acres and 2.6 cfs.

It appears that only 125 of the acres listed in statutory claim 43-4089 were additional to the 185 acres included in license 43-2556, the rest overlapping. Using 1987 NAPP aerial photography, GIS found and calculated 365 irrigated acres. Therefore, 55 acres were developed under permit 43-7130, after 1978 and prior to 1987. These findings agree relatively well to the numbers approximated by Mr. Ward in his 1989 Notices of Claim and map of expanded acres submitted in 1991.

MEMO

From: Vikie Hancock

12/18/00

Regarding: 43-7130

This Application for Permit was filed in 1978 for an increase in acreage and diversion rate made possible by additional sprinkler irrigation. A review of previous licensing field exams done on the same place of use, and statutory claims filed in 1978, found good evidence to support that 310 acres were irrigated from ground water prior to 1978.

The original Application listed 147.6 acres of intended expansion. In 1988 proof was filed for the completion of the development of 99 acres and 2.0 cfs, but memos in the file indicate that this may have been an estimation by the applicant. In 1989 the applicant filed SRBA claim 43-7130 for those acres irrigated prior to 1987 under this permit. A map of the place of use submitted by the claimant in 1992 identified 51.5 acres of expansion under the 1978 permit.

Calculations done by ArcView GIS using 1987 NAPP aerial photography found that 365 acres were being irrigated in 1987. I am recommending that 55 acres be allowed under this permit.

There are two wells listed as points of diversion for 43-7130. Affidavits assert that well #1, located in the SWNE Section 12, was drilled in 1947 with a replacement well drilled in 1967. No documents were found to substantiate these dates. Calculations done by Scott King and Cindy Bird based upon information from Raft River Rural Electric and system information supplied by the recent purchasers, determined that this well had a historic capacity of 3.98 and a current design capacity of 3.34.

Well #2, located in the NENE Section 12, was drilled in 1951. It is not clear whether this well has been replaced or just upgraded. The capacity of the well was measured at 2.5 cfs in 1965 during licensing field exam for 43-2490 and 3.59 cfs in 1968 during the licensing field exam for 43-2556. According to RRRE data, the capacity in 1986 was 1.72 cfs.

According to Scott King, the maximum historic diversion rate of the two wells combined is at least 7.3 cfs and that current capacity is approximately 5.1 cfs. Information supplied by the current owners of the property indicates that, from 1972 to 1999, the sprinkling system consisted of eleven 33 nozzle lines equipped with 5/32 nozzles, or a discharge of 4.0 cfs. The estimated design capacity for pivots and handlines in 2000 is 3.34 cfs.

I am therefore recommending that an additional 1.1 cfs be allowed for this permit. Combined limits of not more than .02 cfs per acre should be imposed upon all rights from surface and groundwater.

Summary of SRBA Recommendations

43-2556 GW 2.5 cfs on 185 acres within 365 acre PPU

43-4090 GW 2.28 cfs on 114 acres within 365 acre PPU.

When combined, 43-2556 and 43-4090 are limited to 185 acres and 3.59 cfs ✓

43-4089 GW 2.6 cfs on 130 acres within 365 acre PPU

When combined 43-2556, 43-4089 & 43-4090 are limited to 310 acres. ✓

43-47A Raft River 2.0 cfs on 100 acres within 365 acre PPU

43-327 Raft River 2.5 cfs on 125 acres within 365 acre PPU

43-4150 Circle Creek 2.8 cfs on 140 acres within 365 acre PPU

Suggested Licensing Recommendation:

43-7130 GW 1.1 cfs on 55 acres within 365 acre PPU

Combined limits - 3.59 cfs well #2

3.34.cfs well #1 (current capacity) ✓ 4.93

ACRES IRRIGATED FROM GROUND WATER 1948 - 1987

1. Affidavits included in SRBA claim 43-4089 (based upon statutory claim filed in 1978) state 130 acres irrigated from well #1 in 1948.
2. 1965 licensing field exam for 43-2490, including ACSC map, finds 114 acres irrigated from well #2. An estimated 19 acres overlap with those irrigated by well #1, bringing total acres to 225.
3. 1973 licensing field exam for 43-2556 finds 185 acres irrigated from well #2. All but 125 acres overlap lands included in previous license 43-2490 and those identified in Statutory claim 43-4089. Total acres irrigated now 310.
4. Map of expanded irrigation submitted by claimant Harold Olen Ward in 1992 identifies 51.5 acres added under 1978 permit. Note: non-irrigated areas identified on 1965 ASCS map correspond to location of acres designated as expanded under permit 43-7130 on this map.
5. Number of acres found irrigated by ArcView GIS using 1987 NAPP aerial photos is 365. See exhibit of overlapping rights dated 12./2000.

DIVERSION RATES FROM GROUND WATER - SPENCER BROTHERS

<u>YEAR</u>	<u>LIC/CLAIM ACRES</u>	<u>CAPACITY WELL #1</u>	<u>CAPACITY WELL #2</u>	<u>TOTAL CAPACITY</u>	<u>FOUND ACRES</u>
1948	295	2.6?		2.6?	130
1962	114		2.5	5.1?	225
1973	185	3.72	3.59	7.1	310
1987	55	3.98	1.72	5.7	365
2000	- -	3.34	1.72	5.1	- -

1972-99 Sprinkler system designed for 4.0 cfs

2000 Pivot system designed for 3.34 cfs

Information from licensing files 43-2490, 43-2556, and calculations dated 10/2000 by S. King and C. Bird based upon information submitted by Spencer Brothers.

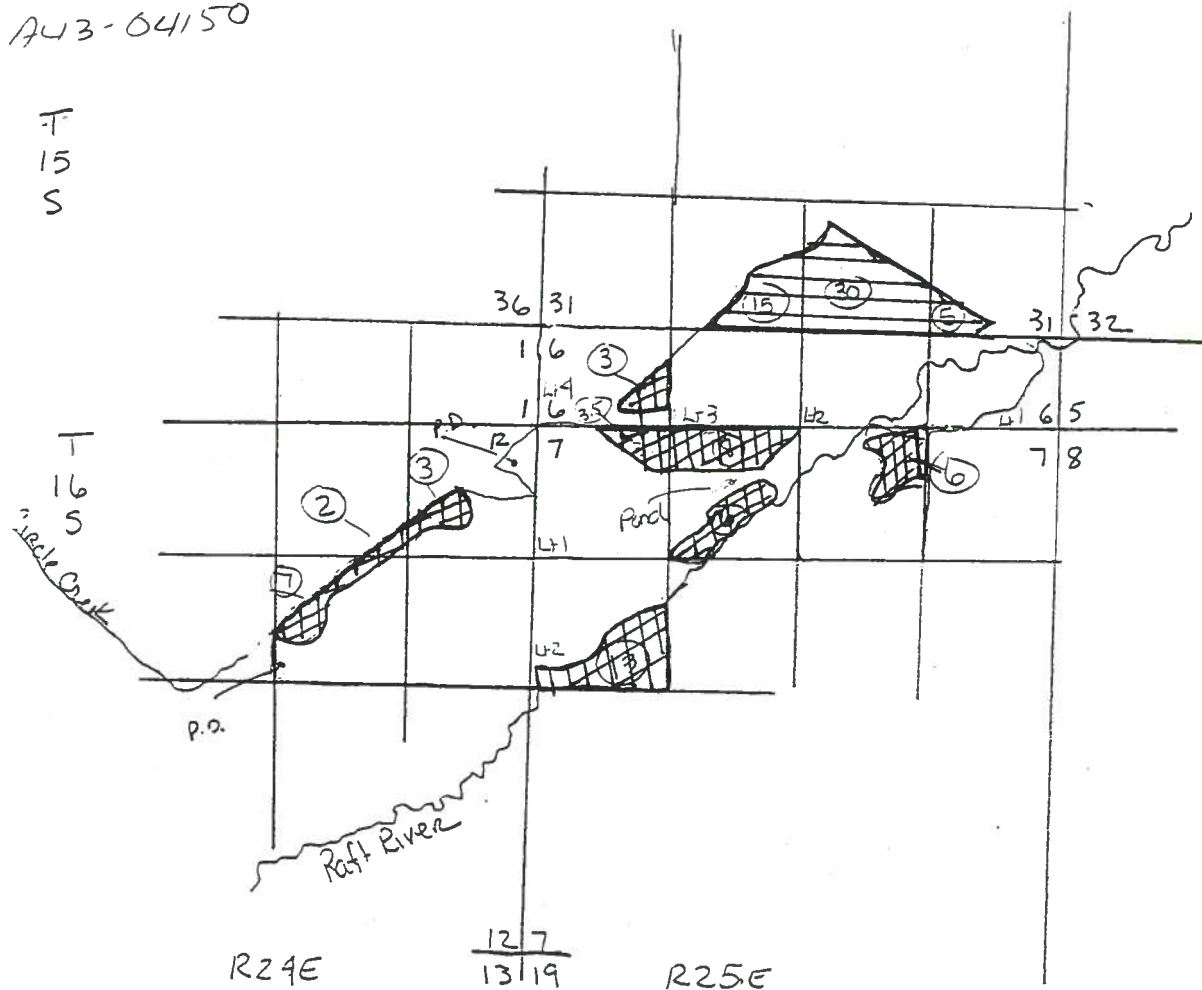
See SRBA file 43-4089 for supporting documents

A43-07130
 A43-02556
 A43-04089
 A43-00047A
 A43-00327
 A43-04150

Copied from Harold Olsen Ward original
 4/22/99 sec

cc. to all claims

(also: A43-4090)



2 phases of Expansions:

1962 = Red = 50.5 ac covered under license 43-02556
 1978 = Blue = 51.5 ac covered under Permit 43-07130

Total Expansion
 acres = 101.5

For Office Use Only
\$25.00 Filing Fee
Receipt # 8022058
Date 4-22-99
SCC

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 22 1999
Department of Water Resources
Cotton Region

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, HAROLD OLEN WARD, hereby assign to SPENCER Brothers
of HC 72 Box 2418, MALTA, ID 83342
(Permit Holder)
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 43-07130
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

~~The following described portion of my right, title, and interest in and to
Permit No. _____ to appropriate the public waters of the State of Idaho.~~

~~Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.~~

RECEIVED Made this 22 day of April, 1999.

APR 27 1999

Department of Water Resources

Harold Olen Ward
Permit Holder(s)

State of Idaho)
County of TWIN FALLS)
SS

On this 22ND day of April, 1999, personally appeared before me
the signar of the above instrument, duly acknowledged to me that he/she/they executed the same.

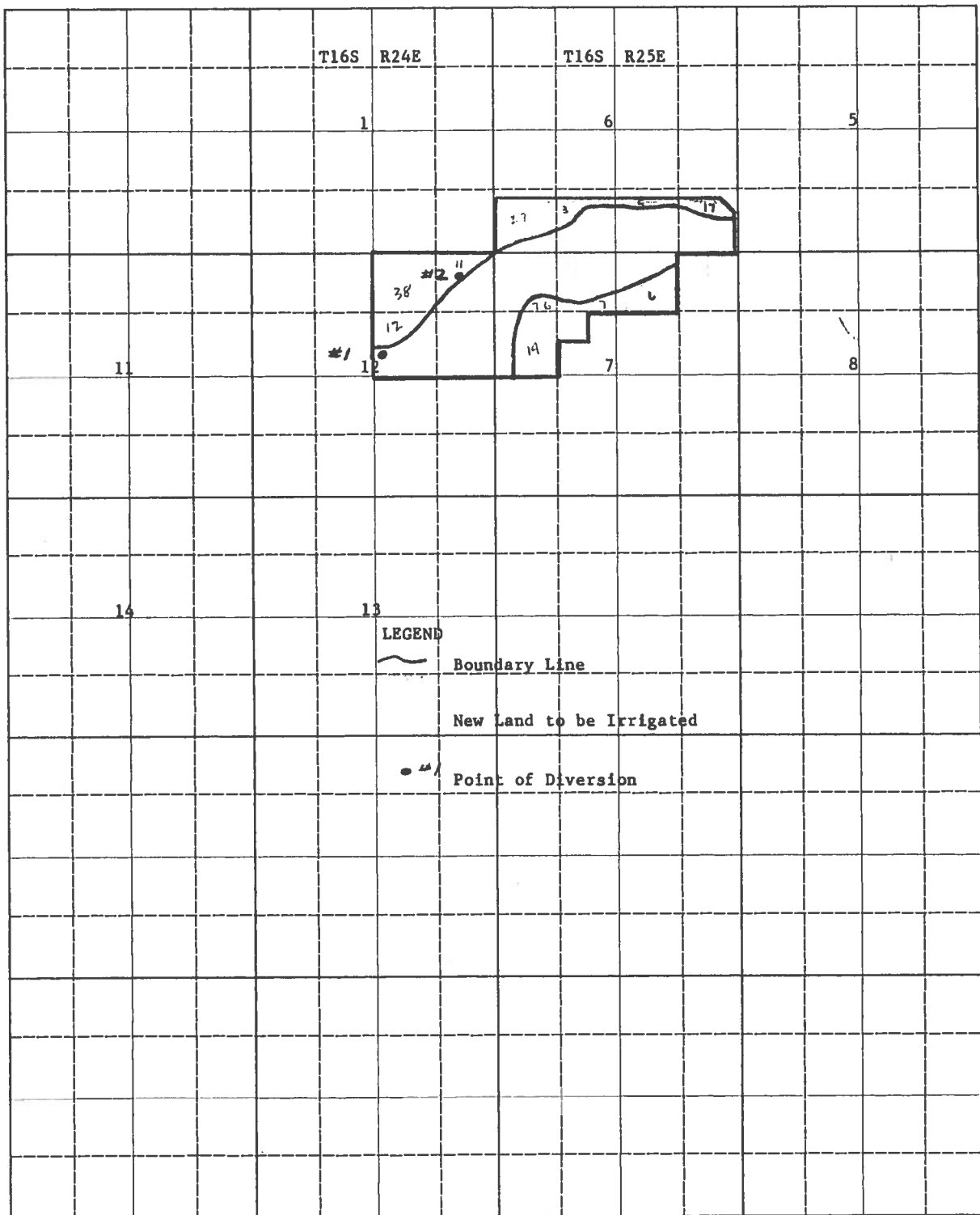
Steve Clelland STEVE CLELLAND
Notary Public
TWIN FALLS, ID

SEAL

My commission expires: 12/7/2000

Signature
MICROFILMED
JUN 09 1999

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Harold Olson
(Applicant)

MEMORANDUM

TO: FILE

FROM: TIM LUKE *TL*

RE: SWAN FALLS PROCESSING

DATE: 2/21/89

As per the direction of the Department's questionnaire, Mr. Ward has submitted additional evidence showing extent of use under the permit prior to 7/1/85. Evidence includes a detailed affidavit and several invoices for irrigation equipment and installation dating back to 1979.

As stated in a memo to the file dated 1/30/89, Mr. Ward had submitted an extension in 1983 and stated that approximately 60 acres had been completed and then submitted proof in 1988 on 99 acres. Ward stated in a phone conversation to me on 1/30/89 that the acreage claimed was being developed in the extension request was an approximation and the acreage claimed on the proof was somewhat overstated so as to provide insurance that all of the previously developed acreage would be included for licensing and that there had been no expansion since filing the original extension request. The proof which he was required to submit in December of 1988 was for the approximately 60 plus acres developed prior to 7/1/85. By submitting proof on only 99 acres, Ward understands that he is relinquishing a portion of the permit.

In summation, there is sufficient evidence in the file that indicates the portion of the permit for which proof was submitted was developed prior to 7/1/85 and therefore is exempt from further review of 42-203D. This file will be removed from the Swan Falls process list. The regional office should proceed with a field examination and prepare an examination report for the state office for licensing.

AFFIDAVIT

I, Dwayne D. Ward of Almo, Idaho, hereby testify on February 13, 1989 that Harold Olen Ward purchased and installed a sprinkler system on land in Sections 6 and 7, Township 16S, Range 25E and Section 12, Township 16S, Range 24E Boise Meridian in the spring of 1979. The land is currently owned by Harold Olen Ward and Lorrayne B. Ward. With the sprinkler system additional land was brought under irrigation using the water resource from the two existing wells being used to irrigate lands previously developed. The new irrigation development consisted of extending the irrigation area to higher lying lands and lands not readily accessible with the previous gravity irrigation system.

A part of the new irrigation development was cleared, plowed, seeded and irrigated by about 1981. Further expansion of the irrigation development continued into 1984. I reside on the ranch and personally observed the development described.

Dwayne D. Ward
Dwayne D. Ward
Almo, Idaho 83312

State Of Idaho
County of Cassia

Subscribed and sworn to before me this 13 day of Feb., 1989

Ella Lillmore

Notary Public



RAIN FOR RENT of Idaho, Inc.

P. O. BOX 326

BURLEY, IDAHO 83318

HIGHWAY 27

PAUL, IDAHO 83347

PHONE (208) 438-5085

August 9, 1979

H. Olen Ward
7209 Kingston Drive
Boise, Idaho 83704

Dear Mr. Ward:

Thank you for your letter of August 6, 1979, and your check for \$1999.61. We apologize for the delay in completing the construction and finalizing the paper work. We appreciate your patience.

We enjoyed working with you on this project and hope to be considered as a supplier again in the future.

Sincerely,

Gary Christensen
Manager

kac

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

1. Permit number 43-7130

- 5. Remarks:**

Harold Alan Ward
Permit holder

Date 2/17/89

Address: 7209 Kingston Dr
Boise, Idaho 83704

Phone (208) 376-7815

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Harold Olen &/or Lorraine B. Ward Phone 376-7615

Post office address 7209 Kingston Drive, Boise, Idaho 83704

2. Source of water supply A ground water source which is a tributary of _____

3. Location of point of diversion is (#1) SW 1/4 of NE 1/4 of Section 12 Township 16S

Range 24E B.M. Cassia County, additional points of diversion if any: _____

(#2) NE 1/4 NE 1/4, Sec. 12, T16S, R24E, Cassia

4. Water will be used for the following purposes:

Amount 2.95 for irrigation purposes from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 2.95 cubic feet per second and/or b. 517.0 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. The well is an existing facility which was drilled in 1947 and first used in 1948.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.

Existing well diameter is #2 16 inches; existing depth of well is 150 feet.
Proposed well diameter is #1 21 inches; proposed depth of well is 300 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year -- maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water, _____ % of _____ % of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe _____

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

[illegible]

Total number of acres to be irrigated	147.6
---------------------------------------	-------

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Harold Olen and Lorraine L. Ward

b. Who owns the land to be irrigated or place of use Harold Olen and Lorraine B. Ward

2. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Conversion from a gravity irrigation system to a sprinkler system has made it possible to irrigate lands that were not easily irrigated previously. Some of these tracts were irrigated in the past and others are subject to new development. This application is being filed as an addition to a claim to a water right on these same wells. The acreage covered under the claims was irrigated initially in 1948. Water is at times comingled from both points of diversion and will be used to irrigate portions of the land listed in this application. In order to maintain this flexibility the applicant is including both wells on this application.

MEMORANDUM

TO: FILE

FROM: TIM LUKE *DL*

RE: PERMIT 43-7130

DATE: 1/30/89

Mr. Ward phoned today in response to our Swan Falls letter of 1/30/89 and we reviewed the chronology of events related to this file.

In December of 1983, Mr. Ward filed an Extension of Time Request and stated that about 60 acres had been developed. In December of 1988, Mr. Ward submitted proof on 99 acres (proof was due 1/1/89). He stated that the 99 acres may have been overstated somewhat since he was not sure of the exact amount of acreage developed. The 60 acres referenced in the extension request was also an estimate at that time. Ward stated, and the file confirms that the acreage under this permit is an extension of previously irrigated land under older and existing wells referenced in groundwater claims. He was able to pick up these lands as a result of converting from gravity to sprinkler irrigation. He stated that the approximate 99 acres which he is proving up on were all developed prior to 7/1/85.

I explained that he would nonetheless need to submit some further evidence showing extent of use. He agreed that he would provide what ever information he could, but added that he did not think the ASCS had arials for this area.

No further action will be taken until completing evaluation of the additional information which Ward said he will submit within the requested time frame.

(UD-26)

Water Right Number - 43-07130

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

HAROLD OLEN

1 - 7209 KINGSTON DRIVE

2 -

State- ID Zip- 83704

WARD

LORRAYNE B.

City- BOISE

1 - 7209 KINGSTON DRIVE

2 -

State- ID Zip- 83704

+ - - - - Priority Date - - - - - +

10/06/1978

+ - - - - Region - - - - - +

P - PERMIT

+ - - - - Source - - - - - +

GROUNDWATER

+ - - - - Stage - - - - - +

Tributary - - - - - +

+ - - - - TwN Rng Sec Tract Lot RFlg County Point of Diversion - - - - - +

16S 24E 12 NE NE (31) CASSIA

(31) CASSIA

SW NE (31) CASSIA

+ - - - - Code Description Period From Period To Water Use - - - - - +

01 - IRRIGATION

03/15

11/15

2.950

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

2.950

+ - - - - TwN Rng Sec Tract Lot Acres Place of Use - - - - - +

16S 24E 12 NE NE 11.0 01 IRRIGATION (31) CASSIA

16S 24E 12 NW NE 38.0 01 IRRIGATION (31) CASSIA

16S 24E 12 SW NE 12.0 01 IRRIGATION (31) CASSIA

16S 25E 6 SE SW 4 27.0 01 IRRIGATION (31) CASSIA

16S 25E 6 SE SW 3 3.0 01 IRRIGATION (31) CASSIA

16S 25E 6 SE SE 2 5.0 01 IRRIGATION (31) CASSIA

16S 25E 6 SE SE 1 17.0 01 IRRIGATION (31) CASSIA

16S 25E 7 NW NE 6.0 01 IRRIGATION (31) CASSIA

16S 25E 7 NW NE 7.0 01 IRRIGATION (31) CASSIA

16S 25E 7 NW NW 8.0 01 IRRIGATION (31) CASSIA

Total Acres: 148.0

+ - - - - Diversion Means -

Water right number - 43-07130

Prefix translation: WATER RIGHT

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

REMARKS
THIS APPLICATION IS BEING FILED AS AN ADDITION TO A CLAIM TO A
A WATER RIGHT ON THESE SAME WELLS

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

+ - - - - - Conditions of Approval - - - - -
01C - A flow measurement port or other device as specified by the
- Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

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

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

+ - - Audit Fields - 09/22/87 05/28/88 01/23/89

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

Proof Due Date	- 01/01/1989	Field Exam Made	- 00/00/0000	Field Exam Fee	- R
Approved/Denied	- 02/08/1979	Protested Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 12/22/1988	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	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. STEED HEARING

A43-07130

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 Frank Hitchcock

September 8, 1997 1:34pm

NAME:

OLEN WARD-UPPER RAFT RIVER

RE:

RECORDS FOR USAGES RELATED
STEED/REEDSPRINGS-HEARING.

WALK-IN AT 9:20-CW-WANTED ALL USAGES "LICENSES" FOR BRUCE DURFEE,
KENT DURFEE, BRENT JONES AND BILL JONES.

DISCUSSED HIS PROTEST RE: STEED USAGES AND FLOWS FROM THE STEED
ACRES.

REVIEWED BASIN 43 SEL/ALPHA CLAIMS RECORDS FOR UPPER RAFT RIVER
CLAIMS ASSIGNED TO FH AND DID AN AJS58 QUERY FOR THE CLAIMS OF THE
NOTED PEOPLE. COLLATED BY NUMBER AND PUT COPIES OF THE NAME LISTS
USED WITH EACH SET.

WARD CALLED BACK AT 11:42 TO CONFIRM THE JONES CLAIMS BEING PULLED.
HE STOPPED IN SHORTLY AFTER NOON TO PICK UP THE PROOFS LEFT FOR HIM
AT THE FRONT DESK.

Water Right Number - 43-07130

Prefix Translation:

WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***

HAROLD OLEN

1 - 7209 KINGSTON DRIVE

State- ID Zip- 83704

WARD

LORRAYNE B.

2 -
3 -
City- BOISE
Phone -
1 - 7209 KINGSTON DRIVE

State- ID Zip- 83704

2 -
3 -
City- BOISE
Phone -

+ - - Priority Date - - +

+ - - - Region - - - +

+ - - - Stage - - - +

+ - - - Status - - - +

10/06/1978

17 SOUTHERN

P - PERMIT

+ - - - - Source - - - - +

+ - - - -

+ - - - - Tributary - - - - +

+ - - - -

+ - - - - Point of Diversion - - - - +

+ - - - -

+ - - - -

+ - - - -

16S 24E 12 NE NE
SW NE(31) CASSIA
(31) CASSIA

+ - - - -

+ - - - - Water Use - - - - +

+ - - - -

+ - - - -

01 - IRRIGATION

03/15

11/15

2.950

+ - - Total Div. Rate - + - - Total Div. Volume - + - - Total Div. Capacity - +
2.950

+ - - - -

16S 24E 12 NE NE

12

11.0

01 IRRIGATION

(31) CASSIA

16S 24E 12 NE NE

38.0

01 IRRIGATION

(31) CASSIA

16S 24E 12 NE NE

12.0

01 IRRIGATION

(31) CASSIA

16S 25E 6 SE SW

27.0

01 IRRIGATION

(31) CASSIA

16S 25E 6 SE SW

3.0

01 IRRIGATION

(31) CASSIA

16S 25E 6 SE SE

5.0

01 IRRIGATION

(31) CASSIA

16S 25E 6 SE SE

17.0

01 IRRIGATION

(31) CASSIA

16S 25E 7 NE NE

6.0

01 IRRIGATION

(31) CASSIA

16S 25E 7 NE NW

7.0

01 IRRIGATION

(31) CASSIA

Total Acres: 148.0

+ - - Diversion Means -

WATER RIGHT

Proof Due Date	- 01/01/1989	Field Exam Made	- 00/00/0000	Field Exam Fee	- R
Approved/Denied	- 02/08/1979	Protected Date	- 00/00/0000	Swan Falls	- 7
Proof Made Date	- 12/22/1988	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carrey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				