

05/24/2006

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

RIGHT NUMBER: 2-220

NAME AND ADDRESS: TOM MALLANE
1004 GRIDLEY DR
HAGERMAN ID 83332

VONNIE MALLANE
1004 GRIDLEY DR
HAGERMAN ID 83332

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.020 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-00055AA IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.02 CFS.

THE AMOUNT DIVERTED UNDER THIS RIGHT SHALL BE LIMITED TO THE
AMOUNT OF WATER AVAILABLE UNDER THE PRIORITY OF THIS RIGHT
FROM RILEY CREEK AT THE ORIGINAL POINT OF DIVERSION IN NENWSE,
LOT 7, S01, T08S, R13E.

PRIORITY DATE: 05/01/1883

POINT OF DIVERSION:

T08S R13E S1 NWNWSE Lot 11 Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	0.020 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T08S R13E S01 Lot 11 NWSE 1.00

1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-00055AA IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PROPERTY IS ALSO KNOWN AS LOT 26, GRIDLEY ISLAND SUBDIVISION.

11/27/2002

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

RIGHT NUMBER: 2-220

NAME AND ADDRESS: TOM MALLANE
VONNIE MALLANE
PO BOX 574
KETCHUM ID 83340

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.02 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-00055AA IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.02 CFS.

PRIORITY DATE: 05/01/1883

POINT OF DIVERSION:

T08S R13E S1 NWNWE Lot 11 Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

02/15 11/30

0.02 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T08S R13E S01 Lot 11 NWSE 1.0

1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-00055AA IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THE AMOUNT DIVERTED UNDER THIS RIGHT SHALL BE LIMITED TO THE
AMOUNT OF WATER AVAILABLE UNDER THE PRIORITY OF THIS RIGHT
FROM RILEY CREEK AT THE ORIGINAL POINT OF DIVERSION IN NENWE,
LOT 7, S01, T08S, R13E.

PROPERTY IS ALSO KNOWN AS LOT 26, GRIDLEY ISLAND SUBDIVISION.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

02-220

RECEIVED

NOV 29 2001

Department of Water Resources

2001 NOV 27 11 2 05
11-16

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

In Re SRBA	)	Water Right 36-00055AA
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on August 2, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 02-15 to 11-30

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated November 27, 2001.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-00055AA

1997 DEC 29 PM 3:40

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED

NAME & ADDRESS: VONNIE MALLANE
TOM MALLANE
17 BELL RAPIDS RD
HAGERMAN ID 83332

SOURCE: RILEY CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 0.02 CFS

USE OF THIS RIGHT WITH RIGHT NO. 02-00220 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS.

PRIORITY DATE: 05/01/1883

POINT OF DIVERSION: T08S R13E S01 LOT 7 (NENWSE) Within GOODING County

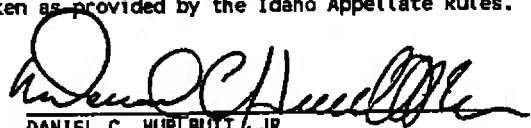
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.02 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T08S R13E S01 Lot 11 (NWSE) 1
1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 02-00220 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1.0 ACRES IN A SINGLE
IRRIGATION SEASON.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT JR.
PRESIDING JUDGE
Snake River Basin Adjudication

Water Right Number - R02-00220

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***

MALLANE

1 - PO BOX 574

2 -

3 -

City- KETCHUM

Phone - 208-000-0000

1 - PO BOX 574

2 -

3 -

City- KETCHUM

Phone - 208-000-0000

1 - RT 1 BOX 147

2 -

3 -

City- HAGERMAN

Phone - 208-837-4873

1 - RT 1 BOX 147

2 -

3 -

City- HAGERMAN

Phone - 208-837-4873

*** O - ORIGINAL OWNER ***

MARTIN

GORDON M

MARGARET

Priority Date - 05/01/1983

Region - 17 SOUTHERN

Source - SNAKE RIVER

Point of Diversion -

County -

Tract - 11

Lot -

Diversion Rate - 0.020

Diversion Volume -

Code - 01 - IRRIGATION

Period From - 04/01

Period To - 10/31

Water Use -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

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Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

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Total Div. Volume -

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Sec - 13E

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Total Div. Volume -

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Sec - 13E

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Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

Tract - 1

Sec - 13E

Div. Rate - 0.020

Total Div. Volume -

MICROFILMED
MAR 19 1993

ACKNOWLEDGMENT

STATE OF IDAHO)

County of Snake)

On this _____ day of _____, 1948, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ and _____, known to me to be the parties whose names are subscribed to this foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

I, the undersigned, a Notary Public, do hereby certify that the foregoing instrument was acknowledged to me by the parties whose names are subscribed to it on this _____ day of _____, 1948, at _____, Idaho.

My Notary Public Seal Expires _____ day of _____, 1948.

Notary Public _____

By _____

ACKNOWLEDGMENT

STATE OF IDAHO)

County of Jerome)

On this _____ day of January, 1948, before me, a Notary Public in and for said State, personally appeared _____, known to me to be the party whose name is subscribed to this foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

I, the undersigned, a Notary Public, do hereby certify that the foregoing instrument was acknowledged to me by the party whose name is subscribed to it on this _____ day of _____, 1948, at _____, Idaho.

My Notary Public Seal Expires _____ day of _____, 1948.

Notary Public _____

By _____

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From: DWR02::KROGH HAMPE 11-APR-1991 11:15:41.79
To: DWR60::CLELLAND
CC:
Subj: Gridley Island water rights

The following remark should be included on each of the Gridley Island rights to right:

" THE AMOUNT DIVERTED UNDER THIS RIGHT SHALL BE LIMITED TO THE AMOUNT OF WATER AVAILABLE UNDER THE PRIORITY OF THIS RIGHT FROM RILEY CREEK AT THE ORIGINAL POINT OF DIVERSION IN _____ . "

Do not include the remark as to the downstream minimum stream flows on the Snake conclusion in the report. If this doesn't take care of the questions, let me know.

Lynne

Remark to:

NENWSE, LOT 7, SEC. 1,
TWP. 8S, RGE. 13E.

R02-00220

R02-00219

R02-00218

R02-00210

R02-00212

R02-00213

R02-00207

R02-00209

R02-00205

R02-00208

R02-10037

(A02-00204) ZEMLUCKA

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MAR 19 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:40:34
09/07/90

R02-00220

PAGE: 16
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-00055AA

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			3-15-91 SCC/NB	N		SCC 3-4-92	SCC 4-11-91	
POINT OF DIV	(Y)			(Y) 10AC	1245C			
SOURCE	(Y)			N				
PLACE OF USE	(Y)			N				
DIV. AMOUNT CFS/VOLUME	-			(Y) 6				
CONSUMPTIVE USE				N				
PURPOSES				N				
PERIOD OF USE	Y N			(Y) 6				
BASIS OF CLAIM	Y N			N				
REMARKS	Y N			(Y) 6				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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MAR 19 1993

TWO R-RECORDS:
R36-00055 AA
R02-00220

08:40:34
09/07/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-00055AA

LAST: MARTIN
ADDRESS: RT. 1 BOX 147
CITY: HAGERMAN
PHONE NUMBER: 208-837-4873
OWNER CODE: O

FIRST: GORDON M.
STATE: ID ZIP: 83332

LAST: MARTIN
ADDRESS: RT. 1 BOX 147
CITY: HAGERMAN
PHONE NUMBER: 208-837-4873
OWNER CODE: O

FIRST: MARGARET
STATE: ID ZIP: 83332

LAST: MALLANE
ADDRESS: P.O. BOX 574
CITY: KETCHUM
PHONE NUMBER: 208-000-0000
OWNER CODE: C

FIRST: VONNIE
STATE: ID ZIP: 83340

LAST: MALLANE
ADDRESS: P.O. BOX 574
CITY: KETCHUM
PHONE NUMBER: 208-000-0000
OWNER CODE: C

FIRST: TOM
STATE: ID ZIP: 83340

FIELD EXAM REQUIRED?

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

CLAIM REMARKS: POU LOT 26 OF GRIDLEY ISLAND SUBD.
AC. IRRIG. = 0.75

OWNERSHIP CHANGE 4/18/90 ADM

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MAR 19 1993

CONTACT PERSON: _____ PHONE NUMBER: () - -
DATE OF FIELD EXAM: / / APPOINTMENT MADE: Y () N () TIME: : A () P ()
ACCOMPANIED BY: _____ PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / REMARKS:
~~Two Numbers Represent this DR. Transfer represented by license 02-07320,~~
Two Numbers Represent this DR.

A02-7320: licensed Rt. from Snake R. via pump for irrigation 1.0 Ac. 0.03 cfs
↙ Disallow & Recommend as 02-00220.

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MAR 19 1993

A. AJ CLAIM: # A36-00055AA PRIORITY DATE: 05-01-1883 STAGE: D
B. WR RECORD: # 36-00055AA PRIORITY DATE: 05-01-1883 STAGE: D

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)

REMARKS:

RECOMMENDED PRIORITY DATE:

05-01-1883

REVIEWED BY

See

DATE

9-10-90

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MAR 19 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	REC	CNTY
A36-00055AA	08S	13E	1	NW	SE		11		GOODING
A36-00055AA	08S	13E	1	NW	SE		7		GOODING

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX

R PREFIX

NONE

02-00218

02-00219

02-00220

02-07313

02-07320

02-07321

02-07327

02-07349

02-07382

36-00055D

36-00055F

36-00055J

36-00055L

36-00055N

36-00055S

36-00055W

36-00055Y

36-07013

36-08323

A02-00010

A02-00205

A02-00206

A02-00208

A02-00209

A02-00210

A02-00211

A02-00212

A02-07313

A02-07321

A02-07327

A02-07349

A02-07381

A02-07382

A36-00055Q

36-00055AD

36-00055AE

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: RILEY CREEK
SNAKE RIVERTRIB: SNAKE RIVER
COLUMBIA RIVER

H. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY

MICROFILMED

MAR 19 1993

GOODING
GOODING

7
11

SE
SE

NW
NW

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

A36-00055Y NONE
A36-00055W
A02-07313
A02-07349
A02-07382
A36-00055L
A02-07320
A02-00206
A02-00211
A02-00212
A36-00055AF
A36-00055D
A36-07013
A36-08323
A36-00055N
A36-10085
A36-00055AB
A36-00055AG
A02-10002
A36-00055J

OTHER WR RECORDS WITH SAME WR POD

02-00218
02-00219
02-00220
36-00055AE
36-00055W
36-00055Y
02-07313
02-07320
02-07321
02-07327
02-07349
02-07382
36-00055D
36-00055F
36-00055J
36-00055L
36-00055N
36-00055S
36-07013
36-08323
A02-00010
A02-00205
A02-00206
A02-00208
A02-00209
A02-00210
A02-00211
A02-00212
A02-07313
A02-07321
A02-07327
A02-07349
A02-07381
A02-07382
A36-00055Q

TRIB: SNAKE RIVER
COLUMBIA RIVER

SOURCE: RILEY CREEK
SNAKE RIVER

FIELD
EXAMINER
Y
Y

DATABASE
Y N

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

C. FIELD EXAM REQUIRED?

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MAR 19 1993

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	LOT	COUNTY
			NW			
			NE			

SOURCE: RILEY CREEK

SNAKE RIVER

REVIEWED BY: SC

TRIB: SNAKE RIVER

COLUMBIA RIVER

DATE: 4-11-91

MICROFILMED

MAR 19 1993

A. ROOT WATER RIGHT NUMBERS:

A02-00204
A02-00206

A02-00211

A02-00212

A36-00055AA

A36-00055AB

A36-00055AD

A36-00055AF

A36-00055BB

A36-00055D

A36-00055H

A36-00055J

A36-00055L

A36-00055N

A36-00055U

A36-00055W

A36-00055Y

A36-00055AG

B. POU LISTING

TWP	RNG	SEC	1/4	NW	SE	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	13E	1					11	MALLANE, VONNIE	A36-00055AA / 1.0	36-00055AA / 1.0		0.92	1.0
								KREPCIK, JOE	A02-07313 / 1.0	02-07313 / 1.0			
								JENSEN, LLOYD	A02-07349 / 1.0	02-07349 / 1.0			
								J. R. SIMPLOT COMPANY	A02-07382 / 1.0	02-07382 / 1.0			
								J. R. SIMPLOT COMPANY	A02-10002 / 1.0	-			
								GRIDLEY ISLAND WATER ASSN.,	INA36-07013 /	36-07013 /			
								GRIDLEY ISLAND WATER ASSN. INCA36-08323	INCA36-08323 /	36-08323 /			
								LE MOYNE, JOHN	A36-10109 /	-			
								WHIPKEY, ROBERT	A36-00055J / 0.6	36-00055J / 1.0			
								LYTLE, LOWELL	A36-00055L / 1.0	36-00055L / 1.0			
								MALLANE, TOM	A02-07320 / 1.0	02-07320 / 1.0			
								MARTIN, LILLIAS P.	A36-00055W / 1.0	36-00055W / 1.0			
								R & L RENTALS	A02-00206 /	-			
								BROWN, ROBERT E.	A02-00211 /	-			
								SIMPLOT, DONALD J.	A02-00212 / 1.0	-			

MICROFILMED

MAR 19 1993

* within Tolerances

Some
ACU

LE MOYNE , JOHN	A36-00055AB/	2.0	-	36-00055AD/	1.0
STANLEY , MARGARET A.	A36-00055AD/	0.6	-	36-00055AD/	1.0
FOSTER , GEORGE R.	A36-00055AF/	1.1	-	36-00055D/	1.0
MENGEL , HERBERT	A36-00055D/	0.5	-	36-00055N/	1.0
BOWER FAMILY TRUST	A36-00055N/	0.5	-	36-00055Y/	1.0
CRAWFORD , CLAY E.	A36-00055Y/	1.0	-	36-00055F/	1.0
DUNLAP , ARTHUR W.	02-00218/	1.0	-	36-00055S/	1.0
MC DANIEL , JOHN A.	02-00219/	1.0	-	36-00056/	1.0
MARTIN , GORDAN M.	02-00220/	1.0	-	36-02904/	1.0
MC DANIEL , JOHN A.	02-07321/	1.0	-	A02-00010/	1.0
DUNLAP , JR. , ARTHUR W.	02-07327/	1.0	-	A02-00205/	1.0
GRIDLEY , WALTER H.	36-00055AE/	13.6	-	A02-00206/	1.0
BRASHER , WALTER H.	36-00055F/	1.0	-	A02-00208/	1.0
O NEILL , LLOYD	36-00055S/	1.0	-	A02-00209/	1.0
GRIDLEY , WALTER	36-00056/	1.0	-	A02-00210/	1.0
GRIDLEY , WALTER	36-02904/	1.0	-	A02-00211/	1.0
LE MOYNE , JOHN R.	A02-00010/	1.0	-	A02-00212/	1.0
VAN HALL , VANCE	A02-00205/	1.0	-	A02-07313/	1.0
BROWN , ROBERT E.	A02-00206/	1.0	-	A02-07321/	1.0
WHIPKEY , ROBERT E.	A02-00208/	1.0	-	A02-07327/	1.0
DALY , RONALD F.	A02-00209/	1.0	-	A02-07349/	1.0
BOWER , ROBERT R.	A02-00210/	1.0	-	A02-07381/	1.0
BROWN , ROBERT E.	A02-00211/	1.0	-	A02-07382/	1.0
O NEIL , LLOYD	A02-00212/	1.0	-		
KREPCIK , JOE F.	A02-07313/	1.0	-		
MC DANIEL , JOHN A.	A02-07321/	1.0	-		
DUNLAP , ARTHUR W.	A02-07327/	1.0	-		
JENSEN , LLOYD	A02-07349/	1.0	-		
NIEFFENEGGER , KEITH L.	A02-07381/	1.0	-		
J. R. SIMPLOT CO.	A02-07382/	1.0	-		

1.0

TOTAL ACRES 1.00

A36-00055AA

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)

C. FIELD EXAM REQUIRED? DATABASE Y FIELD EXAMINER X

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

REMARKS:

See Lot Size Calculations on Maps.

RECOMMENDATIONS:

TOTAL ACRES:

1.0

REVIEWED BY:

see

DATE:

4-11-91

MICROFILMED

MAR 19 1993

A. AJ CLAIMED USES:

A36-00055AA IRRIGATION

FROM 03-15 TO 11-15

DIVERSION QUANTITY
.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS

B. WR RECORDED USES:

36-00055AA IRRIGATION

FROM MONTH/DAY TO

DIVERSION QUANTITY
.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE EXAMINER
N N Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Y() N()

Explain in remarks, below.

REMARKS:

MICROFILMED

MAR 19 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y (X) N ()

AJ TOTAL CLAIMED DIVERSION RATE:

0.020 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE:

0.020 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

N/A

, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y () N () IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: ~~A02-07320~~

36-00055AA

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-00055AA	RILEY CREEK	MALLANE, VONNIE	0.020	0.020		
A02-07313	SNAKE RIVER	KREPCIK, JOE	0.020	0.020	2.00	2.00
A02-07382	RILEY CREEK	J. R. SIMPLOT COMPANY	0.020	0.020		
A02-10002	SNAKE RIVER	J. R. SIMPLOT COMPANY	0.050	0.050		
A36-00055J	SNAKE RIVER	WHIPKEY, ROBERT	0.040	0.066		
A36-00055L	SNAKE RIVER	LYTLE, LOWELL	0.020	0.020		
A02-07320	SNAKE RIVER	MALLANE, TOM	0.030	0.030	4.00	4.00
A36-00055W	SNAKE RIVER	MARTIN, LILLIAS P.	0.025	0.025		
A02-00212	SNAKE RIVER	SIMPLOT, DONALD J.	0.050	0.050		
A36-00055AB	RILEY CREEK	LE MOYNE, JOHN	0.120	0.030		
A36-00055AD	SNAKE RIVER	STANLEY, MARGARET A.	0.040	0.066		
A36-00055AF	SNAKE RIVER	FOSTER, GEORGE R.	0.030	0.027		
A36-00055D	SNAKE RIVER	MENGEL, HERBERT	0.040	0.080		
A36-00055N	SNAKE RIVER	BOWER FAMILY TRUST	0.020	0.040		
A36-00055Y	RILEY CREEK	CRAWFORD, CLAY E.	0.030	0.030		
	SNAKE RIVER					

MICROFILMED

MAR 19 1993

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-07013	DOMESTIC	GRIDLEY ISLAND WATER ASSN.,	01-01 TO 12-31	.120 CFS	
A36-08323	DOMESTIC	GRIDLEY ISLAND WATER ASSN. INCFROM	01-01 TO 12-31	.300 CFS	
A36-10109	DOMESTIC	LE MOYNE, JOHN	FROM 01-01 TO 12-31	.040 CFS	
A02-00206	DOMESTIC	R & L RENTALS	FROM 03-15 TO 11-15	.020 CFS	
A02-00211	DOMESTIC	BROWN, ROBERT E.	FROM 03-15 TO 11-15	.020 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE 0.03
 ACRES 1.0 x 0.02 CFS/ACRE = 0.03 CFS
 (Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 3.0 AF/A

ACRES 1 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
 TOTAL CONSUMPTIVE USE 3 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 1 x DIVERSION VOL. AF/A FOR AREA 4 =
 TOTAL DIVERSION VOLUME 4 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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MAR 19 1993

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE 0.020 EXAMINER *	DATABASE 4.0 EXAMINER	DATABASE 3.0 EXAMINER
TOTAL FOR THIS RIGHT		0.020		3.0

REVIEWED BY: SKCDATE: 4-11-91

Limited by claim

MICROFILMED

MAR 19 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-00055

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.085

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-00055B	A02-00204	0.040	-	-	36-00055B	0.040
A02-00204	A02-00204	0.040	-	-	-	-
A36-00055F	A02-00206	0.020	-	-	36-00055F	0.020
A02-00206	A02-00206	0.020	-	-	-	-
A02-00211	A02-00211	0.020	-	-	-	-
A36-00055Q	A02-00211	0.020	-	-	36-00055Q	0.020
A02-00212	A02-00212	0.050	-	-	-	-
A36-00055S	A02-00212	0.050	-	-	-	-
A36-00055AA	A36-00055AA	0.020	-	-	36-00055S	0.050
A02-00220	A36-00055AA	0.020	-	-	36-00055AA	0.020
A36-00055AB	A36-00055AB	0.120	-	-	02-00220	0.020
A36-00010	A36-00055AB	0.120	-	-	-	-
A36-00055AD	A36-00055AD	0.040	-	-	36-00010	0.400
A36-00055AE	A36-00055AF	0.030	-	-	36-00055AD	0.040
A36-00055BB	A36-00055BB	0.040	-	-	36-00055AE	1.090
A36-00055D	A36-00055D	0.040	-	-	-	-
A02-00205	A36-00055D	0.040	-	-	36-00055D	0.040
A36-00055H	A36-00055H	0.025	-	-	-	-
A02-00207	A36-00055H	0.025	-	-	36-00055H	0.025
A36-00055JA	A36-00055J	0.040	-	-	-	-
A02-00208	A36-00055J	0.040	-	-	-	-
A36-00055L	A36-00055L	0.020	-	-	36-00055L	0.020
A02-00209	A36-00055L	0.020	-	-	-	-
A36-00055N	A36-00055N	0.020	-	-	36-00055N	0.020
A02-00210	A36-00055N	0.020	-	-	-	-
A36-00055U	A36-00055U	0.020	-	-	36-00055U	0.020
A02-00213	A36-00055U	0.020	-	-	-	-
A36-00055W	A36-00055W	0.025	-	-	36-00055W	0.025
A02-00218	A36-00055W	0.025	-	-	02-00218	0.025
A36-00055Y	A36-00055Y	0.030	-	-	36-00055Y	0.030
A02-00219	A36-00055Y	0.030	-	-	02-00219	0.030
A36-00055AE	A36-00055AG	0.030	-	-	36-00055AE	1.090
-	-	-	-	-	36-00055	-
-	-	-	-	-	36-00055A	-
-	-	-	-	-	36-00055C	-

MICROFILMED

MAR 19 1993

36-00055E
36-00055G
36-00055I
36-00055J
36-00055K
36-00055M
36-00055P
36-00055R
36-00055T
36-00055V
36-00055X
36-00055Z
A36-00055Q
A36-00055Q

0.040

0.020

3.085

TOTAL CFS 1.120

DIVERSION RATE REVIEW

FIELD
EXAMINER

DATABASE
N

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

REMARKS:

See A36-0055 for Split Review

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

MICROFILMED

MAR 19 1993

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-00055AA

1997 DEC 29 PM 3:40

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: VONNIE MALLANE
TOM MALLANE
17 BELL RAPIDS RD
HAGERMAN ID 83332

SOURCE: RILEY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.02 CFS

USE OF THIS RIGHT WITH RIGHT NO. 02-00220 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.02 CFS.

PRIORITY DATE: 05/01/1883

POINT OF DIVERSION: T08S R13E S01 LOT 7 (NENWSE) Within GOODING County

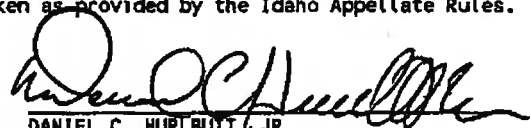
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.02 CFS

PLACE OF USE: IRRIGATION Within GOODING County
T08S R13E S01 Lot 11 (NWSE) 1
1 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 02-00220 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1.0 ACRES IN A SINGLE
IRRIGATION SEASON.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RECEIVED

NOV 29 2001

Department of Water Resources

NOV 29 2001 11:25

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

In Re SRBA	)	Water Right 36-00055AA
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on August 2, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 02-15 to 11-30

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

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. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated November 27, 2001.



ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication