

MEMORANDUM

DATE: December 12, 2005

TO: Water Right File 02-2345

FROM: Shelley W. Keen *SWK*

RE: Place of Use

Last week I met with Terry Ketterling and Jack Post of the South Elmore Irrigation Company to discuss the place of use for Permit 02-2345. IDWR issued the permit to South Elmore in 1965 for the irrigation of 320 acres in the E½ of Section 22, T5N, R6E, B.M. Because South Elmore has several other water rights that have changed over time, it was difficult for IDWR field examiners and reviewers in the 1980s and 1990s to discern just how the beneficial use under this permit was established, or even if South Elmore had established any beneficial use at all in connection with this permit. Mr. Ketterling, Mr. Post, and I met to determine once-and-for-all if IDWR should issue a license in connection with Permit 02-2345.

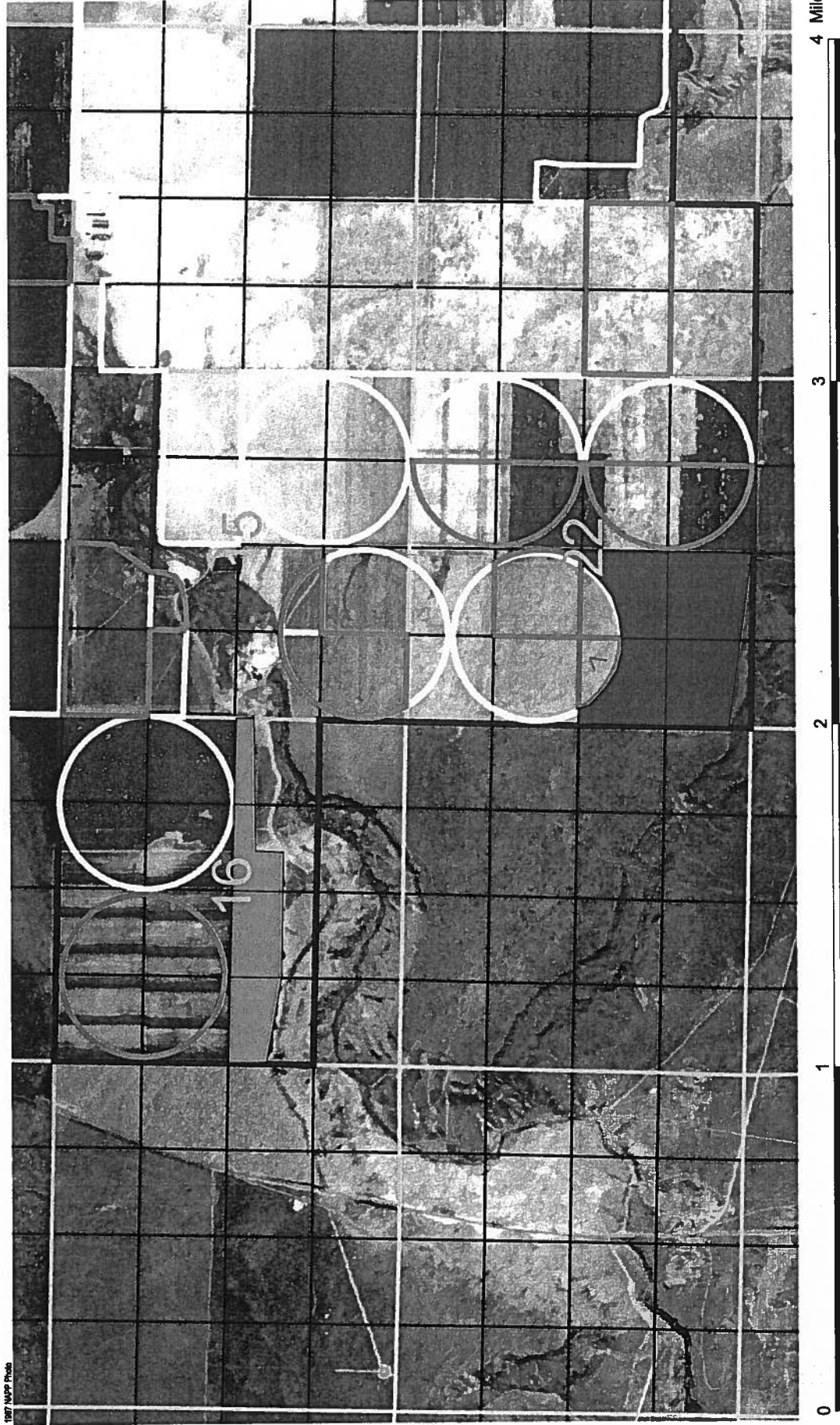
In 1996 a water right transfer changed the authorized places of use for Rights 02-2269 and 02-2367 to include the permitted place of use for Permit 02-2345. In the Snake River Basin Adjudication (SRBA), IDWR recommended that the places of use for Rights 02-2269 and 02-2367 mostly match the changes authorized by the transfer, except that small exclusions were made in some areas so that the acres could be moved to land in the SW¼ of Section 15, T5N, R6E, and the NW¼ of Section 22, T5N, R6E, which aerial photography showed had been irrigated with water diverted by South Elmore prior to the commencement of the SRBA in 1987. The changes to Rights 02-2269 and 02-2367 resulting from the transfer and the SRBA recommendations made it appear, at first glance, that there were no additional lands on which Permit 02-2345 should be licensed.

During our meeting, however, Mr. Ketterling and Mr. Post noted that some fields in the SW¼ of Section 22, T5N, R6E, and the N½S½ of Section 16, T5N, R6E, appeared to have been irrigated by 1987, but were not covered by a water right. They stated that they hoped those fields could be covered by a water right. I explained that irrigation of those fields could not be attributed to Permit 02-2345 because proof of beneficial use for Permit 02-2345 had been submitted in January of 1976 and the fields in the SW¼ of Section 22 and the N½S½ of Section 16 did not appear irrigated in the 1975 aerial photography. We also noticed, however, that the land in the SW¼ of Section 15 and the NW¼ of Section 22 was irrigated in 1975.

Based on our review of the 1975 and 1987 aerial imagery, Mr. Ketterling, Mr. Post, and I thought that if the SRBA recommendations for Rights 02-2269 and 02-2367 could be adjusted to cover the lands in the SW¼ of Section 22 and the N½S½ of Section 16 that were irrigated by 1987 apparently without a water right, Permit 02-2345 could be licensed on the land in the SW¼ of Section 15 and the NW¼ of Section 22 that was irrigated by 1975. I checked to see if there had once been water rights on the land in the SW¼ of Section 22 and the N½S½ of Section 16 that had been transferred away in the past. Concluding that there had not been, I agreed to suggest this option to the Adjudication Bureau reviewer and the licensing reviewer.

Idaho Department of Water Resources

1997 MAP Photo



South Elmore Irrigation Co
 Legal: T05S, R06E & R07E
 Claims: 2-2210, 2-2269, 2-2345,
 2-2367, 2-7255, 2-7263, 2-7317
 Reviewed By: SJR 2/22/05

12/9/05

R

1/

South Elmore configuration Co

POU Shift to T055, R06E S22 SW
T055, R06E S16 N $\frac{1}{2}$ of S $\frac{1}{2}$

Shift from T055 R06E S15 SW
S22 NW
S22 N $\frac{1}{2}$ of SW

Shift from secs 2-2269, 2-2367

Current coverage in S22 SW NESW NWSW
0.015/ac 87.11 cfs 5645 ac 2-2269 12 4
→ 0.02/ac 9.72 cfs 486 ac 2-2367 38 38

Additional Coverage required in S22 SW = 139 ac

NESW	NWSW	SWSW	SESW
29	29	33	38

Additional Coverage required in S16 N $\frac{1}{2}$ of S $\frac{1}{2}$ = 71 ac

NESE	NWSE	NESW	NWSW
9	17	24	21

Total additional coverage required = 200 ac

Acres available from 2-2367

S22 SENW - 28 ac

Acres available from 2-2269

S22 NENW	NWNW	SWNW	SENW	
22	22	38	8	90 ac E

Total S22 NW available @ 1"/ac = 28 + $\frac{(87.11/5645)(90)}{0.02}$
= 97.44

S15 SW 1/4

Acres available from 2-2269

S15	NESW	NWSW	SWSW	SESW	
	2			38	$\Sigma = 40 \text{ ac}$

Acres available from 2-2367

S15	NESW	NWSW	SWSW	
	9	11	37	$\Sigma = 57 \text{ ac}$

Total S15 SW available @ 1"/ac = $57 + \frac{(87.11/5645)}{0.02}(40)$
 $= 87.86 \text{ ac}$

Grand total S15 SW + S22 NW = 185 ac

 $\Rightarrow 15 \text{ ac shy of covering}$

If no adjustment of acres (for < 1") on 2-2269

Acres available

 $= 28 + 90 + 40 + 57 = 215 \text{ ac}$ $\Rightarrow 15 \text{ ac over needed coverage}$

Will modify PLS of POU for both trees and shift to new areas

Additional Coverage / Recompacted Transfer TOSS, ROGE

516	NE SE	NWSE	NESW	NWSW	
	9	17	24	21	
	~~11~~ ~~16~~	11	16	15 ~~14~~	from 2-2269
	4	8	10	10	from 2-2367
	~~0.0188~~ ~~0.0205~~	0.0191	0.0183	~~0.0202~~ ~~0.0195~~	
522	NESW	NWSW	SWSW	SESW	
	29	29	33	38	
	19	19	20 ~~21~~	23 ~~24~~	from 2-2269
	12	12	13	16	from 2-2367
	.0181	0.0181	~~0.0169~~ 0.0174	~~0.0175~~ 0.0179	aggregate Q/ac

130 ac from 2-2269 (@ 3/4"/ac)

85 ac from 2-2367 (@ 1"/ac)

$X + 1.529 X = Y$	X	$1.529 X$	2-2367	2-2269
11	4.4	6.6	4	7
19	7.5	11.5	8	11
26	10.3	15.7	10	16
24	9.5	14.5	10	15
31	12.3	18.7	12	19
31	12.3	18.7	12	19
34	13.4	20.6	13	20
39	15.4	23.6	16	23
	85.1	129.9	85	130

12/12/2003

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

RIGHT NUMBER: 2-2367

NAME AND ADDRESS: SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 9.720 CFS
1,944.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 2-2269 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 87.11 CFS.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 131.14 CFS. COMBINED RIGHT NOS.: 2-2210, 2-2269,
2-2345, 2-2367, 2-7255, 2-7263, & 2-7317.

PRIORITY DATE: 03/22/1965

POINT OF DIVERSION:

T05S R07E S28 NESW Lot 2 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 10/31	9.720 CFS 1,944.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY
CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS
OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER
OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER
RIGHTS HAVING NO SUBORDINATED LATE IRRIGATION USE AND A
PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ELMORE County

T05S R06E S11	SESW	6.0	T05S R06E S15	NENW	35.0
T05S R06E S15	NWNW	40.0	T05S R06E S15	SENW	8.0
T05S R06E S15	NESW	9.0	T05S R06E S15	NWSW	11.0
T05S R06E S15	SWSW	37.0	T05S R06E S16	NENW	28.0
T05S R06E S16	NWNW	28.0	T05S R06E S16	SWNW	28.0
T05S R06E S16	SENW	28.0	T05S R06E S22	NWNE	29.0
T05S R06E S22	SWNE	29.0	T05S R06E S22	SENW	29.0
T05S R06E S22	NWSW	7.0	T05S R06E S22	NWSE	29.0
T05S R06E S22	SWSE	29.0	T05S R06E S23	NESW	38.0
T05S R06E S23	NWSW	38.0			

486 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

Water Right 2-2367

12/12/2003

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

After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

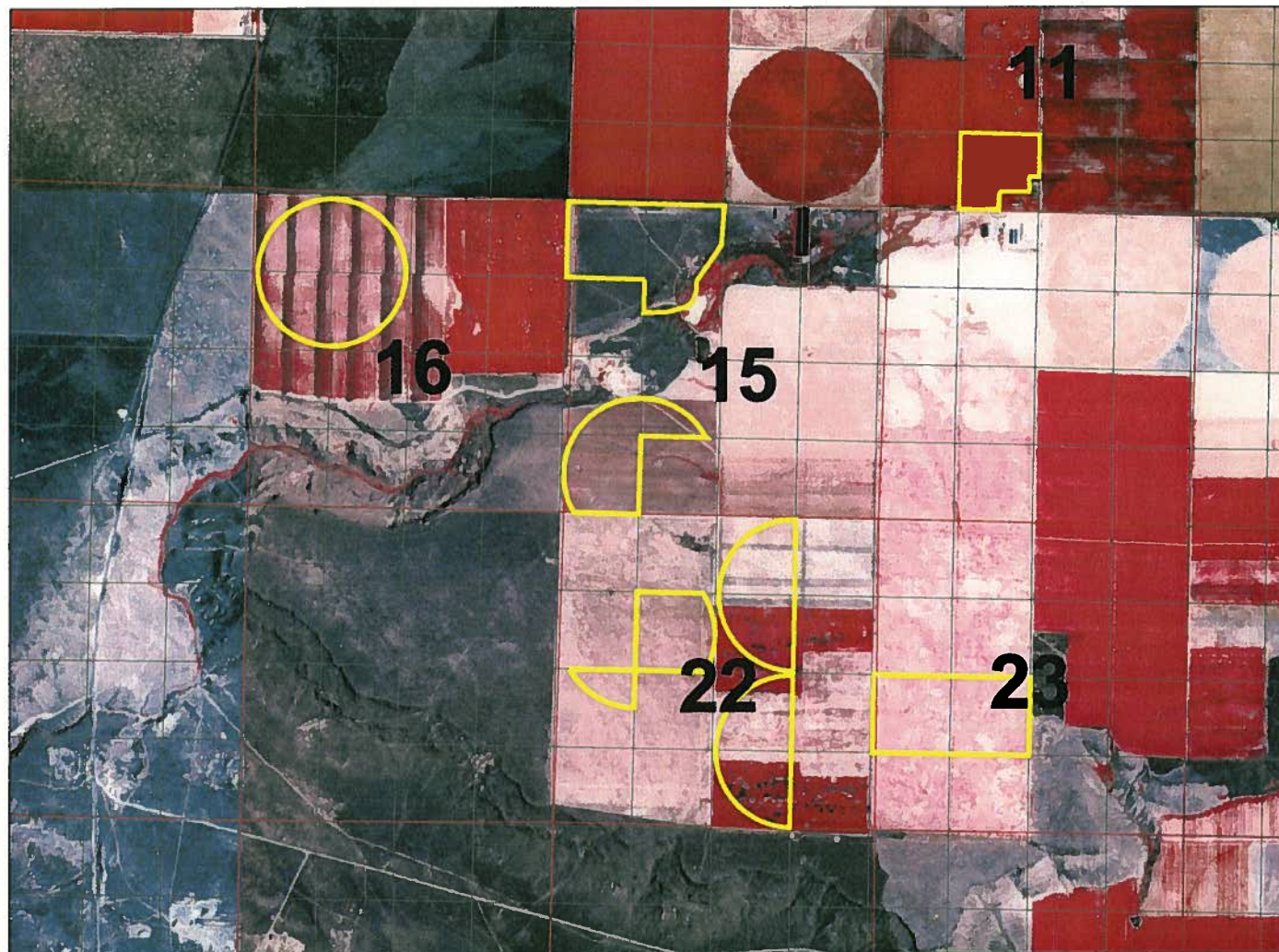
The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

Approval of Transfer No 4881 in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Failure of the right holder to comply with the conditions of Transfer No. 4881 is cause for the Director to rescind approval of the transfer.

Idaho Department of Water Resources

Place of Use Layout 2-2367

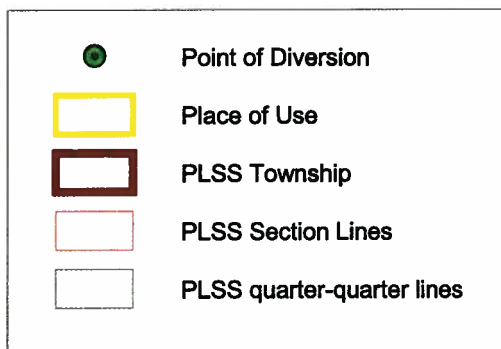


0 1 2 Miles

Township 5S Range 6E



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: December 12, 2003



MEMO TO FILE

To: 2-2367
From: Scott King
Date: December 5, 2003

Subject: Recommendations

This is one of several rights claimed by South Elmore Irrigation Company. The original claim filed in December 1989 was for 326 acres. October 16, 1996, an amended claim was filed for 646 acres. Transfer 4881, approved October 24, 1996, moved 100 acres of this right and 2-2269. The transfer specifically reviewed only the 100 transferred acres, and did not review or address the remainder of the right. Another amended claim was filed July 1, 2003 for 646 acres, with acres moved to better represent current conditions. Review indicates most of the changes to the claim are acceptable, as the lands appear irrigated in the 1987 imagery.

Acres

The license was issued August 1, 1975 for 646 acres and included 160 acres in the SE1/4 of 05S 06E Section 24. This tract was not included in the original permit. The third amendment to the permit, dated July 1, 1968, included these 160 acres in SE1/4 of Section 24. However, proof of beneficial use submitted by both South Elmore Irrigation Company, and by the permit holder The Travelers Insurance Company, did not include the 160 acres in Section 24 and included only 495 acres total. Proof was submitted in October and November 1971. The Beneficial Use Field Report dated August 1973 includes the 160 acres in Section 24 in tabular form and on the hand-drawn map.

However, aerial photography included in the file and apparently used for licensing review includes only the north half of the SE quarter of Section 24, and the clearly indicates that cultivation and irrigation were not occurring in the portion included. 1974 aerial photography used in the first Snake River adjudication does not indicate irrigation and cultivation in this tract. 1975 U2 imagery also clearly indicates that the SE quarter of Section 24 was not cultivated and irrigated. I can find no evidence that the 160 acres in the SE quarter of Section 24 was ever developed under this water right. Inclusion of this tract in the license appears to have been an error. In addition, review of the license file does not indicate that a simple type-o error occurred and that the 160 acres should have been included at another location. The current SRBA recommendation does not include the 160 acres in Section 24, and is for a total of 486 acres, 160 acres less than the licensed amount.

The 1987 imagery indicates irrigation in a portion of this tract, but this use is licensed in 2-7284, a separate system not part of South Elmore, and developed under a permit approved June 1979.

Flow

The flow rate is recommended at 0.02 cfs per acre for a total 9.72 cfs ($486 \times 0.02 = 9.72$). This rate has a combined use limit of 87.11 cfs when used with 2-2269. In addition, all rights diverted by South Elmore Irrigation Company (2-2210, 2-2269, 2-2345, 2-2367, 2-7255, 2-7263, & 2-7317) are limited to a total diversion rate of 131.14 cfs, the capacity of the system based on prior measurements.

Volume

The licensed volume was based on a standard of 4.5 acre-feet per acre. Transfer 4881 reduced the volume based on the standard of 4.0 acre-feet per acre. The subsequent signed amended claim filed by SEIC is also based on 4.0 acre-feet per acre. Therefore, the recommendation is based on the current standard of 4.0 acre-feet per acre, for a total volume of 1944 afy. This amount agrees with the recent transfer and subsequent amended claim.

Recommended Place of Use

The July 2003 amended claim 'moved' 17.6 acres from the NESE Section 24 to other lands in sections 15 and 22 to cover some of the acres otherwise not included in current water rights. As none of the lands in SE Section 24 are recommended, I cannot agree that this can be treated as an accomplished transfer; there was never any beneficial use in SE Section 24 to transfer to other lands. Therefore, it was necessary to adjust the claimed place of use in the remaining lands and reduce the area by 17.6 acres. This was primarily accomplished by reducing by 1 or 2 acres the number in each QQ. Per the 1987 imagery, numerous acres were irrigated without apparent valid water rights, and perhaps an enlargement claim is in order. My understanding is that such a claim has been mentioned to the company, but nothing has been filed.

1975 UZ imagery
75-131 2-23-67



CONVERSATION MEMORANDUM

EMPLOYEE: Scott Ky

FILE: 2-2269, 2-7263

RE: South Elmore Irrigation Company 2-2367

DATE: December 3, 2003

NAME OF PARTY: Steve Hammula, ERO

Believes company backed off from digital boundary
consideration as it may not have benefitted all
company holders. Steve will check further and
confirm.

I suggested he check on 2-7263
where Sherl Chapman was going to submit
amended claim. None ever received.

Dec 5, 2003 ^{8:45am} Returned Steve's call.

Steve couldn't find Sherl's letter for 2-7263; I
faxed claim and letter to him at 373-7985.

Steve advised that South Elmore I.C. is not
longer interested in pursuing a digital
boundary at this time. I advised that
2-2367 is problematic. The 160 acres

Page of

over →

licensed in SE $\frac{1}{4}$ 55 6E 24
does not appear to have ever been
developed. This land was not
on the proof of beneficial use, and
I cannot find any other location
where it was developed. My
current recommendation does not
include this land, so this
causes a problem for the 18
acres "moved" from here in
the amended claim. I stated
that I could not view as an
accomplished transfer as I
could not find that beneficial
use was ever developed.

COMMUNICATION DOCUMENTATION

Claim No.A02-02367

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 Ron Howerton

DATE

October 22, 1996

CUSTOMER

KAREN EDWARDS, ID WA USERS

SUBJECT: A02-02367

1. Karen brought in a check and a amended claim that they had worked on for South Elmore Irrigation Co.
2. Additional acres were claimed that were not claimed on original claim.
3. I checked other claims for overlap acres already paid, it appears that 160 acres do not overlap any other claim that acre fees were already collected on. Thus, an additional \$160 was due and collected today with receipt W021655.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 6, 1989

John A Wissel
President
South Elmore Irrigation Company
P.O. Box 396
Mountain Home, Idaho 83647

Re: Notice of claim to water right numbers:
A02-02210, A02-07255, A02-02269, A02-02367, A02-02345, A02-07263,
A02-07317--Elmore County.

Dear Mr. Wissel:

During the review of the Adjudication claims (listed above) by Sherl Chapman for the South Elmore County Irrigation Company, an error was noted in the initial payment of fees.

Initial payment of fees should be at least 20% of total payment due with four additional payments due each of the next four consecutive years with a 10% interest charged on the principle and interest balance due. The total acreage indicated in your seven licenses is 9,077, which indicates a balance of \$9,077 in acreage fees and \$350 in claims fees due in the SRBA totaling \$9,427. However, the South Elmore Irrigation Company paid \$70 in the Snake River 2 Adjudication, which is credited towards the SRBA fees for a balance due of \$9,357. Therefore, your initial payment in the SRBA should have been $\$9,357 \times (.20) = \$1,871.40$. As you have submitted \$1,813.80, you must submit at least an additional \$57.60.

Please submit these additional fees by January 6, 1990. If you have any questions or concerns please do not hesitate to contact me.

Regards,

Bruce A. Schuld
Senior Water Rights Agent
Western Region Office

cc: BAS: file
nh

MICROFILMED
AUG 07 1992

P. O. Box 396
Mountain Home, Idaho 83647
December 5, 1989

RECEIVED
DEC 5 1989

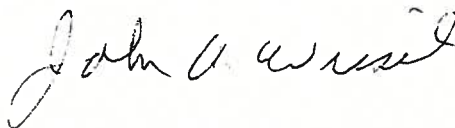
Mr. Bruce Schuld
Senior Water Rights Agent
Idaho Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706

Department of Water Resources

Dear Mr. Schuld:

Please accept these claims and initial payment of 20 percent of our filing fee. It is our intent to take advantage of the payment schedule allowed by Idaho statute. Please notify us if any additional paperwork or forms are necessary.

Sincerely,



John A. Wissel
President
South Elmore Irrigation Company

JAW:kje
enclosures

MICROFILMED
AUG 07 1992

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON ~~DEKAMIDGE BASIN~~
BORDER.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2367	I.D. No.	Map No.
\$10.00	Fee Paid	18824 Receipt No.

Notice is hereby given that SOUTH ELMORE IRRIGATION COMPANY
(Name of Claimant)

P. O. Box U, Mtn. Home, ID 83647 Telephone No. 587-4412
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 3/22/1965

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 12.92 cfs Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

6.52

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 9.77 12.92 cfs 6.52 TOTAL QUANTITY CLAIMED. (Lot 2) ✓
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE NE 1/4 SW 1/4
Sec. 28, Twp. 5S, Rge. 7E, B.M., Elmore County
Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	6E	11					✓	✓	✓	✓				6					6
		16					40	40	40	40									160
		22		40	40						40	40	40	40		40	40		160
		23									40	40	40	40					160
		24													40	40	40	40	160

Total no. of acres 646 326

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Maximum diversion shall not exceed 87.11 cfs when combined with Right Number 02-2269.

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

KEYPUNCHED
SC 10/17/84

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 32291/02-2367

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

APRIL 9, 1981
(Date)

State of IDAHO Organization
County of ADA Seal

(Signature of Claimant)
(Signature of Spouse)
Organization South Elmore Irrigation Co.
(Signature of Authorized Agent)

On this 9 day of APRIL, in the year 1981 before me
a notary public, personally appeared JOHN A. WISSEL, PRES.

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires LIFE Notary Public residing at BOISE, ID

AKN 10/19/84

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Revised JLH

10/9/84

Right No. 02-2367

Claimant S. Elmore Lander

Recommendation differs from claim:
(Document any differences)

☒ Yes

☐ No

☐ Disallow

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☒ A.S.C.S. Records. Year & Photograph No. 1977 ASCS & 1977 21-2

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date 9/19/84

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.C.) File

Measurement 131 cfs. Amount recommended 0.52 cfs.

Type of measuring device: AA Flow meter Meter No. _____

Condition _____ Date 9/19/84 Time _____

Adjudication Photo(s) Used: Name or No. _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks Sec 22 covered by 02-2345

SW 1/4 Sec 24 is not being irrigated

See 02-2269 for location maps.

NOV 1 1984

RECEIVED

POOR ORIGINAL

MEASUREMENT FOR SOLIDORE IRR. CO. 5TH

MEASUREMENT LOCATION BRIDGE OVER CONCRETE DITCH
ON 29/12/84
MEASURED BY JKN
LEGAL DESCRIPTION
V = 1.118N +
V = 2.224N +
SET TWP RNS
022 FOR N 0/1 = 1
015 FOR N 1/1

DISTANCE FROM INITIAL POINT	DEPTH	AREA	REVOLUTIONS	TIME	VELOCITY	DISCHARGE
0.000	0.000	0.000	0	0.000	0.000	0.000
1.000	0.000	0.000	50	40.000	1.702	2.852
2.000	0.000	0.000	75	40.000	4.156	7.335
3.000	0.000	0.000	75	40.000	4.156	10.000
4.000	0.000	0.000	50	40.000	0.742	12.123
5.000	0.000	0.000	50	40.000	4.454	15.517
6.000	0.000	0.000	50	40.000	4.454	15.517
7.000	0.000	0.000	50	40.000	4.454	15.517
8.000	0.000	0.000	50	40.000	4.454	15.517
9.000	0.000	0.000	75	40.000	4.156	14.233
10.000	0.000	0.000	50	40.000	4.454	10.257
11.000	0.000	0.000	50	40.000	3.510	7.953
12.000	0.000	0.000	50	40.000	3.510	2.984
13.000	0.000	0.000	0	0.000	0.000	0.000

Total 131.145

RECEIVED
AUG 1 1984

POD ORIGINAL

Column	#	Activity	date	OS	W/ase	Prep. O.S.	
100 02	2210	4/12/63		16.9	1"	10.9	
100 02	2269	2/19/64		87.11	1.8	112.56(-)	25.45)
100 02	2345	1/21/65		3.2	1"	3.2	
100 02	2367	3/22/65		6.52	1"	6.52	limit (87.11)
100 02	7255	8/15/77		19.2	1"	19.2	XX
100 02	7263	6/11/78		12.0	1.9	13.82	XX (- .24)
100 02	7317	2/12/81		9.3	1"	9.3	XX
				134.73			
			131	15		7308	XX limit

Total core = 9077

131 & 55

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32291/02-2367 Priority March 22, 1965 Amount 12.92 cfs

THIS IS TO CERTIFY, that The Travelers Insurance Company
of Portland, Oregon, has complied with the terms and conditions of Permit
No. 32291/02-2367 issued pursuant to Application for Permit dated March 22, 1965,
and has submitted proof to the Department of Water Resources on November 30, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 87.11 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 1</u> to <u>Oct. 31</u>	at <u>12.92</u> cfs and	<u>2,907 acre feet or</u> <u>4.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than * 12.92 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2,907 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 28,
Twp. 5 S, Rge. 7 E, B.M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
5 S	6 E	11											6						6
		16					40	40	40	40									160
		22		40	40										40	40			160
		23									40	40	40	40					160
		24													40	40	40	40	160

Total number of acres irrigated 646

* Subject to the condition that the maximum rate of diversion shall not exceed
87.11 cubic feet per second when combined with License No. 31802/02-2269.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of
August, 19 75.

Director

POOR ORIGINAL

J.K.N

Pumps at South Elmore gr. co - 8/14/84
pump station

Number of pump reading from up-stream -
down stream

	HP	Serial #	Pump	Serial #
#1 U.S. Motors	2000	C601524-608	make Johnson	no plate
2- U.S. Motors	2000	C601524-656	"	
3 U.S. Motors	2000	C601524-85-03980	"	JN 1183
4 U.S. Motors	2000	C601524-603	"	no plate
5- Westinghouse	1500	1581	Jayne	96 267
6 Westinghouse	800	15-79	Jayne	89 421
3 penstocks				

MICROFILMED
AUG 16 1994

idw

POOR ORIGINAL

DATE OF EXAM

Aug 16, 1973

ACREAGE

Found

646.0

Recommended

646.0

Irrigation Requirement

4.5

Ac Ft/Ac

USE

Irrigation Q = 12.92 c.f.s.

V = 2,907.0

AF/Ann. from

3/15

to

11/15

Domestic Q = c.f.s.

V =

AF/Ann. from

to

Livestock Q = c.f.s.

V =

AF/Ann. from

to

Is water co-mingled? yes

no

Name source:

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

Exchange? yes

no

County

Name source exchanged with:

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

Point of injection:

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Point of exchange:

twp.

N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Total Q measured

87.11

cfs

Method of measurement

A-Meter

Total Q recommended

12.92 cfs

Meter No.

Type

Condition

Total V recommended

2,907.0

AF/Ann

Recommended Amendments:

P.D.

Place of Use

Other

None

MEASUREMENT CALCULATION:

$$Q = (646)(1.02) = 12.92 \text{ cfs}$$

$$V = (646)(4.5) = 2907 \text{ AF}$$

SYSTEM DESCRIPTION:

See enclosed system description sheet.

REMARKS:

This Permit is for coverage of additional acres that are irrigated by the system originally covered under Permit 02-226.

The total Q of both permits should not exceed 87.11 cfs.
The Total Volume of both permits should not exceed 29,309.5 AF.

Examiner's Signature

W. Clayton Brown

Date

Aug 16, 1973

Checked by

Date

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

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON DRAINAGE BASIN.
BORDER.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2367	I.D. No.	Map No.
\$ 10.00	Fee Paid	18824 Receipt No.

Notice is hereby given that SOUTH ELMORE IRRIGATION COMPANY
(Name of Claimant)

P. O. Box 11, Mtn. Home, ID 83647 (Mailing Address) Telephone No. 587-4412 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 3/22/1965

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 12.92 cfs Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 12.92 cfs TOTAL QUANTITY CLAIMED. (Lot 2)
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4 SW 1/4
Sec. 28, Twp. 5S, Rge. 7E, B.M., Elmore County
Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5S	6E	11												6					6
		16					40	40	40	40									160
		22		40	40											40	40		160
		23								40	40	40	40						160
		24													40	40	40	40	160

Total no. of acres 646

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Maximum diversion shall not exceed 87.11 cfs when combined with Right Number 02-2269.

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 32291/02-2367

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Date) (Signature of Claimant)

State of IDAHO Organization

County of ADA ss. Seal (Signature of Spouse)
(Signature of Authorized Agent)

On this 9 day of APRIL, 1981, in the year 1981 before me
a notary public, personally appeared JOHN A. WILSON, known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires LIFE Notary Public residing at

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 2-2367
Date Received: 12/5/1989
Receipt No: C013284
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SOUTH ELMORE IRRIGATION CO Phone: (208)587-4412
PO BOX 396
MOUNTAIN HOME ID USA 83647

RECEIVED
JUL 10 2003

Department of Water Resources

2. Date of Priority: 03/22/1965

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	07E	28	NE SW 2	ELMORE	

5. Description of diverting works:

PUMP, PIPELINE, AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	12.92	2584

7. Total Quantity Appropriated is:

12.92 C.F.S. and/or 2584 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05S	06E	11	SE	SW		IRRIGATION	6
						Section Acres	6
05S	06E	15	NE	NW		IRRIGATION	35
			NW	NW		IRRIGATION	40
			SE	NW		IRRIGATION	8
			NE	SW		IRRIGATION	10
			NW	SW		IRRIGATION	12
			SW	SW		IRRIGATION	38
						Section Acres	143
05S	06E	16	NE	NW		IRRIGATION	30
			NW	NW		IRRIGATION	30
			SW	NW		IRRIGATION	30
			SE	NW		IRRIGATION	30
						Section Acres	120
05S	06E	22	NW	NE		IRRIGATION	30
			SW	NE		IRRIGATION	30
			SE	NW		IRRIGATION	30
			NW	SW		IRRIGATION	7.6
			NW	SE		IRRIGATION	30
			SW	SE		IRRIGATION	30
						Section Acres	157.6
05S	06E	23	NE	SW		IRRIGATION	39
			NW	SW		IRRIGATION	38
						Section Acres	77
05S	06E	24	NE	SE		IRRIGATION	22.4
			NW	SE		IRRIGATION	40
			SW	SE		IRRIGATION	40
			SE	SE		IRRIGATION	40
						Section Acres	142.4
						Total Acres	646

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

Claim amended per claimant claimant request. 7/1/03

After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.

The right holder shall maintain a totalizing measuring device of a type approved by the Department as a part of the diverting works.

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

Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

CLAIM AMENDED PER TRANSFER NO. 4881 APPROVED OCT 24, 1996.

AMENDED CLAIM, ADDED ACRES NOT CLAIMED, SEPARATE FEE PAID UNDER RECEIPT W021655, RDH 10-22-96.

RIGHT NO. A02-02367 WHEN COMBINED WITH RIGHT NO. A02-02269 SHALL NOT EXCEED A TOTAL COMBINED DIVERSION RATE OF 87.11 CFS.

RIGHT NO. A02-02367 IS LIMITED TO THE IRRIGATION OF 646 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4881 IN FILE.

15. Basis of Claim: License

RECEIVED

Should questions arise during the processing of this application please contact:

Steven Hannula - ERO Resources Corp. (208) 373-7983

JUL - 1 2003

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

DEPARTMENT OF WATER RESOURCES

**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

Date Received

Receipt Number

02-2367

7-1-03

**AMENDED NOTICE OF CLAIM
TO A
WATER RIGHT (02-2367)
ACQUIRED UNDER STATE LAW**

RECEIVED

JUL 02 2003

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant(s) SOUTH ELMORE IRRIGATION CO Phone (208) 587-9881
Mailing Address P.O. Box 396, Mountain Home, ID Zip 83647
2. Date of Priority (Only one (1) per claim) Mar 22, 1965
3. Source of water supply (a) SNAKE RIVER
Which is tributary to (b) COLUMBIA RIVER
4. a. Location of point of diversion is: Township 5S Range 7E Section 28,
1/4 of NE 1/4 of SW 1/4, Govt. Lot 02, B.M., County of ELMORE
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as
enlarged and the depth of each well. Water is pumped from the Snake River and delivered to the land through a series of
relifts, pumps, ponds and pipes.

6. Water is claimed for the following purposes:

(both dates are inclusive)
For IRRIGATION purposes from 4-1 to 10-31 amount 12.92 (cfs) or 2584 (acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 12.92 (cfs) and/or (b) 2584 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	
(see attached land list)																			

Total number of acres irrigated 646

11. In which county (ies) are lands listed above as place of use located? ELMORE

12. Do you own the property listed above as place of use? Yes _____ No XX
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
02-2269 or None ()

14. Remarks:
South Elmore Irrigation Company (SEIC) owns the water right, the land is owned by SEIC share owners.

Last Name _____ Ident. Number _____

15. Basis of Claim (Check One) ☐ Beneficial Use ☐ Posted Notice ☐ License XX Permit ☐

Decree _____
If applicable provide IDWR Water Right Number 02-2367
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will received notice in the Snake River Basin Adjudication." I/We do ☐ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

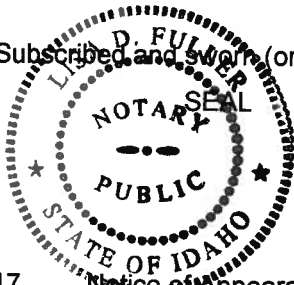
Signature of Claimant(s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President
of South Elmore Irrigation Co. Title _____
Organization _____, that I have signed the foregoing
document in the space below as President of South Elmore Irrigation Co.
Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent X _____
Title and Organization President, South Elmore Irrigation Co. Date June 23, 2003

State of Idaho/or _____)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of June 20 03
Notary Public D. Fuller
Residing at Mountain Home, Idaho
My Commission Expires 01-20-04



17. Notice of Appearance:

Notice is hereby given that I, Jay R. Friedly Please Print Name
the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Jay R. Friedly
Address 340 East 2nd North, Mountain Home, ID 83647
Date June 23, 2003

Last Name _____ Ident. Number _____

Land List for AMENDED CLAIM of 2367

TWP	RANGE	SEC.	NE¼						NW¼						SW¼						SE¼						Total
			NE¼	NW¼	SW¼	SE¼			NE¼	NW¼	SW¼	SE¼			NE¼	NW¼	SW¼	SE¼			NE¼	NW¼	SW¼	SE¼			
5S	6E	11																									6
		15						35	40		8	10	12	38													143
		16						30	30	30	30																120
		22		30	30						30		7.6					30	30								157.6
		23											39	38													77
		24																			22.4	40	40	40			142.4

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: **A02-02367**
Date Received: 12/ 5/1989
Receipt No: C013284
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SOUTH ELMORE IRRIGATION CO 208-587-4412
Address: PO BOX 396
MOUNTAIN HOME ID 83647

2. Date of Priority: MAR 22, 1965

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	07E	28		NE	SW	2	ELMORE

5. Description of diverting works:
PUMP, PIPELINE, AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	12.920		2584.00

7. Total Quantity Appropriated is:
12.920 C.F.S. (and/or) 2584.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	06E	1	NE	NE		IRR	30.0
			NW	NE		IRR	30.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	06E	1	NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	460.0
		3	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	480.0
		10	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	39.0
							Section Acres	636.0
		11	NE		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	06E	11	SW		SW		IRR	40.0
			SE		SW		IRR	6.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	39.0

Section Acres 324.0

12	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	40.0
	NW	NW	IRR	40.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	SW	SW	IRR	40.0
	SE	SW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	40.0
	SE	SE	IRR	39.0

Section Acres 639.0

13	NE	NE	IRR	40.0
	NW	NE	IRR	40.0
	SW	NE	IRR	40.0
	SE	NE	IRR	40.0
	NE	NW	IRR	36.0
	NW	NW	IRR	38.0
	SW	NW	IRR	40.0
	SE	NW	IRR	40.0
	NE	SW	IRR	40.0
	NW	SW	IRR	40.0
	SW	SW	IRR	40.0
	SE	SW	IRR	40.0
	NE	SE	IRR	40.0
	NW	SE	IRR	40.0
	SW	SE	IRR	36.0
	SE	SE	IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	630.0
		14	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	21.0
			NW	NW	IRR	29.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	610.0
		15	SW	NE	IRR	37.0
			SE	NE	IRR	35.0
			NE	NW	IRR	35.0
			NW	NW	IRR	40.0
			SW	NW	IRR	15.0
			SE	NW	IRR	10.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	332.0
		16	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	13.0
			NW	SW	IRR	13.0
			NE	SE	IRR	13.0
			NW	SE	IRR	13.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	372.0
		22	NE	NE	IRR	39.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	39.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	318.0
		23	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	27.0
			SE	NE	IRR	40.0
			NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	38.0
			SE	NW	IRR	39.0
			NE	SW	IRR	39.0
			NW	SW	IRR	38.0
			NE	SE	IRR	31.0
			NW	SE	IRR	13.0
					Section Acres	425.0
		24	NE	NE	IRR	39.0
			SE	NE	IRR	19.0
			NE	NW	IRR	37.0
			NW	NW	IRR	39.0
			SW	NW	IRR	38.0
			SE	NW	IRR	19.0
			NW	SW	IRR	30.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	381.0
	07E	17	NE	SW	IRR	39.0
			NW	SW	IRR	34.0
			NW	SE	IRR	21.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	94.0
		18	NE	SE	IRR	20.0
					Section Acres	20.0
		20	SW	SW	IRR	21.0
			SE	SW	IRR	38.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
					Section Acres	179.0
		21	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	34.0
			NE	SW	IRR	40.0
			NW	SW	IRR	37.0
					Section Acres	231.0
		22	NE	NW	IRR	40.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
					Section Acres	160.0
					Total Acres	6291.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 4881 APPROVED OCT 24, 1996.
AMENDED CLAIM, ADDED ACRES NOT CLAIMED, SEPARATE FEE PAID
UNDER RECEIPT W021655, RDH 10-22-96.
RIGHT NO. A02-02367 WHEN COMBINED WITH RIGHT NO. A02-02269
SHALL NOT EXCEED A TOTAL COMBINED DIVERSION RATE OF 87.11 CFS.

14. Remarks: Continued

RIGHT NO. A02-02367 IS LIMITED TO THE IRRIGATION OF 646 ACRES
IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4881 IN FILE.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

Ron Western-Adj.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4881
WATER RIGHT NO(S). 02-02269/02-02367

This is to certify that: **SOUTH ELMORE IRRIGATION CO**
PO BOX 396
MOUNTAIN HOME ID 83647

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 02-02269 :			
IRRIGATION	04/01 to 10/31	87.11 CFS	22580.0 AF
Priority: 02/19/1964			
Right No. 02-02367 :			
IRRIGATION	04/01 to 10/31	* 12.92 CFS	2584.0 AF
Priority: 03/22/1965			
TOTAL:		* 87.11 CFS	25164.0 AF

SOURCE

SNAKE RIVER

TRIBUTARY OF

COLUMBIA RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 28, Township 05S, Range 07E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	06E	1	NENE 30	NWNE 30	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	460
		3	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	480
		10	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 39	SESW 39	
			NESE 40	NWSE 40	SWSE 39	
			SESE 39			636
		11	NENE 40	SWNE 40	SENE 40	
			SWSW 40	SESW 6	NESE 40	
			NWSE 40	SWSE 39	SESE 39	324

TRANSFER NO. 4881
WATER RIGHT NO(S). 02-02269/02-02367

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
12		NENE	40	NWNE	40	639
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	39	SWNE	40	
13		NENE	40	NWNE	40	630
		SENE	40	NENW	36	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40	SWNE	36	
14		NENE	40	NWNE	40	610
		SENE	40	NENW	21	
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40	SWNE	40	
15		SWNE	37	SENE	35	332
		NWNW	40	SWNW	15	
		NESE	40	NWSE	40	
		SESE	40	NENW	35	
16		NENE	40	NWNE	40	372
		SENE	40	NENW	40	
		SWNW	40	SENW	40	
		NWSW	13	NESE	13	
22		NENE	39	NWNE	40	318
		SENE	39	NESE	40	
		SWSE	40	SESE	40	
		NENE	40	NWNE	40	
23		SENE	40	NENW	40	425
		SWNW	38	SENW	39	
		NWSW	38	NESE	31	
		NENE	39	SENE	19	
24		NWNW	39	SWNW	38	381
		NWSW	30	NESE	40	
		SWSE	40	SESE	40	
		NENE	39	NWNE	40	
07E 17		NESW	39	NWSW	34	94
		NESE	20	SESW	38	
18		SWSW	21	SWSE	40	179
		NWSE	40	NENE	40	
20		NWSE	40	NENW	40	231
		NENE	40	NWNW	40	
21		SENE	34	NWNE	40	160
		NENW	40	NWNE	40	
22		SENE	34	NWNE	40	160
		NENW	40	NWNE	40	

Total number of acres irrigated: ** 6291

TRANSFER NO. 4881
WATER RIGHT NO(S). 02-02269/02-02367

CONDITIONS OF APPROVAL AND REMARKS

1. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. Right No. 02-02367 when combined with Right No. 02-02269 shall not exceed a total combined diversion rate of 87.11 cfs.
- ** 9. Right No. 02-02269 is limited to the irrigation of 5,645 acres in the place of use described above in a single irrigation season.
- ** 10. Right No. 02-02367 is limited to the irrigation of 646 acres in the place of use described above in a single irrigation season.

Dated this 24th day of October, 1996.


Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

APPLICANT South Elmore Irrig Co TRANSFER NO. 4881

INITIAL ALLOCATION REVIEW BY [Signature] DATE 7/19/96
SRBA SUPERVISOR REVIEW BY [Signature] DATE 7-22-96

1. Right number(s) 02-02367 02-02265

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☐ Amount ☐ Purpose
☒ Period ☐ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☐ All of right
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: water been

transferred off land currently
in use, which will not be brought
back into production per applicant.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

APPLICANT South Elmore Irrig Co TRANSFER NO. 4881

INITIAL ALLOCATION REVIEW BY ly DATE 7/19/96
SRBA SUPERVISOR REVIEW BY [Signature] DATE 7-22-96

1. Right number(s) 02-02367 02-02265

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☐ Amount ☐ Purpose
☒ Period ☐ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☐ All of right
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: water been

transferred off land currently
used, which will not be brought
back in to production per applicant

- i. / Existing rights from same source, on land water is being transferred to; right number(s): _____

- SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) see attached memo

- [illegible]

PUBLICATION REVIEW BY _____

1. Legal Notice electronically sent to DWR03::VAULT Yes

2. COMMENT LETTERS

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ___ Yes ___ No
4. Affidavit of publication received? ___ Yes ___ No
5. Protests received? ___ Yes ___ No; Acknowledgement sent? ___ Yes
6. Copies made for Region file (see attached supplemental page)? ___ Yes

RECOMMENDED ACTION

1. ☐ Approve
2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) _____
- _____
- _____
- _____
- _____
4. By _____ Date _____

Transfer No. 4881

RECEIVED

JUL 09 1996

**WATER RESOURCES
WESTERN REGION**

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant South Elmore Irrigation Company Phone 208-587-4412

Post Office address P.O. Box 396, Mountain Home, Idaho 83647

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes Land that was in the C.R.P. is not being put back into production. The place of use is being transferred to land that will be added to the South Elmore Project and put into production.

3. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use	
	<u>02-02367</u>	<u>3/22/65</u>	<u>12.920 cfs</u>	<u>irrigation</u>	<u>3/01</u>	<u>to 10/31</u>
	<u>02-02269</u>	<u>2/19/64</u>	<u>87.110 cfs</u>	<u>irrigation</u>	<u>3/01</u>	<u>to 10/31</u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>to </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u>to </u>

2. Total amount of water being transferred 1.9223 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Snake River tributary to Columbia River

4. Point(s) of Diversion:

[illegible]

j. Lands irrigated or place of use: Water Right No. 02-02367

[illegible]

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant _____ Phone _____

Post Office address _____

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes _____

1. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

1. Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.

1. Source of water _____ tributary to _____

. Point(s) of Diversion:

[illegible]

Lands irrigated or place of use: **Water Right No. 02-02269**

wp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
5S	06E	1	30	30	40	40					40	40	40	40	40	40	40	40	460.0
5S	06E	3	40	40	40	40					40	40	40	40	40	40	40	40	480.0
5S	06E	10	40	40	40	40	40	40	40	40	40	40	39	39	40	40	39	39	636.0
5S	06E	11	40		40	40							40		40	40	39	39	318.0
5S	06E	12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	39	639.0
5S	06E	13	40	40	40	40	36	38	40	40	40	40	40	40	40	40	36	40	630.0
5S	06E	14	40	40	40	40	21	29	40	40	40	40	40	40	40	40	40	40	610.0
5S	06E	15			37	35			15	2					40	40	40	40	249.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

PART 1

Name of applicant _____ Phone _____

Post Office address _____

1. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes _____

DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
--------------	----------	-----------------------	------------------	---------------

_____ to _____

_____ to _____

_____ to _____

_____ to _____

Total amount of water being transferred _____ cubic feet per second and/or _____ acre-feet per annum.

Source of water _____ tributary to _____

Point(s) of Diversion:

[illegible]

Lands irrigated or place of use: **Cont. Water Right No. 02-02269**

[illegible]

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 02-02269

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 10/31	87.11 CFS	25402.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SNAKE RIVER	COLUMBIA RIVER

Priority: 02/19/1964

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 28, Township 05S, Range 07E
ELMORE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	06E	1	NENE 30	NWNE 30	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	460
		3	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	480
		10	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 39	SESW 39	
			NESE 40	NWSE 40	SWSE 39	
			SESE 39			636
		11	NENE 40	SWNE 40	SENE 40	
			SWSW 40	NESE 40	NWSE 40	
			SWSE 39	SESE 39		318
		12	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 39			639
		13	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 36	NWNW 38	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 36	
			SESE 40			630
		14	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 28	NWNW 39	

Water Right No. 02-02269

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			627
15		SWNE	37	SENE	35	
		NWSE	40	SWSE	40	232
16		NENE	40	NWNE	40	
		SENE	40	NESW	13	
		NESE	13	NWSE	13	212
22		NENE	39	SENE	39	
		SESE	40			158
23		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	38	SENW	39	
		NWSE	13			348
24		NENE	39	SENE	19	
		NWNW	39	SWNW	38	
		NWSW	30			221
07E 17		NESW	39	NWSW	34	94
18		NESE	20			20
20		SWSW	21	SESW	38	
		NWSE	40	SWSE	40	179
21		NENE	40	NWNE	40	
		SENE	34	NESW	40	231
22		NENW	40	NWNW	40	
		SENW	40			160

Total number of acres irrigated: 5645

CONDITIONS/REMARKS:

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 02-02367

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 10/31	12.92 CFS	2907.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SNAKE RIVER	COLUMBIA RIVER

Priority: 03/22/1965

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 28, Township 05S, Range 07E
ELMORE CountyPLACE OF USE: IRRIGATION

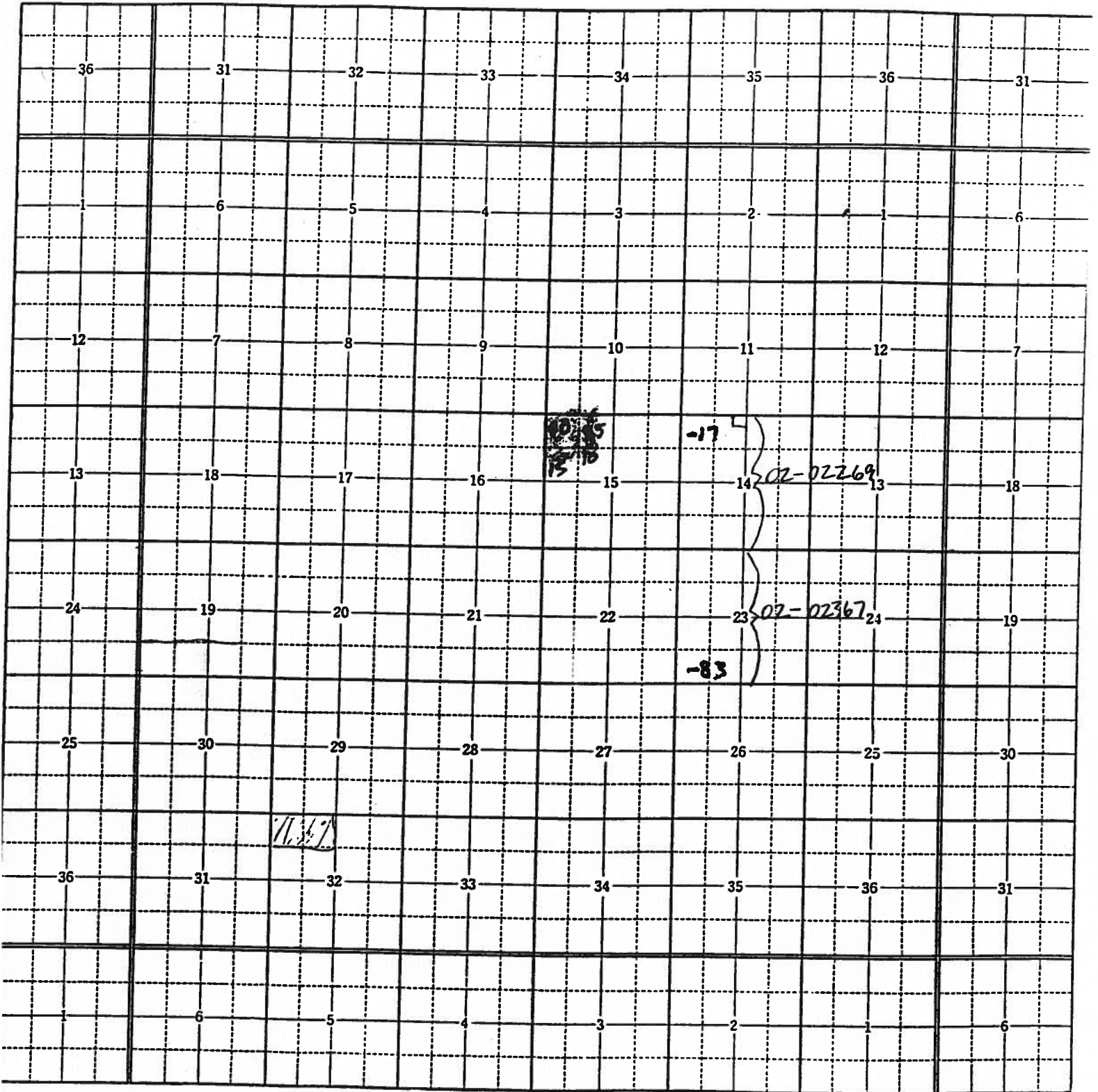
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
16E	11	SESW	6			6
	16	NENW	40	NWNW	40	160
		SESW	40			
	22	NWNE	40	SWNE	40	160
		SWSE	40			
	23	NESW	40	NWSW	40	160
		SESW	40			
	24	NESE	40	NWSE	40	160
		SESE	40			

Total number of acres irrigated: 646

CONDITIONS/REMARKS:

Township S South, Range 6 East, County Elmore, State Idaho

Island Township Plat 11



KENTZEL BLUE PRINT CO., P. O. Box 741, Casper, Wyoming

Property from which water is being taken.

Property to which The water is being added.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				_____ to _____
				_____ to _____

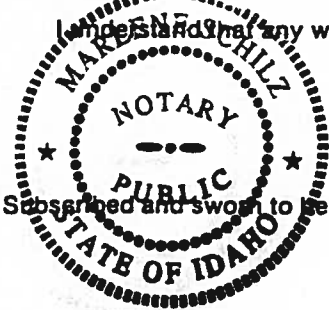
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

SOUTH ELMORE IRRIGATION COMPANY

By Jerry J. Kitterburg President
(Signature of Applicant)Subscribed and sworn to before me this 15th day of July, 1996.

Marlene Schilz
(Notary Public)

My commission expires 9-22-99**FOR DEPARTMENT USE ONLY**Transfer contains pages and attachmentsReceived by ? Date 5/14/96 Protest filed by Prelim. check by g Fee 100Receipted by ? Date 5/14/96Published in Copies of protest forwarded by Pub. dates Hearing held by Date Watermaster recommendation requested on Recommended for ☐ approval ☐ denial rec'd. by Copy of transfer sent to lien holder

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 02-02269 & 02-02367

Notice is hereby given that South Elmore Irrigation Co., PO Box 396, Mountain Home ID 83647, has applied to the Department of Water Resources to change the place of use on the following described water rights pursuant to section 42-222 of Idaho Code.

WATER RIGHTS AS LICENSED & CLAIMED IN THE SRBA:

No.	02-02269
Basis	License
Date of Priority	02/19/1964
Source	Snake River
Amount	87.11 cfs
Use	Irrigation
Point of Div	NESW, T05S R07E, Sec 28, Lt 2
Place of Use	5645 acres within S Elmore Irrig Dist service area
	Claimed 5628 acres in SRBA

No.	02-02367
Basis	License
Date of Priority	03/22/1965
Source	Snake River
Amount	12.92 cfs
Use	Irrigation
Point of Div	Same as above
Place of Use	646 acres within S Elmore Irrig Dist service area
	Claimed 326 acres in SRBA

Applicant proposes to transfer 100 acres irrigation within their service area from N1/2NW, Sec 14, and SW, Sec 23, T05S, R06E to NW, Sec 15, T05S, 06E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00, on or before August 26, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher
Director

Published in the Mountain Home News August 7 and 14, 1996.

MEMO

DATE: 7/22/1996
FR: Lori Graves
TO: 02-02269/02-02367
RE: Transfer Review

After reviewing this transfer, it was found that the SRBA claims did not match the licenses. The water rights involve South Elmore Irrigation Co. service area and use Snake River water as their source. Rather than hold up this transfer pending SRBA review, only the acres specific to this transfer were reviewed and verified so that processing could proceed.

The 100 acres in sections 14 & 23 that the water is being transferred from are currently in CRP and will not be brought back into production. 17 acres are listed for transfer from the N1/2NW, where 71 acres have been claimed and 67 acres have been licensed. This mis-match is N/A since the 17 to be transferred from this tract is less than the both the claimed and licensed acres. The tracts where the other 83 acres are being transferred from in sec 23 were claimed as licensed. CFSA in Mountain Home provided proof of previous irrigation of the 100 acres prior to CRP enrollment. The 100 acres in section 15, where the water is being transferred to, have not been claimed or licensed with Snake River water rights.

Based on the above information, this transfer should proceed in processing.

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: **A02-02367**
Date Received: 12/ 5/1989
Receipt No: C013284
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SOUTH ELMORE IRRIGATION CO 208-587-9881
Address: PO BOX 396
MOUNTAIN HOME ID 83647

2. Date of Priority: MAR 22, 1965

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	07E	28		NE	SW	2	ELMORE

5. Description of diverting works:
PUMP, PIPELINE, AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	12.920		2907.00

7. Total Quantity Appropriated is:
12.920 C.F.S. (and/or) 2907.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	06E	11	SE	SW		IRR	6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
						Section Acres	6.0
		16	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	160.0
		22	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
						Section Acres	160.0
		23	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	160.0
		24	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	160.0
						Total Acres	646.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RT WHEN COMBINED WITH RT 02-2269 SHALL NOT EXCEED 87.11 CFS.

AMENDED CLAIM, ADDED ACRES NOT CLAIMED, SEPARATE FEE PAID UNDER RECEIPT W021655, RDH 10-22-96.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

Should questions arise during
; processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705

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: A02-02367
Date Received: 12/ 5/1989
Receipt No: C013284
Received By: Rdh w021655
10-22-96

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SOUTH ELMORE IRRIGATION CO 208-587-9881
Address: PO BOX 396
MOUNTAIN HOME ID 83647

2. Date of Priority: MAR 22, 1965

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	07E	28	NE	SW		2	ELMORE

5. Description of diverting works:
PUMP, PIPELINE, AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	12.920		2907.00

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	06E	11	SE	SW		IRR	6.0
						Section Acres	6.0
		16	NE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	06E	16	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
							Section Acres	160.0
		22	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	160.0
		23	NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	160.0
		24	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
							Section Acres	160.0
							Total Acres	646.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RT WHEN COMBINED WITH RT 02-2269 SHALL NOT EXCEED 87.11 CFS.
AMENDED 10-10-96 RDH \$160.00 DUE.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am the president of
Title
South Elmore Irrigation Company, that I have signed the foregoing
Organization
document in the space below as president of
Title
South Elmore Irrigation Company and that the statements contained in the
Organization
foregoing document are true and correct.

Larry J. Hutterling
Signature of Authorized Agent

President
Title and Organization

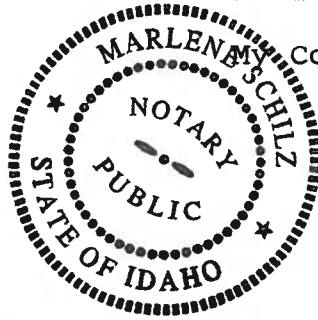
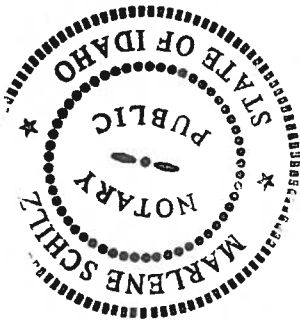
October 16, 1996
Date

State of Idaho)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of October 1996

Marlene Schilz
Notary Public

Seal



Residing at Mountain Home, ID
Commission Expires 9-22-99

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: A02-02367
Date Received: 12/05/1989
Receipt No: C013284
Received By: _____

RECEIVED
DEC 5 1989

Department of Water Resources
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: SOUTH ELMORE IRRIGATION CO. 208-587-9881
Address: P.O. BOX 396
MOUNTAIN HOME, ID 83647

2. Date of Priority: MAR 22, 1965

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	07E	28	NE	SW		2	ELMORE

5. Description of diverting works:
PUMP, PIPELINE, AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.520		

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

8. Total consumptive use is 1141.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	06E	11	SE	SW		IRR	6.0
Section Acres							6.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	06E	16	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	160.0
		23	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	160.0
						Total Acres	326.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS RT WHEN COMBINED WITH RT 02-2269 SHALL NOT EXCEED 87.11 CFS.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Pres. of _____ Title

South Elmore Inn Co., that I have signed the foregoing Organization

document in the space below as Pres. of _____ Title

South Elmore Inn Co. and that the statements contained in the Organization

foregoing document are true and correct.

John A. Curriel
Signature of Authorized Agent

Pres. South Elmore Inn Co.
Title and Organization

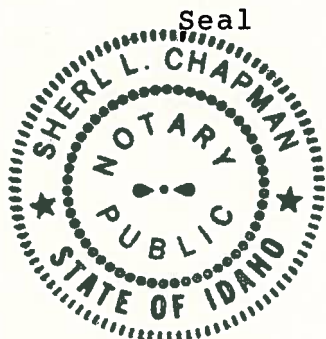
12/5/89
Date

State of Idaho)
County of Ada) SS.

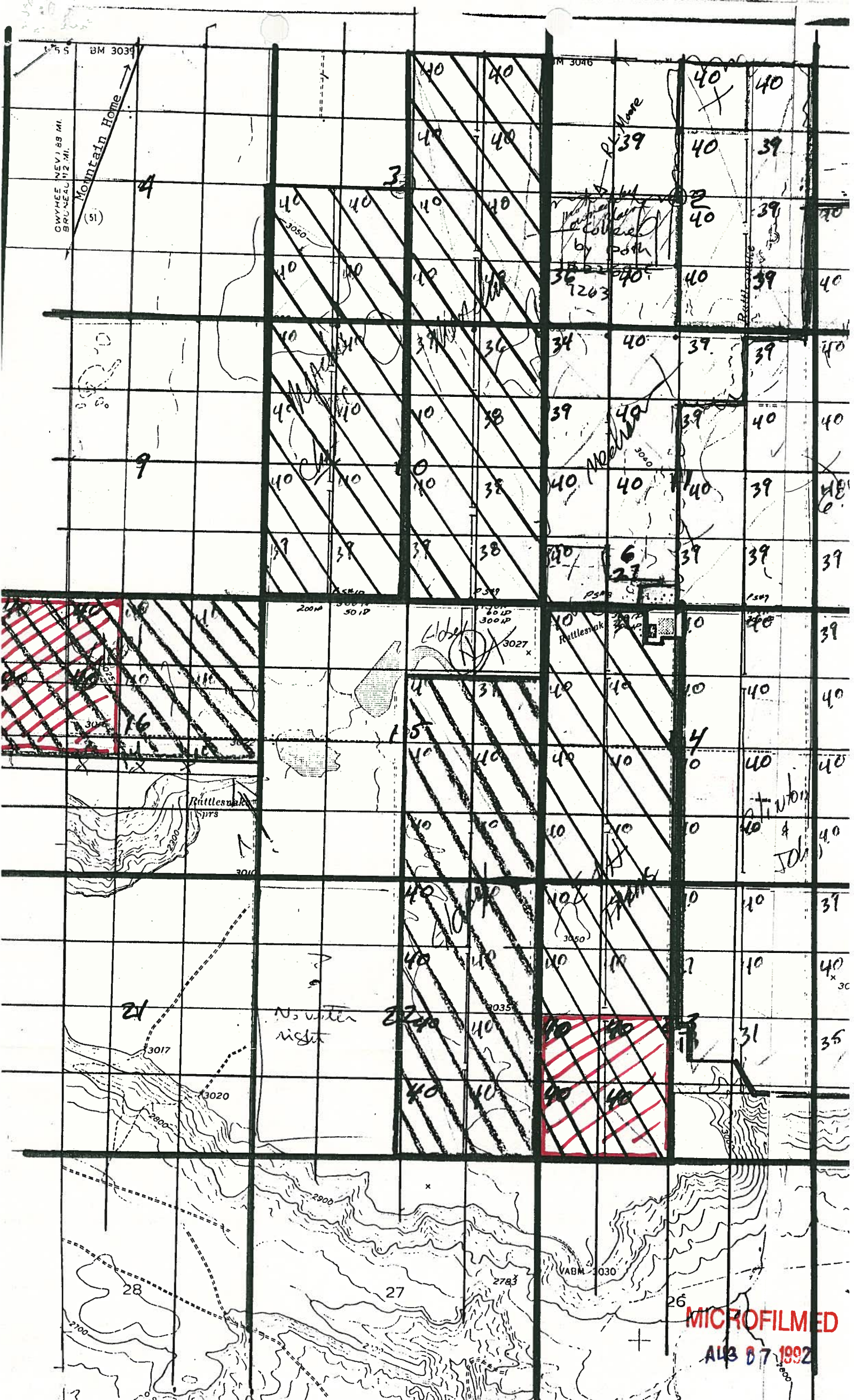
Subscribed and sworn (or affirmed) before me this 5 day

of December 19 89

Sherl L. Chapman
Notary Public



Residing at 2889 G. H. W. Merchants
My Commission Expires 6/14/94



MICROFILMED
APR 87 1992