

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 43-11234
Date Received: 7/25/00
Receipt No: S023279
Received By: KKC

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

1. Name of Claimant(s)

Name: ALVIN CARPENTER Phone: (208)645-2347

Address: HC 61 BOX 1210
MALTA ID USA 83326

2. Date of Priority: 06/01/1981

3. Source: Cassia Creek Trib. to: Raft River

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	26E	22	NW	NW	SE		CASSIA
13S	26E	21	SW	SE	NE		CASSIA
13S	26E	21	NW	NE	SE		CASSIA

5. Description of diverting works:

DAMS ON CREEK TO DITCH, TO POND, AND PUMPED TO MAINLINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	5.8	

7. Total Quantity Appropriated is:
5.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	26E	22	NW NE		IRRIGATION	29
			SW NE		IRRIGATION	40
					Section Acres	69
					Total Acres	69

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

43-02425 and 43-02523

14. Remarks:

THIS CLAIM IS AN ENLARGEMENT OF RIGHT FOR THE FOLLOWING DECREED RIGHTS, 43-00140, 43-00141, AND 43-00142 BASED UPON ID CODE 43-1426.

15. Basis of Claim: Beneficial Use

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 43-11234Date Received 7-25-00Receipt Number 5023279 */HC*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Alvin Carpenter Phone (208) 645-2347Mailing Address HC 61 Box 1210 Malta, ID Zip 833422. Date of Priority (Only one (1) per claim) June 1, 19813. Source of water supply (a) CASSIA CREEKwhich is tributary to (b) RAFT RIVER4. a. Location of existing point of diversion is: Township 13S Range 26E Section 22, 3P/L
NW 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of CASSIAAdditional points of diversion if any: 13S, 26E S-21 SWSENE; 13S, 26E S-21 NWNESE

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 _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 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.Dam on Creek to ditch, to pond
and pumped to main line

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from April 1 to Oct 31 amount 5.8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.8 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. 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 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>138</u>	<u>26E</u>	<u>22</u>		<u>29</u>	<u>40</u>														<u>69</u>

Total number of acres irrigated 69

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐

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.

43-02425 43-2523 or None ()

14. Remarks:

THIS CLAIM IS AN ENLARGEMENT RIGHT FOR THE
FOLLOWING DECREED RIGHTS 43-00140, 43-00141, & 43-00142
BASED UPON ID CODE 42-1426.

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) Alvin Carpenter Date July 25, 2000

Date _____

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

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25th day of July 2000
SEAL Notary Public Kelly K. Christensen
Residing at Twin Falls ID
My Commission Expires 3-11-04

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of 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 _____
Address _____
Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-11234 V1

WATER RIGHT NUMBER: 43-11234 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALVIN CARPENTER 2079 E 1700 S MALTA, ID 83342 (208)645-2347

Priority Date: 03/15/1982
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary</u>
CASSIA CREEK	RAFT RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.090 CFS	
	<u>Total Diversion:</u>	1.090 CFS	

Location of Point(s) of Diversion

CASSIA CREEK	NE1/4NW1/4SE1/4	Sec. 22, Twp 13S, Rge 26E, B.M.
CASSIA County		
CASSIA CREEK	NW1/4NE1/4SE1/4	Sec. 21, Twp 13S, Rge 26E, B.M.
CASSIA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	26E	22	40.0	29.0	40.0	36.0					38.0	30.0			40.0	40.0			293.0
13S	26E	23						39.0	35.0										74.0

Total Acres: 367

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 43-140 AND 43-11818 PURSUANT TO SECTION 42-1426, IDAHO CODE.
2. Place of Use - Irrigation THIS RIGHT IS LIMITED TO THE IRRIGATION OF 69 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-11234 V1

3. Place of Use - Irrigation USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-10818, 43-10631, 43-2425, 43-2523, 43-11234, AND 43-11233.
4. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.
5. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.80 CFS. COMBINED RIGHT NOS.: 43-140, 43-10818, AND 43-11234.

Comments:Dates and Other Information:

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

09/06/2000

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

RIGHT NUMBER: 43-11234

NAME AND ADDRESS: ALVIN CARPENTER
HC 61 BOX 1210
MALTA, ID 83326

SOURCE: CASSIA CREEK TRIBUTARY: Raft River

VERIFIED BY *KKC*
8-6-00

QUANTITY: 1.09 CFS

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.96 CFS. COMBINED RIGHT NOS.: 43-140, 43-2425, 43-2523, 43-10631, 43-10818, 43-11233, AND 43-11234.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.80 CFS. COMBINED RIGHT NOS.: 43-140, 43-10818, AND 43-11234.

PRIORITY DATE: 03/15/1982

POINT OF DIVERSION: T13S R26E S21 NWNESE Within CASSIA County
T13S R26E S22 NENWSE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03-15 11-15	1.09 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County			
T13S R26E S22	NENE	40	T13S R26E S22 NWNE 29
T13S R26E S22	SENE	36	T13S R26E S22 SWNE 40
T13S R26E S22	NESE	40	T13S R26E S22 NWSE 40
T13S R26E S22	NESW	38	T13S R26E S22 NWSW 30
T13S R26E S23	NWNW	39	T13S R26E S23 SWNW 35

367 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 69 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 367 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 43-140, 43-10818, 43-10631, 43-2425, 43-2523, 43-11234, AND 43-11233.

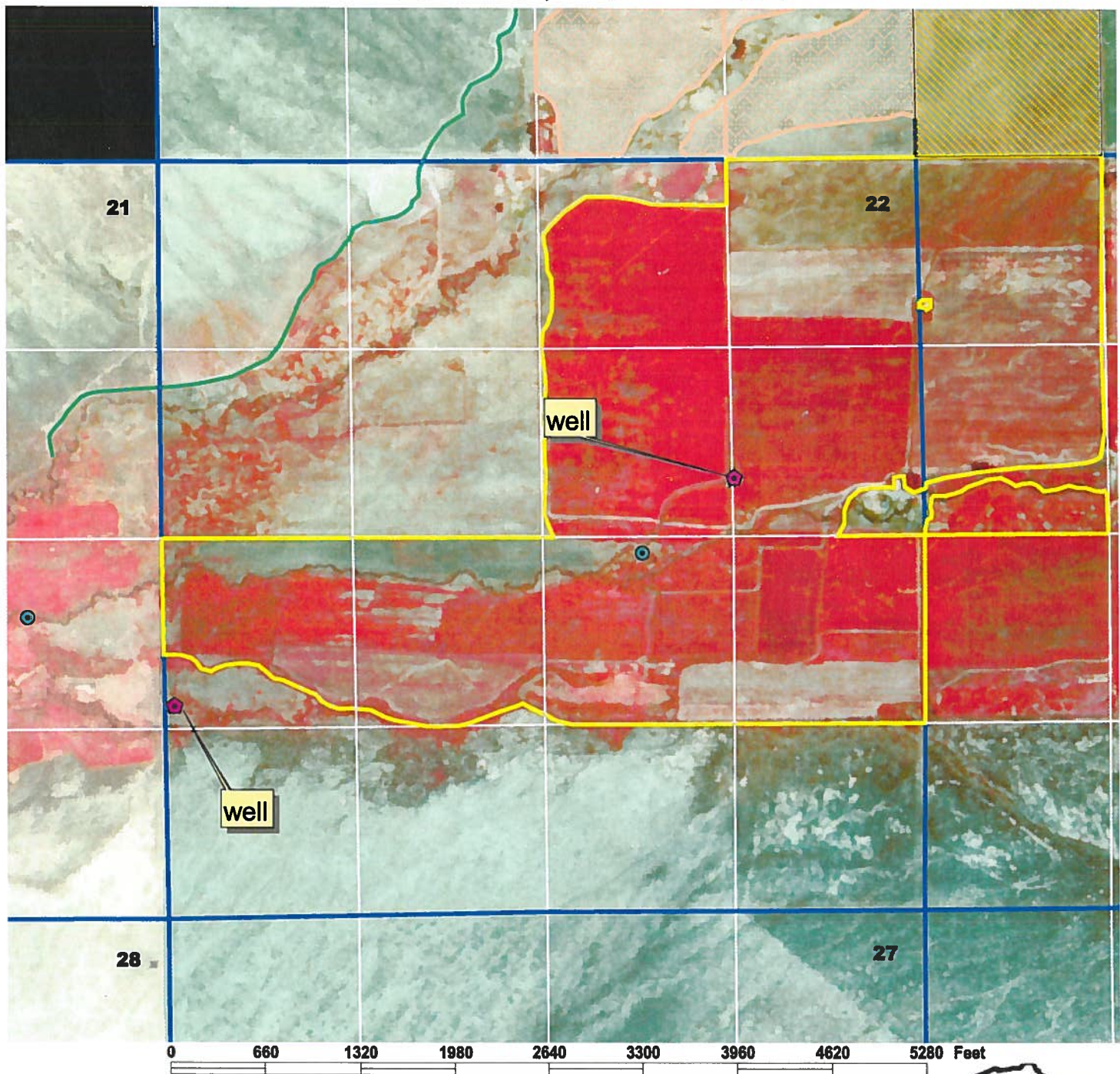
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 43-140 AND 43-11818 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

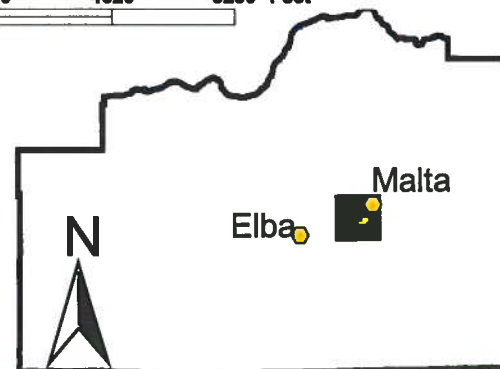
**RECOMMENDED PLACE OF USE FOR
43-00140, 43-02425, 43-02523,
43-10631, 43-10818, 43-11233. and 43-11234**



**PLACE OF USE
TWP 13S, RNG 26E, SEC 22
Data entry on AUG 28, 2000**

**GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN**

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



CLAIM NUMBER

43-11234

DATE

8-6-00

TRANSFER NUMBER

AGENT

KRC

CLAIMED ACRE TOTAL

69

GIS ACRE TOTAL

367

	TWP	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	13S	26E	22		29	40														6
GIS				40.3	29.3	39.5	36.2					38.4	29.7			40.2	40			
RECOM				40	29	40	36					38	30			40	40			25
CLAIM	13S	26E	23																	-
GIS										39.3	34.9									
RECOM										39	35									7
CLAIM																				
GIS																				
RECOM																				

B43-POU.SHP

Found 148 ac within the decreed P/U for 43-140

SHAPE NOS.

Found 150 ac within the decreed P/U for 43-141 & 43-142

Found 69 ac as enlargement P/U (claimed under 43-10818)

Total P/U 367 ac

B43-POD.SHP

NOS. DESCRIPTION

Sec 21

NWNESSE

GPSed but no site tag

P/O not used for several years.

Sec 22

GPS R072518B

NENWSE

site tag A0004881

DBF TABLES UPDATED

B43-DBPOU.DBF

B43-DBPOD.DBF

JPEG LAYOUT

43-00140 carpenter

SYSTEM ANALYSIS FOR	
<u>43-00140, 43-10818,</u>	<u>DECEED RIGHTS</u>
<u>43-02425, 43-02523,</u>	<u>LICENSED GROUND WATER RIGHTS</u>
<u>43-10631,</u>	<u>GROUNDWATER BENEFICIAL USE RIGHT</u>
<u>43-11233</u>	<u>EXPANSION OF GROUND WATER</u>
<u>43-11234</u>	<u>ENLARGEMENT OF SURFACE WATER</u>

The system is surface water diverted into a ditch system to a pond and then pumped into a common mainline that supplies water to the entire 367 irrigated acres. This recommendation recognizes the permissible place of use and further identifies the licensed acres within each right's historical place of use.

The current system consists of a buried mainline with 2 center pivots, and hand lines. The irrigation system includes property owned and claimed separately by Todd Carpenter. This system development of joining the separate properties occurred after 1987 and is not recognized in this review. The system in 1987 included the combined mainline delivery system on Alvin Carpenter's property and was primarily a flood application system.

SURFACE WATER RIGHTS

- 43-140** was decreed on the N½S½ of sec 22. I found 148 irrigated acres within the decreed place of use. I found a point of diversion located in sec 21 (see map for details) on the Cottle property that historically diverted water from the south side of Cassia Creek into a ditch system that then flowed east southeast and formed the southern border of the irrigated property. This water was also flumed across Cassia Creek near the western border of the property in order to irrigate a portion of the decreed place of use that is north of Cassia Creek. In approximately 1982 this right was also diverted from the sec 22 diversion (see also, below) to supply water to the enlargement acres through the common mainline. I am recommending the 2.60 cfs as previously decreed.
- 43-10818** is a claim that represents a combination of decreed rights 43-00141 and 43-00142. They were originally decreed with the same priority date. I found 153 irrigated acres within the original combined decreed places of use. The original point of diversion for these rights is located in sec 22 (see map for details) and diverted water northeast from this point. This diversion currently delivers water into the pond that is a part of the combined delivery system and is also a basis for the enlargement claim. 43-141 was decreed for 1.60. 43-142 was also decreed for 1.60 cfs. The claim is for the combined rate of 3.20 cfs that I am recommending for this right.
- 43-11234** This right is for ground put into production by 1982 primarily through the common mainline system. The claim listed a 1981 priority date but Alvin Carpenter indicated that the mainline system and the irrigation of all of the claimed 69 acres were completed in 1982. Therefore I am recommending this claim with a priority date of 4-14-1982. Surface water is diverted through the Cassia Creek diversion in sec 22 and delivered to a pond and then re-lifted by a centrifugal pump into a mainline system and applied to the ground. This same system also includes the ground water rights. I am recognizing this right as valid under 43-1426 as an enlargement of 43-140, and 43-10818. No additional rate is recognized because of §42-1426. Rate calculation for the recommendation:

<u>TOTAL QUANTITY LIMIT</u>	<u>5.80 cfs</u>
<u>TOTAL IRRIGATED DECEED ACRES</u>	<u>298 acres</u>
<u>ENLARGEMENT ACRES</u>	<u>69 acres</u>
<u>TOTAL</u>	<u>367 acres</u>

5.80 cfs/367 acres = 0.0158 cfs/acre (current rate)
0.0158cfs/acre * 69 acres = <u>1.09 cfs (recommendation)</u>

GROUND WATER RIGHTS

43-2425 This right is diverted from a well in the NWSW of Sec 22 and was identified as a supplemental water source for the same place of use as the three original decreed rights. The water use has since been expanded onto the same ground claimed under 43-11234 and 43-11233. This right is tied into the common delivery system and is therefore being recommended within the PP/U and limited to the original number of licensed acres. The licensed and claimed place of use also includes all of the acres licensed under 43-02523. (see combined right analysis)

43-2523 This right is diverted from a well located near the pond used to accumulate the surface water rights and then pump that water into the common mainline system. This well is located in the SENE of sec 22. This right was originally licensed as a supplemental source for the irrigation of the same ground as the two decreed rights claimed under 43-10818. This right has also been expanded onto the same ground claimed under 43-11234 and 43-11233. This right is tied into the common delivery system and is therefore being recommended within the PP/U and limited to the original number of licensed acres. The claimed and licensed acres under this right are also part of the place of use for 43-2425. (see combined right analysis)

43-10631 This right represents ground water collected through a buried tile system running under the field in the N $\frac{1}{2}$ SW $\frac{1}{4}$ of sec 22. According to Alvin Carpenter, the tile line crossed Cassia Creek just upstream of the point of diversion in the NWSE of sec 22 and then discharged into the ditch that carries water to the pond previously described. The claim identified the SENE of sec 22 as the primary irrigated place of use. This tract is the same tract in which the pond is located.

Within the last few years, (exact date not determined) Alvin indicated that the flume was dug up by his son and the water allowed to flow into Cassia Creek a few feet upstream from the Sec 22 NWSE diversion. I found physical facts that were in line with his statements. I observed tile sections in Cassia Creek and a backhoe channel going from Cassia Creek west-southwest for approximately 100 yards to where an end of a tile section was exposed. There was a small flow coming out of the tile and the backhoe channel was full of water and/or sandy mud. There was no clearly defined bottom to the channel and a measurement was not possible under the given circumstances. At best, to currently utilize the water from this source one would have to recognize an injection into Cassia Creek with the point of re-diversion at the existing point of diversion in the NWSE of sec 22. Alvin indicated that the discharge from the tile system varies with the seasons and his irrigation practices.

I am therefore recommending this right as valid based upon the 1987 status where the tile line carried water into the ditch on the north side of Cassia Creek. Although the system capacity has not been determined, the claim was for 40 acres in the SENE of sec 22. I found 36 irrigated acres within that quarter and am therefore recommending this right for 36 acres within the PP/U and at the claimed rate of 0.60 cfs which is slightly less than one inch per acre. This right is supplemental to other rights on that same ground and when they are all combined, they are limited to the one inch to the acre. The evidence of priority indicated that the system was installed in 1928. This use was not recognized in the Jobe Adams decree, therefore I am recognizing a priority date of one day after the decree or 10-19-1928.

43-11233 This right represents the expansion of the two combined wells in a critical ground water area as identified in Idaho Code 42-1416B.

Alvin Carpenter stated that he developed the property when he purchased it in 1982. Irrigation water was delivered to the property through the buried mainline system. Therefore based upon 43-1416B this right will be recommended for a priority date of 6-30-1985. This is the same irrigated ground as identified in 43-11234. I found 69 irrigated acres based upon the 1987 aerial photography.

COMBINED RIGHT ANALYSIS The groundwater system consists of two wells licensed independently under 43-02425 and 43-02523.

43-02425 was licensed on 285 acres at 4.06 cfs and 43-02523 was licensed on 152 acres within the 285 acre place of use for 43-02425 with a diversion rate of 3.04 cfs. In 1982 the groundwater systems were tied together and applied to the 69 new acres claimed under 43-11233. The 69 acres are an expansion of both licenses.

When 43-02425 and 43-02523 are combined, they are limited to a combined total of **285 acres** as the 152 acres for 43-2523 are within the 285 acres.

As the combined acre limit is 285 acres, the limit for the combined diversion rate is;
 $285 \text{ acres} * 0.02 \text{ cfs/ac} = \mathbf{5.70 \text{ cfs}}$

43-11233 rate analysis. No additional diversion rate is being recommended for this right when combined with 43-02425 and 43-02523. The recommended diversion rate is calculated as follows;

<u>TOTAL QUANTITY LIMIT</u>	<u>5.70 cfs</u>
TOTAL IRRIGATED LICENSED ACRES	285 acres
EXPANSION ACRES	<u>69 acres</u>
TOTAL	354 acres

$5.70 \text{ cfs}/354 \text{ acres} =$ $0.016 \text{ cfs/acre (current rate)}$ $0.016 \text{ cfs/acre} * 69 \text{ acres} =$ <u>1.11 cfs (recommendation)</u>

Under 42-1416B no additional volume or diversion rate is allowable, therefore, for the combination of the **three rights** the diversion volume limit is $285 \text{ acres} * 4 \text{ af} = \mathbf{1140 \text{ af}}$ and the rate limit is the **5.70 cfs** as identified above.

SUMMARY GROUND WATER

43-02425 is limited to 285 acres within the PPU.

43-02523 is limited to 152 acres within the PPU.

43-11233 is limited to 69 acres within the PPU.

When all three rights are combined they are limited to the irrigation of 285 acres, 5.70 cfs and an annual volume of 1140 af.

SUMMARY SURFACE WATER

43-140 is limited to 148 acres within the PPU at 2.60 cfs.

43-10818 is limited to 150 acres within the PPU at 3.20 cfs.

43-10631 is limited to 36 acres within the PPU at 0.60 cfs. (the tile source right)

43-11234 is limited to 69 acres within the PPU at no additional diversion rate.

When 43-140, 43-10818 and 43-11234 are combined they are limited to the combined diversion rate of 5.80 cfs. As 43-10631 was not claimed on or as a source for the expansion acres I have not included it within the combined limitation for the 69 new acres.

As the groundwater system overlaps with the surface water system and the tile drain system, when they are all used in conjunction, they are limited to one inch per acre.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

**DIRK KEMPTHORN
GOVERNOR**

July 31, 2000

**KARL J. DREHER
DIRECTOR**

ALVIN CARPENTER
HC 61 BOX 1210
MALTA ID 83326

RE: NEW ADJUDICATION CLAIMS 43-11233 AND 43-11234

Dear Alvin

Enclosed are the two claims as data entered. Please review the claims to ensure that the data entries are correct and that the claims represent your understanding of the uses.

If you have any questions please contact this office.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures