

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A43-10792**
Date Received: 6/ 7/1989
Receipt No: S007625
Received By: X

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JD HUTCHISON 208-645-2534
Address: HC 72 BOX 2184
MALTA ID 83342
OR
Name: JOYCE HUTCHISON 208-645-2534
Address: HC 72 BOX 2184
MALTA ID 83342

2. Date of Priority: APR 1, 1871

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	27E	7	SW	NE			CASSIA
		20	NW	SW			CASSIA

5. Description of diverting works:
HEADGATES TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.190		

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

8. Total consumptive use is 720.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 DAIRY

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
14S	27E	7	SW	NE		IRR	40.0
			SE	NE		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 240.0

Total Acres 240.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

THIS CLAIM IS A COMBINATION OF A PORTION OF THIS WR: 43-00164 AND 43-00175 FOR 4.76" (0.095 CFS) EACH. CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND IRRIGATION CO.) CLAIMANT NOW OWNS 4 PLACES AND SO HE MULTIPLIES THE FIRST FIGURE BY 4.

*****OTHER WATER RIGHTS*****

A43-10792 A43-00178D A43-00165C A43-00168C

A43-10789 A43-00172C A43-00169E

AMENDED CLAIM TO CORRECT POINT OF DIVERSION AND PLACE OF USE.

5/20/97 jr

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS, ET. AL.

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

Signature of Claimant(s): J. D. Zentorian Date: 5-20-97

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of May 19 97

Notary Public

Seal.

Residing at Twin Falls, Id.
My Commission Expires 9-23-2000

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

May 20, 1997 3:54pm

CUSTOMER

JD HUTCHISON & JAY HARPER

A43-00165C,
A43-00168C,
A43-00169E,
A43-00172C,
A43-00178D,
A43-10789,
A43-10792

SUBJECT: AMENDING CLAIMS...

phone call (.) walk-in (X)

Corey was working on a transfer with them and they noticed that the point of diversion was wrong on these claims and many did not have the place of use entered. Apparently there was an old transfer which changed the point of diversion but the old point of diversion was claimed. Mr. Hutchison amended these claims to correct the point of diversion and add the place of use where necessary...

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A43-10792**

Date Received: 6/ 7/1989

Receipt No: S007625

Received By: _____

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

1. Name: J.D. HUTCHISON 208-645-2534
Address: HC 72 BOX 2184
MALTA ID 83342

OR

Name: JOYCE HUTCHISON 208-645-2534
Address: HC 72 BOX 2184
MALTA ID 83342

2. Date of Priority: APR 1, 1871

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	27E	17	NW	SW	SW		CASSIA

5. Description of diverting works:
HEADGATES TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.190		

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

8. Total consumptive use is 720.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 DAIRY

MICROFILM

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
14S	27E	7	SW		NE		IRR	40.0
			SE		NE		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								240.0
Total Acres								240.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:

THIS CLAIM IS A COMBINATION OF A PORTION OF THIS WR: 43-00164 AND 43-00175 FOR 4.76"(0.095 CFS) EACH.
CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND IRRIGATION CO.) CLAIMANT NOW OWNS 4 PLACES AND SO HE MULTIPLIES THE FIRST FIGURE BY 4.

*****OTHER WATER RIGHTS*****
A43-10792 A43-00178D A43-00165C A43-00168C
A43-10789 A43-00172C A43-00169E

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS, ET. AL.
vs Decree 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/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 _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A43-~~00164B~~ ¹⁰⁷⁹²
Date Received: 6/07/1989
Receipt No: S007625
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J.D. HUTCHISON 208-645-2534
Address: HC 72 BOX 2184
MALTA, ID 83342
OR
Name: JOYCE HUTCHISON 208-645-2534
Address: HC 72 BOX 2184
MALTA, ID 83342

2. Date of Priority: APR 01, 1871

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	27E	17	NW	SW	SW		CASSIA

5. Description of diverting works:
HEADGATES TO DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.190		

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

8. Total consumptive use is 720.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 DAIRY

A43-00164B
¹⁰⁷⁹²

Page 1

Date: 06/07/89

MICROFILM

MAR 05 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties:

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

13. Other Water Rights Used:
SEE REMARKS.

14. Remarks:
THIS CLAIM IS A COMBINATION OF A PORTION OF THIS WR: 43-00164 AND
43-00175 FOR 4.76"(0.095 CFS) EACH.
CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL
TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND
IRRIGATION CO.) CLAIMANT NOW OWNS 4 PLACES AND SO HE
MULTIPLIES THE FIRST FIGURE BY 4.
*****OTHER WATER RIGHTS*****
A43-00164B(43-00175) A43-00165C A43-00168C
A43-00166B(43-00176) A43-00172C A43-00169E
A43-00178D*****

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

<u>ALBION-IDAHO LAND CO.</u>		<u>JOBE ADAMS, ET. AL.</u>
Decree Plaintiff	vs	Decree 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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Joyce Hutchison Date: 6/7/89
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of June 19 89 Steve Collins
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

26E 27E

PUL



148

P.D.

10793
A43-00164 B

81

17

20

18

13

25

20

BM 4718



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

27-Nov-1991

J.D. HUTCHISON
JOYCE HUTCHISON
HC 72 BOX 2184
MALTA ID 83342

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A43-00164B
Identification Number Change

Dear Mr. & Mrs. Hutchison:

The Identification Number of your Notice of Claim to a Water Right has been changed from A43-00164B to A43-10792. The change in numbers has been done to better reflect the fact that your Notice of Claim combined Decreed rights 43-00164 with 43-00175. This change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new Identification Number. Refer to this Identification Number in any future inquiries or correspondence.

Please do not hesitate to contact this office, if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'Jeanie'.

Jeanie Robertson
Records Clerk

Enclosure:
Copy of Claim A43-10792

MICROFILM

MAR 05 1993

Water Right Number - 43-004648-13982

Prefix Translation: WATER RIGHT

Old (D) Number -

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

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
00/00/0000 ERROR IN REGION

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

+ - - - - Rng Sec Tract Lot Rflg County Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +

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

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

+ - - - - Twn Rng Sec Tract Lot Acres Code Description County - - - - - +

+ - - - - Diversion Means -

+ - - - - Non-Irrigation Use -

+ - - - - Other Rights for Same Use -

+ - - - - Remarks - - - - - No Remarks found. - - - - - +

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

+ - - - - Conditions of Approval - - - - - No Conditions of Approval found. - - - - - +

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

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

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

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	-
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		-

MICROFILM
MAR 05 1999

Water Right Number - A43-10792

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
HUTCHISON J.D.
1 - HC 72 BOX 2184
2 -
3 -
City - MALTA
Phone - 208-645-2534
1 - HC 72 BOX 2184
2 -
3 -
City - MALTA
Phone - 208-645-2534
State- ID Zip- 83342

HUTCHISON

JOYCE

State- ID Zip- 83342

Priority Date - 04/01/1871
Region - 17 SOUTHERN
Stage - D - DECREED
Status -

Source - RAFT RIVER
Tributary - SNAKE RIVER

TWN Rng Sec Tract Lot Rflg County Point of Diversion
14S 27E 17 NW SW SW (31) CASSIA

Code Description Period from Period to Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 01/01 12/31 0.190

Total Div. Rate - 0.190
Total Div. Volume -
Total Consumptive Use - 720.0
KW Usage -

TWN	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
14S	27E	7	SW NE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	7	SE NE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	7	NE SE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	7	NW SE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	7	SW SE		40.0	01	IRRIGATION	(31) CASSIA
14S	27E	7	SE SE		40.0	01	IRRIGATION	(31) CASSIA

Total Acres: 240.0

- - - Diversion Means - HEADGATES TO DITCHES
- - - Non-Irrigation Use - S/100 DAIRY
- - - Other Rights for Same Use - SEE REMARKS.

MICROFILM
MAR 05 199

Water right number - A43-10792

Prefix Translation: ADJUDICATION CLAIM

MICROFIL
MAR 05 1991

Remarks - - - - -
THIS CLAIM IS A COMBINATION OF A PORTION OF THIS WR: 43-00164 AND
43-00175 FOR 4.76"(0.095 CFS) EACH.
CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL
TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND
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*****OTHER WATER RIGHTS*****
A43-10792 A43-00178D A43-00165C A43-00168C
A43-10789 A43-00172C A43-00169E

4300164
4300175

Old Water Right Numbers - - - - -

Conditions of Approval - - - - -
No Conditions of Approval found.

Decree Plaintiff - - - +
ALBION- IDAHO LAND CO.

Decree Defendant - - - +
JOBE ADAMS, ET. AL.

Decree Date - - +
00/00/0000

Comments- - - - -
No Comments found

Audit fields - - +
11/27/91 ROBERTSO

Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	- 00/00/0000	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 06/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S007625	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- D
				Notice of Error Flag	-

VERIFIED BY

12/7/2000

12/07/2000

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

RIGHT NUMBER: 43-11291

NAME AND ADDRESS: JD HUTCHISON
JOYCE HUTCHISON
HC 72 BOX 2184
MALTA, ID 83342

SOURCE: RAFT RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.1 CFS
12.3 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 4.58 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 916 AF. COMBINED RIGHT NOS.: 43-
00165C, 43-00168C, 43-00169E, 43-00172C, 43-00178D, 43-10789,
43-11291, & 43-11292.

WHEN COMBINED THE RIGHTS LISTED BELOW SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA. COMBINED RIGHT
NOS.: 43-00165C, 43-00168C, 43-00169E, 43-00172C, 43-00178D,
43-02367, 43-02456, 43-10789, 43-11291, & 43-11292.

PRIORITY DATE: 04/01/1871

POINT OF DIVERSION: T14S R27E S7 SWSWSE Within CASSIA County
T14S R27E S20 NWNWSW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04-30 07-01	0.100 CFS 12.3 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County			
T14S R27E S7	SWNE	38	T14S R27E S7 SENE 33
T14S R27E S7	NESE	39	T14S R27E S7 NWSE 40
T14S R27E S7	SWSE	40	T14S R27E S7 SESE 39

229 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 229 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 43-00165C, 43-00168C, 43-00169E, 43-
00172C, 43-00178D, 43-02367, 43-02456, 43-10789, 43-11291, &
43-11292.

Water Right 43-11291

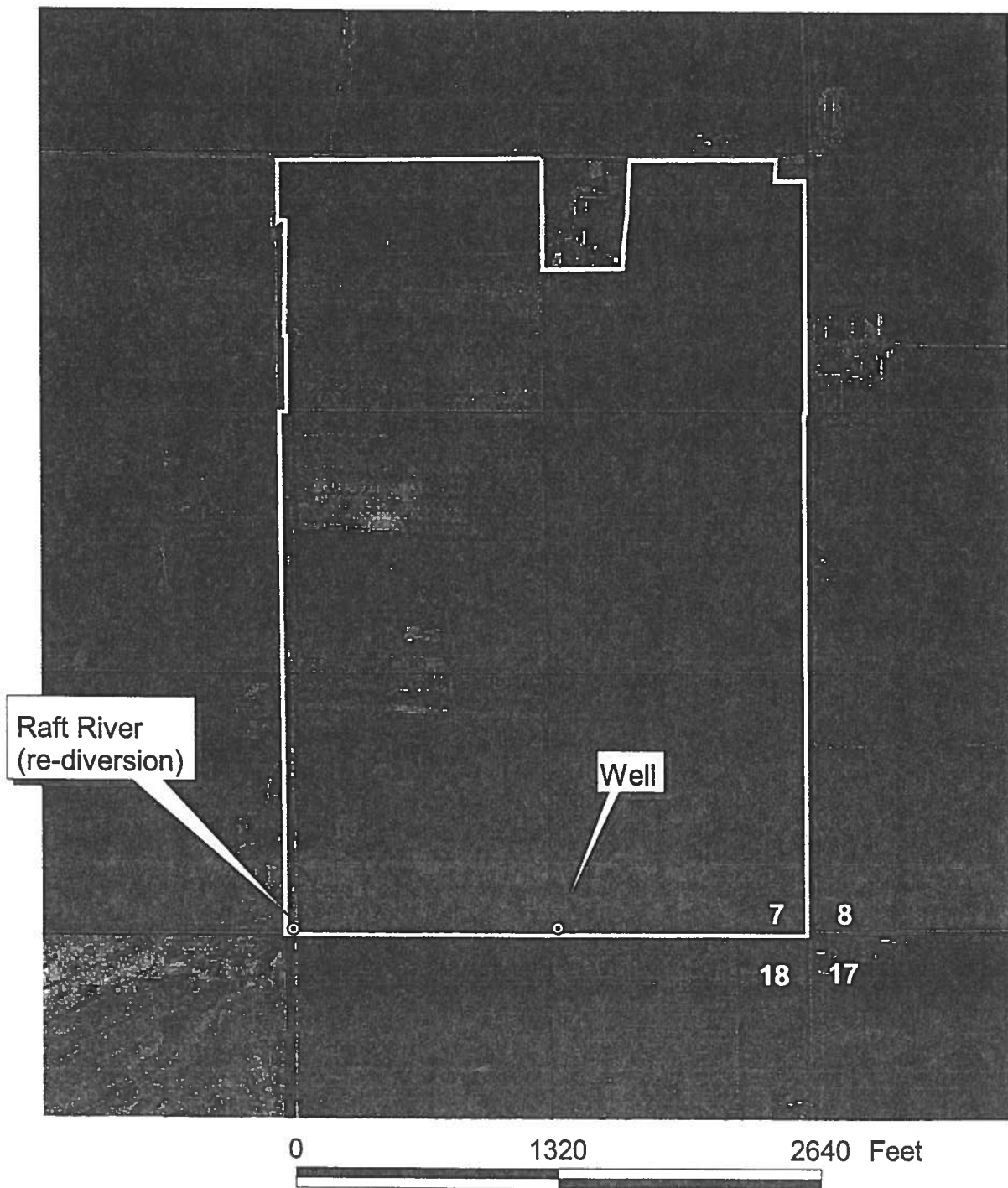
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

43-00165C, 43-00168C, 43-00169E, 43-00172C,
43-00178D, 43-02367, 43-02456, 43-10789, & 43-10792

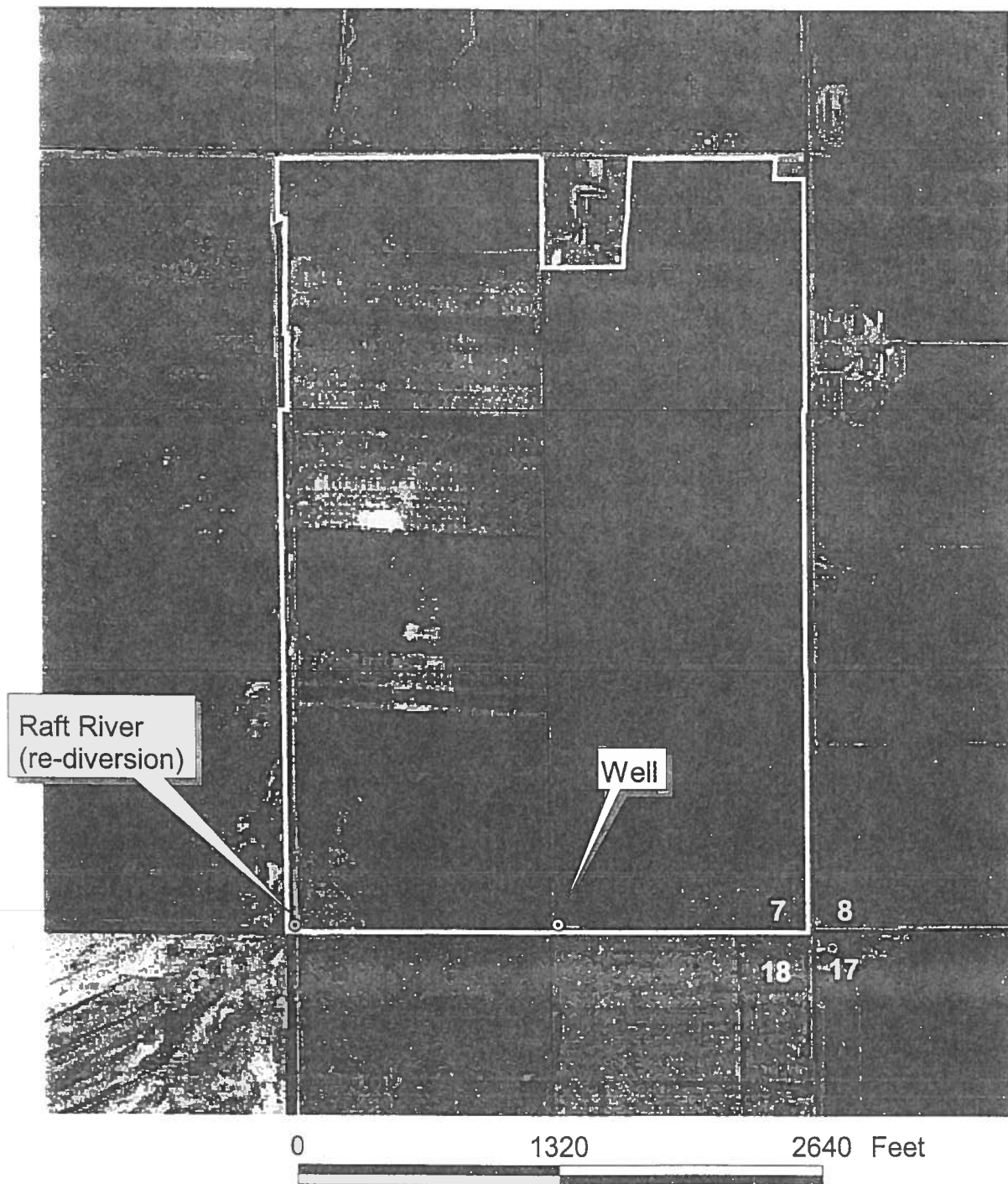


RECOMMENDED PLACE OF USE
DATA ENTRY ON DEC. 6, 2000
TWP 14S, RNG 27E, SEC. 7

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

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

43-00165C, 43-00168C, 43-00169E, 43-00172C,
43-00178D, 43-02367, 43-02456, 43-10789, & 43-10792



RECOMMENDED PLACE OF USE
DATA ENTRY ON DEC. 6, 2000
TWP 14S, RNG 27E, SEC. 7

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

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

Sutther

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5140
WATER RIGHT NO(S). 43-00164B/43-00165B/43-00166B/43-00168B
43-00169D/43-00172B/43-00175B/43-00176B/43-00178D

RECEIVED

This is to certify that: J D HUTCHISON
JOYCE HUTCHISON
HC 72 BOX 2184
MALTA ID 83342

MAR 03 1998

Department of Water Resources
Southern Region

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. 43-00164B : Priority: 04/01/1871 IRRIGATION	04/30 to 07/01	0.10 CFS	12.3 AF
Right No. 43-00165B : Priority: 04/01/1871 IRRIGATION	04/30 to 07/01	0.61 CFS	75.0 AF
Right No. 43-00166B : Priority: 04/01/1871 IRRIGATION	04/01 to 07/01	0.61 CFS	110.1 AF
Right No. 43-00168B : Priority: 04/01/1879 IRRIGATION	07/01 to 10/01	1.83 CFS	333.9 AF
Right No. 43-00169D : Priority: 06/01/1879 IRRIGATION	04/01 to 10/01	1.37 CFS	497.3 AF
Right No. 43-00172B : Priority: 04/01/1879 IRRIGATION	04/01 to 10/01	0.61 CFS	221.4 AF
Right No. 43-00175B : Priority: 04/01/1871 IRRIGATION	04/01 to 10/31	0.10 CFS	42.2 AF
Right No. 43-00176B : Priority: 04/01/1871 IRRIGATION	04/01 to 07/01	0.80 CFS	144.4 AF
Right No. 43-00178D : Priority: 12/12/1911 IRRIGATION	04/01 to 10/31	3.20 CFS	916.0 AF
TOTAL:		* 4.58 CFS	* 916.0 AF

43-11291

*2 different seasons -
will need split:
see:*

43-11292

TRANSFER NO. 5140
 WATER RIGHT NO(S). 43-00164B/43-00165B/43-00166B/43-00168B
 43-00169D/43-00172B/43-00175B/43-00176B/43-00178D

SOURCE
 RAFT RIVER

TRIBUTARY OF
 SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 7, Township 14S, Range 27E
 NWSW , Sec. 20, Township 14S, Range 27E
 CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	27E	7	SWNE 38	SENE 33	NESE 39	
			NWSE 40	SWSE 40	SESE 39	229
Total number of acres irrigated:						* 229

CONDITIONS OF APPROVAL AND REMARKS

- * 1. Rights 43-00164B, 43-00165B, 43-00166B, 43-00168B, 43-00169D, 43-00172B, 43-00175B, 43-00176B and 43-00178D when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual diversion volume of 916.0 af at the field headgate, and the irrigation of 229.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 43B.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- * 4. The total instantaneous diversion of water from all points of diversion under Transfer 5140 shall not exceed 4.58 cfs, nor total combined annual volume of 916.0 af.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

Dated this 24th day of February, 1998.

J. Glen Saxton
 Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 43-00164/165/166/168/169A/172/175/176 & 178B
 FROM: PAM SKAGGS/STATE OFFICE
 SUBJECT: TRANSFER 5140
 DATE: February 19, 1998

Transfer 5140 changes a point of diversion under a portion of the above referenced rights, splitting Rights 43-00164/165/166/168/172/175 & 176 into Parts A & B, and 43-00169A & 178B into Parts C & D.

Region review included a field exam and determination of actual irrigated acres recommending a total of 229 acres instead of 240 described on the application. The use of the rights was difficult to determine due to their frequent unavailability and a change in the river channel. The watermaster of Water District No. 43-B not only approved of this change, but encourages the use of the surface rights to whatever extent possible to conserve groundwater levels in this area.

These rights have non-standard seasons as decreed and as reaffirmed under previous Transfer Memorandum Decision and Order signed 03-31-75. The application (Attachment A) and region memo were inconsistent identifying the season for each right. The approval is based on the decree & MDO identified seasons. This changes the seasonal overlap of these rights as illustrated below.

Seasons:	4-1 to 4-30	4-30 to 7-1	7-1 to 10-1	10-1 to 10-31	
4-1-1871 Priority Rights					Days
43-00175	<--0.10-----	0.10-----	0.10-----	0.10----	213
43-00176	<--0.80-----	0.80----			91
43-00166	<--0.61-----	0.61----			91
43-00164		<---0.10----			62
43-00165		<---0.61----			62
	1.51 cfs	2.22 cfs	0.10 cfs	0.10 cfs	
4-1-1879 Priority Rights					
43-00172	<--0.61-----	0.61-----	0.61----		183
43-00168			<--1.83----		92
	2.12 cfs	2.83 cfs	2.54 cfs	0.10 cfs	
6-1-1879 Priority Right					
43-00169A	<--1.37-----	1.37-----	1.37----		183
	3.49 cfs	4.20 cfs	3.91 cfs	0.10 cfs	
12-12-1911 Priority Flood Right					
43-00178B	<--3.20-----	3.20-----	3.20-----	3.20-----	213
	~~6.69 cfs~~	~~7.40 cfs~~	~~7.11 cfs~~	3.30 cfs	
Limited to	4.58 cfs	4.58 cfs	4.58 cfs		

(0.02 cfs x 229.0 acres = 4.58 cfs maximum.)

Recommended conditions include watermaster control, measuring devices/lockable devices, multiple points of diversion, irrigation overlap, combined right limits and standard transfer conditions.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:02:34
10/22/99
97

PAGE: 20
PROFILE REPORT

CLAIM NUMBER: A43-10792

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JD HUTCHISON	04/01/1871	IRRIGATION	01-01 12-31	0.190 CFS	
C	JOYCE HUTCHISON					
TOTAL DIVERSION:					0.190 CFS	
~~CONSUMPTIVE USE:~~						~~720.00 AFA~~

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T14S R27E S07
S20

SW SWS E
SWNE
NW NWSW

CASSIA County
CASSIA County

Place of use Legal Description for: IRRIGATION

NE								NW								SW								SE								
NENE		NWNE		SWNE		SENE		NENW		NWNW		SNNW		SENE		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
14S	27E	7					40		40															40		40		40		40	240.0	
TOTAL ACRES																														240.0		

POU County: CASSIA

Non-Irrigation Uses: S/100 DAIRY

Other Rights: SEE REMARKS.

*Split st.
(2 different Seasons of Use)
see: 43-11291 (43-00164B)
43-11292 (43-00175B)*

Remarks: GEN THIS CLAIM IS A COMBINATION OF A PORTION OF THIS WR: 43-00164 AND 43-00175 FOR 4.76"(0.095 CFS) EACH. CALCULATIONS FOR THESE PORTIONS, CLAIMANT DIVIDED THE ORIGINAL TOTAL DECREE CFS BY 21. (21 PLACES MADE UP THE MALTA LAND AND IRRIGATION CO.) CLAIMANT NOW OWNS 4 PLACES AND SO HE MULTIPLIES THE FIRST FIGURE BY 4.

*****OTHER WATER RIGHTS*****

A43-10792 A43-00178D A43-00165C A43-00168C
A43-10789 A43-00172C A43-00169E

AMENDED CLAIM TO CORRECT POINT OF DIVERSION AND PLACE OF USE.

5/20/97 jr

*Cond. Code C18
Remarks:
POU 1*

QNT

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

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

*Comb. of 164B
1751*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:37:56
10/22/99

PAGE: 19
QUICKLOOK INFORMATION

96
CLAIM NUMBER: A43-10792

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

*split: 43-11291
43-11292*

BARCODE UPDATED
WHOM/DATE

R PROOF

CVR

MAPS

PHOTOS

MISC

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SD-0611-2 Basin: 43 Starting Water Right: 00164

S	Water	Name	O	Priority	STG/	Use	S
E	Right No.	Last, First	W	Date	STS	Desc	Y
L			N				S
-	43-00164			00/00/0000	/Z		WR
-	43-00164A	WARR, CHARLES	C	04/01/1871	D/	RAFT RIVER	WR
X	43-00164B	HUTCHISON, J D	C	04/01/1871	D/	RAFT RIVER	WR
-		HUTCHISON, JOYCE	C				
-	A43-00164	COMBINED RIGHT	C	04/01/1871	/Z	RAFT RIVER	AJ
-		SPLIT RIGHT	C			SPLIT RIGHT	
-						COMBINED RIGHT	
-	A43-00164A	SPLIT RIGHT	C	04/01/1871	/Z	RAFT RIVER	AJ
-		COMBINED RIGHT	C			RENUMBERED CLAIM	
-		RENUMBERED CLAIM	C			SPLIT RIGHT	
-						COMBINED RIGHT	
-	A43-00164B	COMBINED RIGHT	C	04/01/1871	/Z	RAFT RIVER	AJ
-		RENUMBERED CLAIM	C			RENUMBERED CLAIM	
-		SPLIT RIGHT	C			SPLIT RIGHT	
-						COMBINED RIGHT	

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
 (Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

WRS809NP
No. 43-001648

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J D HUTCHISON	04/01/1871	IRRIGATION	04/30 07/01	0.100 CFS	12.30 AFA
C	JOYCE HUTCHISON					
	HC 72 BOX 2184					
	MALTA ID 83342					
	(208) 645-2534					
TOTAL DIVERSION:					0.100 CFS	12.30 AFA

Water Source: RAFT RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:	T14S R27E S07 S20	SWSE NWSW	CASSIA County CASSIA County
------------------------	-------------------	--------------	--------------------------------

Point of Diversion Name(s):

T14S R27E S07 S20	SW SE NW SW	Name NEW DIVERSION EXISTING WARR UPPER DIV.	Rate	Number
-------------------	----------------	---	------	--------

Place of use Legal Description for: IRRIGATION

T	R	S	NE	NENE	NWNE	SENE	NEWN	NWNW	SWNW	SESW	NESE	NWSE	SWSE	SESE	SUM
14S	27E	7	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
38	33	:	:	:	:	:	:	:	:	:	:	:	:	:	:
39	40	:	:	:	:	:	:	:	:	:	:	:	:	:	:
TOTAL ACRES															229.0

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

43-00030	43-00032	43-00164A	43-00165A	43-00165B	43-00166A	43-00166B	43-00167	43-00168A	43-00168B
43-00169B	43-00169C	43-00169D	43-00170	43-00171	43-00172A	43-00172B	43-00173	43-00175A	43-00175B
43-00176A	43-00176B	43-00178D	43-00253	43-00255	43-00324	43-00443	43-00444		

Other Water Rights Listing Overlapping Place(s) of use:

43-00165B	43-00166B	43-00167	43-00168B	43-00169D	43-00172B	43-00175B	43-00176B	43-00178D	43-02367
43-02456									

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 43B.
- R64 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing

Conditions of Approval:
- Snake River Basin Adjudication.

Remarks: GEN Rights 43-00164B, 43-00165B, 43-00166B, 43-00168B, 43-00169D, 43-00172B, 43-00175B, 43-00176B and 43-00178D when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual diversion volume of 916.0 af at the field headgate, and the irrigation of 229.0 acres. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions. The total instantaneous diversion of water from all points of diversion under Transfer 5140 shall not exceed 4.58 cfs, nor total combined annual volume of 916.0 af.

Dates: App. Received: 07/30/1997 Priority Date: 04/01/1971
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 43B Field Exam Fee:

Comments: Date: 02/18/1998 User-ID: PSKAGGS Subject: TRANSFER 5140
Transfer 5140 adds a point of diversion under a portion of Rights 43-00164/165/166/168/172/175 & 176, splitting each right into Parts A & B, and Rights 43-00169A & 178B, splitting each right into parts C & D.

Audit: 09/18/97 MBALDWIN 02/18/98 PSKAGGS

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	43-00175			00/00/0000	/Z			WR
-	43-00175A	WARR, CHARLES	C	04/01/1871	D/	RAFT RIVER	IRR	WR
X	43-00175B	HUTCHISON, J D	C	04/01/1871	D/	RAFT RIVER	IRR	WR
-		HUTCHISON, JOYCE	C					
-	A43-00175	SPLIT RIGHT	C	04/01/1871	/Z	RAFT RIVER	IRR	AJ
-		COMBINED RIGHT	C			COMBINED RIGHT		
-						SPLIT RIGHT		

```
*Decreed copied to Water Right Database      (G6=Print Profile Rpt)      (G8=Cancel)
(Enter=Continue)    (G1=Print Screen Query)  (G7=This Query)           (Menu _____)
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WR5809NP
No. 43-001758

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/22/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J D HUTCHISON	04/01/1871	IRRIGATION	04/01 10/31	0.100 CFS	42.20 AFA
C	JOYCE HUTCHISON					
	HC 72 BOX 2184					
	MALTA ID 83342					
	(208) 645-2534					
TOTAL DIVERSION:					0.100 CFS	42.20 AFA

Water Source: RAFT RIVER Tributary to: SNAKE RIVER Stage: DECREED

Point(s) of Diversion: T14S R27E S07 S20 SMSE NMSW CASSIA County
CASSIA County

Point of Diversion Name(s):

T14S R27E S07 S20	Name	Rate	Number
	NEW DIVERSION		
	EXISTING WARR UPPER DIV.		

Place of use legal Description for: IRRIGATION

T	R	S	NE	NW	SE	SW	SUM
14S	27E	7	38	33			39
TOTAL ACRES							229.0

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

43-00030	43-00164A	43-00164B	43-00165A	43-00165B	43-00166A	43-00166B	43-00167	43-00168A
43-00168B	43-00169B	43-00169C	43-00169D	43-00170	43-00171	43-00172A	43-00172B	43-00175A
43-00176A	43-00176B	43-00178D	43-00253	43-00255	43-00324	43-00443	43-00444	

Other Water Rights Listing Overlapping Place(s) of use:

43-00164B	43-00165B	43-00166B	43-00167	43-00168B	43-00169D	43-00172B	43-00176B	43-00178D	43-02367
43-02456									

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the
- R64 - Watermaster of State Water District No. 43B.
- T07 - This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing

Conditions of Approval:
- Snake River Basin Adjudication.

Remarks: GEN Rights 43-00164B, 43-00165B, 43-00166B, 43-00168B, 43-00169D, 43-00172B, 43-00175B, 43-00176B and 43-00178D when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual diversion volume of 916.0 af at the field headgate, and the irrigation of 229.0 acres.
Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
The total instantaneous diversion of water from all points of diversion under Transfer 5140 shall not exceed 4.58 cfs, nor total combined annual volume of 916.0 af.

Dates: App. Received: 07/30/1997 Priority Date: 04/01/1871
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

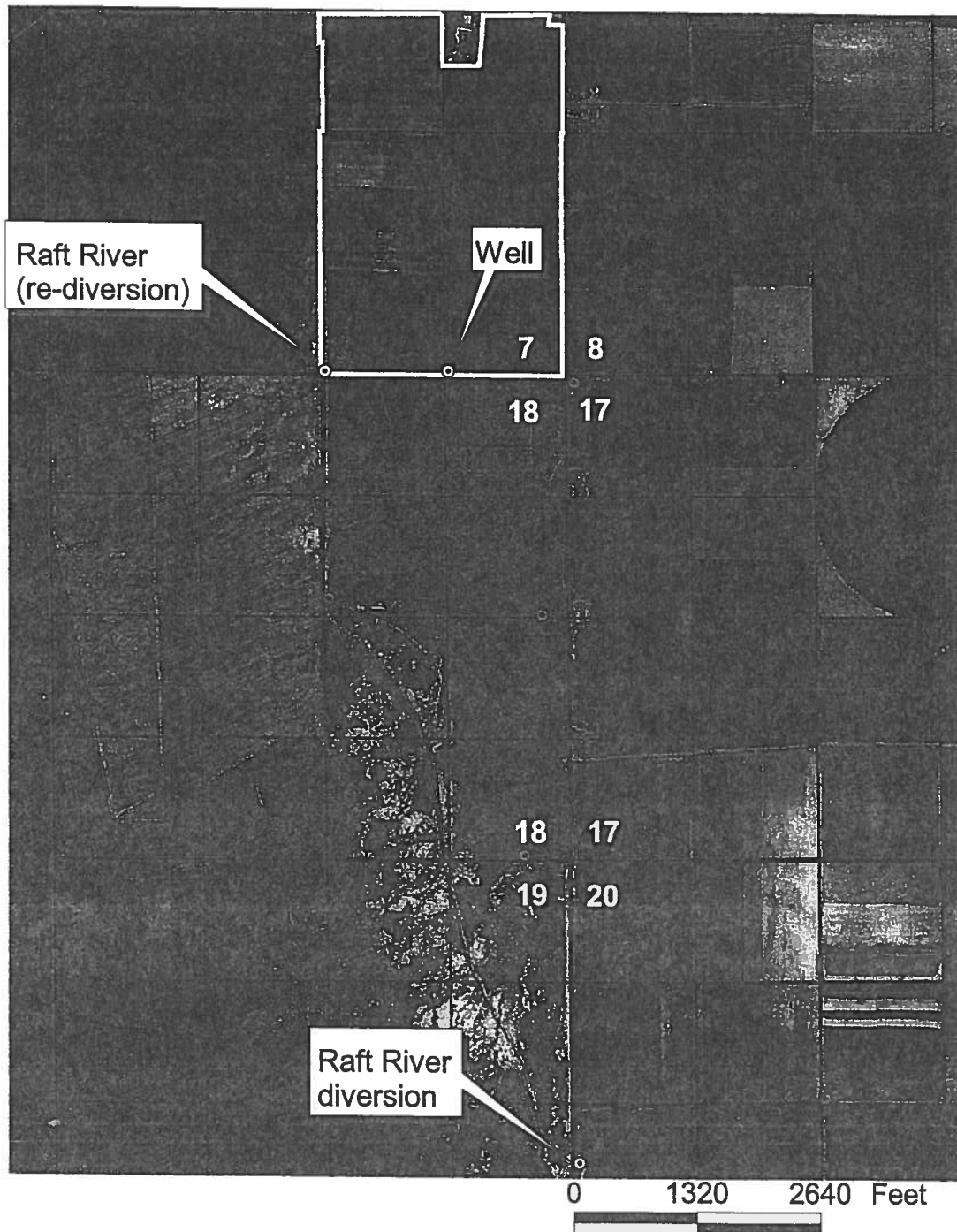
Misc: Water District Number: 43B Field Exam Fee:

Comments: Date: 02/18/1998 User-ID: PSKAGGS Subject: TRANSFER 5140
Transfer 5140 adds a point of diversion under a portion of Rights 43-00164/165/166/168/172/175 & 176, splitting each right into Parts A & B, and Rights 43-00169A & 178B, splitting each right into parts C & D.

Audit: 09/18/97 MBALDWIN 09/18/97 MBALDWIN 02/18/98 PSKAGGS 02/18/98 PSKAGGS

Idaho Department of Water Resources

43-00165C, 43-00168C, 43-00169E, 43-00172C,
43-00178D, 43-02367, 43-02456, 43-10789, & 43-10792



RECOMMENDED PLACE OF USE
DATA ENTRY ON DEC. 6, 2000
TWP 14S, RNG 27E, SEC. 7

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5140
WATER RIGHT NO(S). 43-00164B/43-00165B/43-00166B/43-00168B
43-00169D/43-00172B/43-00175B/43-00176B/43-00178D

RECEIVED

This is to certify that: J D HUTCHISON
JOYCE HUTCHISON
HC 72 BOX 2184
MALTA ID 83342

MAR 03 1998

Department of Water Resources
Southern Region

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. 43-00164B :			
Priority: 04/01/1871			
IRRIGATION	04/30 to 07/01	0.10 CFS	12.3 AF
Right No. 43-00165B :			
Priority: 04/01/1871			
IRRIGATION	04/30 to 07/01	0.61 CFS	75.0 AF
Right No. 43-00166B :			
Priority: 04/01/1871			
IRRIGATION	04/01 to 07/01	0.61 CFS	110.1 AF
Right No. 43-00168B :			
Priority: 04/01/1879			
IRRIGATION	07/01 to 10/01	1.83 CFS	333.9 AF
Right No. 43-00169D :			
Priority: 06/01/1879			
IRRIGATION	04/01 to 10/01	1.37 CFS	497.3 AF
Right No. 43-00172B :			
Priority: 04/01/1879			
IRRIGATION	04/01 to 10/01	0.61 CFS	221.4 AF
Right No. 43-00175B :			
Priority: 04/01/1871			
IRRIGATION	04/01 to 10/31	0.10 CFS	42.2 AF
Right No. 43-00176B :			
Priority: 04/01/1871			
IRRIGATION	04/01 to 07/01	0.80 CFS	144.4 AF
Right No. 43-00178D :			
Priority: 12/12/1911			
IRRIGATION	04/01 to 10/31	3.20 CFS	916.0 AF
TOTAL:		* 4.58 CFS	* 916.0 AF

TRANSFER NO. 5140
 WATER RIGHT NO(S). 43-00164B/43-00165B/43-00166B/43-00168B
 43-00169D/43-00172B/43-00175B/43-00176B/43-00178D

SOURCE
 RAFT RIVER

TRIBUTARY OF
 SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 7, Township 14S, Range 27E
 NWSW , Sec. 20, Township 14S, Range 27E
 CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
14S	27E	7	SWNE 38	SENE 33	NESE 39	229
			NWSE 40	SWSE 40	SESE 39	
Total number of acres irrigated:						* 229

CONDITIONS OF APPROVAL AND REMARKS

- * 1. Rights 43-00164B, 43-00165B, 43-00166B, 43-00168B, 43-00169D, 43-00172B, 43-00175B, 43-00176B and 43-00178D when combined shall not exceed a total diversion rate of 4.58 cfs, a total annual diversion volume of 916.0 af at the field headgate, and the irrigation of 229.0 acres.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 43B.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- * 4. The total instantaneous diversion of water from all points of diversion under Transfer 5140 shall not exceed 4.58 cfs, nor total combined annual volume of 916.0 af.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

Dated this 24th day of February, 1998.

J. Blum Saxton
 Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 43-00164/165/166/168/169A/172/175/176 & 178B
 FROM: PAM SKAGGS/STATE OFFICE
 SUBJECT: TRANSFER 5140
 DATE: February 19, 1998

Transfer 5140 changes a point of diversion under a portion of the above referenced rights, splitting Rights 43-00164/165/166/168/172/175 & 176 into Parts A & B, and 43-00169A & 178B into Parts C & D.

Region review included a field exam and determination of actual irrigated acres recommending a total of 229 acres instead of 240 described on the application. The use of the rights was difficult to determine due to their frequent Unavailability and a change in the river channel. The watermaster of Water District No. 43-B not only approved of this change, but encourages the use of the surface rights to whatever extent possible to conserve groundwater levels in this area.

These rights have non-standard seasons as decreed and as reaffirmed under previous Transfer Memorandum Decision and Order signed 03-31-75. The application (Attachment A) and region memo were inconsistent identifying the season for each right. The approval is based on the decree & MDO identified seasons. This changes the seasonal overlap of these rights as illustrated below.

Seasons:	4-1 to 4-30	4-30 to 7-1	7-1 to 10-1	10-1 to 10-31	
4-1-1871 Priority Rights					Days
43-00175	<--0.10-----	0.10-----	0.10-----	0.10-->	213
43-00176	<--0.80-----	0.80-->			91
43-00166	<--0.61-----	0.61-->			91
43-00164		<--0.10-->			62
43-00165		<--0.61-->			62
	1.51 cfs	2.22 cfs	0.10 cfs	0.10 cfs	
4-1-1879 Priority Rights					
43-00172	<--0.61-----	0.61-----	0.61-->		183
43-00168			<--1.83-->		92
	2.12 cfs	2.83 cfs	2.54 cfs	0.10 cfs	
6-1-1879 Priority Right					
43-00169A	<--1.37-----	1.37-----	1.37-->		183
	3.49 cfs	4.20 cfs	3.91 cfs	0.10 cfs	
12-12-1911 Priority Flood Right					
43-00178B	<--3.20-----	3.20-----	3.20-----	3.20-->	213
	6.69 cfs	7.40 cfs	7.11 cfs	3.30 cfs	
Limited to	4.58 cfs	4.58 cfs	4.58 cfs		

(0.02 cfs x 229.0 acres = 4.58 cfs maximum.)

Recommended conditions include watermaster control, measuring devices/lockable devices, multiple points of diversion, irrigation overlap, combined right limits and standard transfer conditions.