



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARJORIE SAINZ LTD PARTNERSHIP
PO BOX 127
SPRINGFIELD ID 83277

RE: Notice of Change of Water Right Ownership (NCO) for 35-4113, 35-7790
and Notice of Completed Administrative Proceeding (NCAP)

Dear Ms. Sainz:

On January 25, 2001, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

Enclosure

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

In Re SRBA

)

Water Rights: 35-4113, 35-7790

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

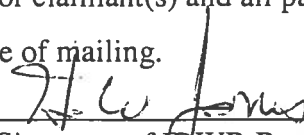
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party **SAINZ – MARJORIE SAINZ LTD PARTNERSHIP**
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 3-09-01

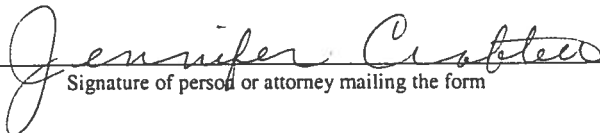


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 9, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
MARJORIE SAINZ LTD PARTNERSHIP
PO BOX 127
SPRINGFIELD ID 83277
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
JEFFREY FEREDAY JOHN ROSHOLT
GIVENS PURSLEY LAW OFFICE ROSHOLT ROBERTSON & TUCKER
PO BOX 2720 PO BOX 1906
BOISE ID 83701-2720 TWIN FALLS ID 83303-1906
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

03/08/2001

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

RIGHT NUMBER: 35-4113
NAME AND ADDRESS: MARJORIE SAINZ LTD PARTNERSHIP
PO BOX 127
SPRINGFIELD ID 83277

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 1.320 CFS
264.00 AFY

PRIORITY DATE: 04/10/1956

POINT OF DIVERSION:
T04S R32E S10 NWNESE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.320 CFS 264.00 AFY

PLACE OF USE:

IRRIGATION Within BINGHAM County

T04S R32E S10	NESE	36.0	T04S R32E S10	SESE	19.0
T04S R32E S11	NWSW	11.0			

66 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: BASIS OF CLAIM - Beneficial Use

USE OF THIS RIGHT IS COMBINED WITH WATER FROM ABERDEEN SPRINGFIELD CANAL CO.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
JAN 25 2001

Department of Water Resources
 Eastern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
35-07790	-NCEP	☐			☐
35-04113	-NCEP	☐			☐
		☐			☐
		☐			☐
		☐			☐

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Marjorie Sainz
 P.O. Box 127, Springfield, ID 83277

4. New Owner/Claimant(s)

Marjorie Sainz Limited Partnership

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 127

City, State and ZIP Code

Springfield, Idaho 83277

New Telephone Number

608 328-2256

5. Date you acquired the property

In the 1930's this property was bought by my husband (the late) Joe Sainz.

January 18, 2001

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RECEIVED

JAN 25 2001

Department of Water Resources
Eastern Region

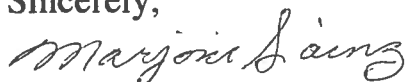
To Whom It May Concern:

My name is Marjorie Sainz. In November of 1995, I started working through an attorney to do some estate work for me. A trust and a Limited Partnership were created. At that time I had the property transferred into the Marjorie Sainz Limited Partnership, but I didn't realize that it would be best to have my water rights transferred into that same name as well until now. That then is the purpose of this letter and the documents that I have enclosed.

On Wednesday, January 17, My daughter and I met with Jenny Ruff, the Office Secretary, at the Aberdeen- American Falls Ground Water District in American Falls.

She marked the items in yellow that were necessary for me to fill in and to send. I have enclosed the copies of the property deeds to my farm. The address and phone number are still the same, and I am still the one that owns everything and runs the farm. I just need the name changed to the partnership.

Sincerely,



Marjorie Sainz

443505

WARRANTY DEED

OK

For Value Received, MARJORIE SAINZ,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: MARJORIE SAINZ, General Partner, under the MARJORIE SAINZ FAMILY LIMITED PARTNERSHIP dated October 27, 1995, and any amendments thereto.

Hereinafter called the grantee, whose current address is: 740 South 1950 West
Springfield, ID 83277

in the following described premises, in Bingham County, Idaho, to-wit:

T4S R32E SEC 11
2 A IN S PT of SW4

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: April 22, 1996

Marjorie Sainz
MARJORIE SAINZ (A.K.A. MARJORIE GIBBS)

STATE OF IDAHO, COUNTY OF *Bingham* ~~BANNOCK~~

On this *22nd April 1996* before
me, a notary public in and for said State, personally
appeared

MARJORIE SAINZ

known to me to be the person(s) whose name(s)
is/are subscribed to the within instrument, and
acknowledged to me that she executed the
same.

Gloria J Rowley
Notary Public
Residing at *Blackfoot*, Idaho
Comm. Expires *6/28/99*



STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for
at the request of

at _____ minutes past _____ o'clock _____ m.
this _____ day of _____,

19____, in my office, and duly recorded in Book of
Deeds at page _____

Ex-Officio Recorder

By _____
Deputy.

Fees \$
Mail to:

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE *300*
DEP *DP*
96 APR 24 AM 9:55
RECORDED AT THE REQUEST OF
M. Marjorie Sainz

443505

Corrected
WARRANTY DEED

443506

To correct 4 441645

For Value Received, MARJORIE SAINZ,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: MARJORIE SAINZ, General Partner under the MARJORIE SAINZ FAMILY LIMITED PARTNERSHIP dated October 27, 1995, and any amendment thereto.

Hereinafter called the grantee, whose current address is: 740 South 1950 West
Springfield, ID 83277

in the following described premises, in Bingham County, Idaho, to-wit:

E2SE LESS

7-615
Beg. at a pt. 660 ft. North of the Southeast corner of Section 10, T4S R32E2M, thence North 330 feet, thence west 330 ft, thence South 330 ft., thence East 330 feet to the point of beg.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: April 22, 1996

Marjorie Sainz
MARJORIE SAINZ (A.K.A. MARJORIE GIBBS)

STATE OF IDAHO, COUNTY OF Bingham
On this 22nd April 1996 before
me, a notary public in and for said State, personally
appeared
MARJORIE SAINZ

known to me to be the person(s) whose name(s)
is/are subscribed to the within instrument, and
acknowledged to me that she executed the
same.

Gloria J. Rove
Notary Public
Residing at Blackfoot, Idaho
Comm. Expires 6/28/99



STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for
at the request of
at _____ minutes past _____ o'clock m.
this _____ day of _____,
19 _____, in my office, and duly recorded in Book of
Deeds at page _____

Ex-Officio Recorder

By _____
Deputy.

Fees \$ _____
Mail to: _____

443506

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE
96 APR 24 AM 9:55
RECORDED AT THE REQUEST OF
P.O. 1509
83353

WARRANTY DEED

443507

0/L

For Value Received, MARJORIE SAINZ,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: MARJORIE SAINZ, General Partner, under the MARJORIE SAINZ FAMILY LIMITED PARTNERSHIP dated October 27, 1995, and any amendments thereto.

Hereinafter called the grantee, whose current address is: 740 South 1950 West
Springfield, ID 83277

in the following described premises, in Bingham County, Idaho, to-wit:

T4S R32E SEC 12 NWSW

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: April 22, 1996

Marjorie Sainz
MARJORIE SAINZ (A.K.A. MARJORIE GIBBS)

STATE OF IDAHO, COUNTY OF ^{Bingham} BANNOCK

On this 22nd April, 1996 before me, a notary public in and for said State, personally appeared

MARJORIE SAINZ

known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that she executed the same.

Gloria I. Rowley
Notary Public
Residing at Blackfoot, Idaho
Comm. Expires 6/28/99



STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for
at the request of

at _____ minutes past _____ o'clock _____ m.
this _____ day of _____,

19____, in my office, and duly recorded in Book of
Deeds at page _____

Ex-Officio Recorder

By _____
Deputy.

Fees \$ _____

Mail to: _____

443507

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 3.00
96 APR 24 AM 9:55
RECORDED AT THE REQUEST OF
M. Shary Robinson

443508

WARRANTY DEED

To Correct H 441646

For Value Received, MARJORIE SAINZ,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: MARJORIE SAINZ, General Partner, under the MARJORIE SAINZ FAMILY LIMITED PARTNERSHIP dated October 27, 1995, and any amendments thereto.

Hereinafter called the grantee, whose current address is: 740 South 1950 West
Springfield, ID 83277

her 60% interest in the following described premises, in Bingham County, Idaho, to-wit:

~~44-0-00000~~ ~~44-0-00000~~
Comm. at the SW cor. of the NW $\frac{1}{4}$ Sec. 12, Tp.
4 S. R. 32 EEM, & running th. E. 68 rds, th.
N. 160 rds; th. W. 68 rds; th. S. 160 rds.
to pl. of bg.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: April 22, 1996

Marjorie Sainz
MARJORIE SAINZ (A.K.A. MARJORIE GIBBS)

STATE OF IDAHO, COUNTY OF ^{Bingham} ~~BANNOCK~~

On this 22nd April 1996 before
me, a notary public in and for said State, personally
appeared

MARJORIE SAINZ

known to me to be the person(s) whose name(s)
is/are subscribed to the within instrument, and
acknowledged to me that she executed the
same.

Gloria J. Rowley
Notary Public
Residing at Blackfoot, Idaho
Comm. Expires 6/28/99

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for

at the request of
at _____ minutes past _____ o'clock m.
this _____ day of _____,
19 _____, in my office, and duly recorded in Book of
Deeds at page _____

Ex-Officio Recorder

By _____
Deputy.

Fees \$
Mail to:

443508

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 3.00 DEP 2.00
96 APR 24 AM 9:55
RECORDED AT THE REQUEST OF
M. Sainz Attorneys



CORRECTED
WARRANTY DEED

TO REPLACE WARRANTYDEED # 441650, 441652, & 441649

443509

For Value Received, **MARJORIE SAINZ**,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: **MARJORIE SAINZ, General Partner, under the MARJORIE SAINZ FAMILY LIMITED PARTNERSHIP dated October 27, 1995, and any amendments thereto.**

Hereinafter called the grantee, whose current address is: 740 South 1950 West
Springfield, ID 83277

in the following described premises, in Bingham County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: *April 22, 1996*

Marjorie Sainz
MARJORIE SAINZ(A.K.A. MARJORIE GIBBS)

STATE OF IDAHO, COUNTY OF *Bingham* ~~BANNOCK~~
On this *22nd April 1996* before
me, a notary public in and for said State, personally
appeared
MARJORIE SAINZ

known to me to be the person(s) whose name(s)
is/~~are~~ subscribed to the within instrument, and
acknowledged to me that she executed the
same.

Gloria I. Rowley
Notary Public
Residing at *Blackfoot*, Idaho
Comm. Expires *6/28/99*

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for
at the request of
at _____ minutes past _____ o'clock _____ m.
this _____ day of _____,
19 _____, in my office, and duly recorded in Book of
Deeds at page _____

Ex-Officio Recorder

By _____
Deputy.

Fees \$
Mail to:



BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE *6.00*
DEP *2.00*
96 APR 24 AM 9:55
RECORDED AT THE REQUEST OF
M. Sainz

EXHIBIT "A"

4SOUTH R 32EAST SEC. 11

2NE; SENW; E2NWNE;

Beginning at the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section Eleven, Township 4 South, Range Thirty-two East Boise Meridian, and running North with the West line thereof, 28 rods to a point in the center of Danilson Springs Creek; thence Easterly with the center of said Creek 40 rods to a point, thence South 30 rods to the South line of the Northwest quarter of the Northwest Quarter of said Section Eleven; thence West along said South line to the place beginning.

T-9280

1/4 LESS

0089805
Beginning at a point 9 1/2 feet North and 431 feet West of the SE corner of the SE quarter of the SW quarter of the SW quarter of Section 11, Township 4 South, Range 32 EBM running thence North 150 feet; thence West 69 feet; thence South 150 feet; thence East 69 feet of the place of beginning.

1/20 LESS

3280
Beginning at a point 9 1/2 feet North and 395 feet West of the SE corner of the SE quarter of the SW one quarter of Section 11 4 South, Range 32 EBM, running thence North 150 feet; thence West 36 feet; thence South 150 feet; thence East 36 feet of the place of beginning, except the right of way for State Highway #39 along the South boundary.

1/20 LESS

1-
3-
S
Comm. at a point 9 1/2 N. & 395 W. of the SE cor. of the SE 1/4 SW 1/4 Section 11, Township 4 South, Range 32 EBM, and running thence N. 150'; Thence W. 105' to the point of beginning. Thence W. 45'; Thence S. 150'; Thence E. 45'; Thence N. 150' to the point of beginning. Also beginning at point 9 1/2 N. and 615 W. of the SE corner of the SE 1/4 SW 1/4 Section 11 said Township and Range; Thence N. 150'; Thence W. 150'; Thence S. 150'; Thence E. 150' to point of beginning. Also Beginning at a point 9 1/2 N. and 755 W. of the SE corner of the SE 1/4 SW 1/4 Section 11, Township 4 South, Range 32 EBM, and running Thence N. 150'; Thence W. 227'; Thence S. 150'; Thence E. 227' to the place of beginning. Also Beginning at a point 9 1/2 N. and 545 W. of the SE corner of the SE 1/4 SW 1/4 of said Section 11, and running Thence N. 150'; Thence W. 60'; Thence S. 150'; Thence E. 60' to the place of beginning.

1/20 LESS

ACRES IN SOUTH PART

443509

Corrected
WARRANTY DEED

443510

To Correct # 441648

For Value Received, **MARJORIE SAINZ**,

Hereinafter called grantor, hereby grants, bargains, sells and conveys unto: **MARJORIE SAINZ**, General Partner, under the **MARJORIE SAINZ FAMILY LIMITED PARTNERSHIP** dated October 27, 1995, and any amendments thereto.

Hereinafter called the grantee, whose current address is: 740 South 1950 West
Springfield, ID 83277

in the following described premises, in Bingham County, Idaho, to-wit:

T-9297

NENE LESS

Approximately two acres consisting of a home, barn, coop, well and sewer which is currently enclosed in a net wire fence which approximate two acres, and is located in the S $\frac{1}{4}$ of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 4 South, Range 32 E. E.B.M., Bingham County, Idaho, and further described as follows: beginning at the NE Corner of Section 11, thence southerly along eastern section line, approximately 880 feet, thence westerly parallel to north section line approximately 700 feet to true point of beginning, thence southerly along east side of house approximately 220 feet to wire fence by canal bridge, thence westerly approximately 330 feet along meandering fence line, thence northerly approximately 220 feet, thence easterly to true point of beginning.

00898.04

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: April 22, 1996

Marjorie Sainz
MARJORIE SAINZ (A.K.A. MARJORIE GIBBS)

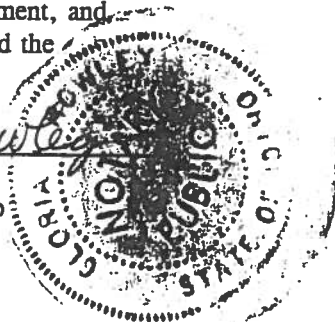
STATE OF IDAHO, COUNTY OF BANNOCK

On this 22nd April 1996 before me, a notary public in and for said State, personally appeared

MARJORIE SAINZ

known to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that she executed the same.

Notary Public
Residing at Blackfoot, Idaho
Comm. Expires 6/28/99



STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for at the request of

at this minutes past o'clock m.
day of

19, in my office, and duly recorded in Book of Deeds at page

Ex-Officio Recorder

By Deputy.

Fees \$
Mail to:

443510

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
RECORDED AT THE REQUEST OF
M. Sainz
P.O. 1509
Twin Falls
83303
96 APR 24 AM 9:55
FEE 300
DEP JF

RECEIVED

MAR 19 2001

Department of Water Resources
Eastern Region

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

In Re SRBA

Subcase No. 35-4139

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

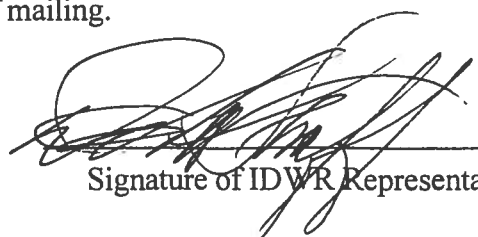
IDWR has completed the following Administrative proceeding: **IC Sec 42-222 Transfer Completed**

Name of Claimants: Gladys E Prescott
Ralph D Prescott

IDWR certifies that it has completed its investigation into the changes to the elements of the water right listed above as set forth in the attached *Amended Director's Report* for said water right. The previously approved transfer was rescinded negating any changes to the water right recommended in the Director's Report filed January 29, 1999. No other changes have been made to the elements of this water right except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimants, prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 3-13-01

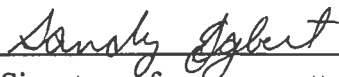

Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
5/21/96

CERTIFICATE OF MAILING

I certify that on 3-15, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Jeffrey C. Fereday
Givens Pursley, LLP
P.O. Box 2720
Boise, ID 83701-2720
3. One Copy to:
John Rosholt
Rosholt, Robertson & Tucker, Ctd.
P.O. Box 1906
Twin Falls, ID 83303-1906
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

03/12/2001

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

RIGHT NUMBER: 35-4139

NAME AND ADDRESS: RALPH D PRESCOTT
GLADYS E PRESCOTT
1194 W 600 S
PINGREE ID 83262

SOURCE: GROUND WATER * TRIBUTARY:

QUANTITY: 0.500 CFS
100.00 AFY

PRIORITY DATE: 04/01/1946

POINT OF DIVERSION:

T03S R34E S31 NESWSW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.500 CFS 100.00 AFY

PLACE OF USE:

IRRIGATION Within BINGHAM County

T03S R34E S31	NESW	2.0	T03S R34E S31	SESW	10.0
T03S R34E S31 Lot 6	NWSE	8.0	T03S R34E S31 Lot 5	SWSE	5.0

25 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: BASIS OF CLAIM - Beneficial Use

USE OF THIS RIGHT IS COMBINED WITH WATER FROM PEOPLES CANAL &
IRRIGATION CO.

#128

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: A35-04113
Date Received: 2/09/1989
Receipt No: E005728
Received By: JO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARJORIE STANZ Sainz 208-328-2256
Address: BOX 127
SPRINGFIELD, ID 83277

2. Date of Priority: APR 10, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	32E	10	NE	SE			BINGHAM

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		

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

8. Total consumptive use is 234.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	32E	10	NE	SE		IRR	40.0
			SE	SE		IRR	30.0
Section Acres							70.0

A35-04113

Page 1

Date: 02/09/89

A3504113



MICROFILMED

DEC 10 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	32E	11	NW	SW		IRR	8.0
Section Acres							8.0
Total Acres							78.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: 1

For Individuals:

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

Signature of Claimant(s): Margie Loring Date: Feb 9, 1989

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9th day

of February 19 89

Anthony L. Olmsted
Notary Public

Seal

Residing at Idaho Falls

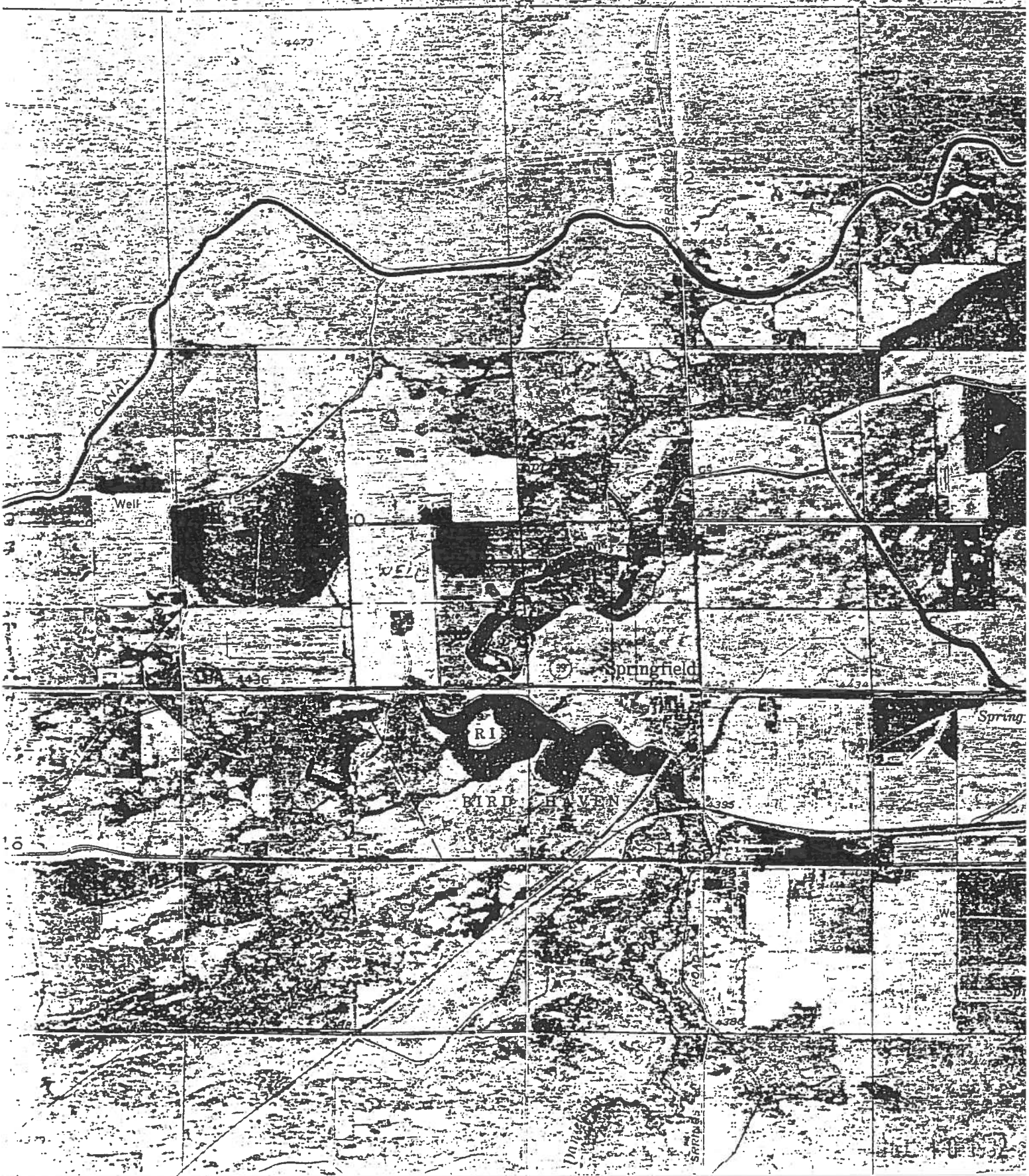
My Commission Expires 9/12/1994

3

34

35

36



17-Jun-1991

MARJORIE SJANZ
PO BOX 127
SPRINGFIELD ID 83277

RE: **Evidence of Priority**
NO. A35-04113

Dear Claimant:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled "**Evidence of Priority**". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date**".

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by JULY 15, 1991, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILME
DEC 10 1992

MARJORIE SJANZ
A35-04113

page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:rb

Enc. Brochure on "Evidence of Priority"
Proof Report

MICROFILMED
DEC 10 1992

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

RECEIVED

Ident. Number: A35-04113
Date Received: 2/ 9/1989
Receipt No: E005728
Received By: _____

DEC 17 1991

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARJORIE SAINZ 208-328-2256
Address: BOX 127
SPRINGFIELD ID 83277

2. Date of Priority: APR 10, 1952

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	32E	10		NE	SE		BINGHAM

5. Description of diverting works:
WELL, PUMP & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.000		

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

8. Total consumptive use is 234.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	32E	10	NE	SE		IRR	40.0
			SE	SE		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	70.0
		11	NW	SW	IRR	8.0
					Section Acres	8.0
					Total Acres	78.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): Marjorie Loring Date: 12/17/91

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of December 19 91

Callen Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 6/20/97

RECEIVED

DEC 17 1991

Department of Water Resources
Eastern District Office

STATE OF IDAHO)
County of Bingham }

LaMar Whyte, being first duly sworn, on oath deposes and says that he resides in Springfield, Idaho, 83277, and has been a neighbor of Marjorie Sainz for many years, and of his own knowledge knows that the well concerned with Permit #A35-04113 was drilled on April 10, 1956.

LaMar Whyte
LaMar Whyte

Subscribed and sworn to before me this 16th day of December, 1991.

Charles O. Puckham
Notary Public for Idaho
residing at Blackfoot

My commission expires:

Nov. 10, 1992

MICROFILMED

DEC 10 1992

June 29/1991

To Whom it May Concern

I Lamar Whyte of Springfield, Idaho 83277
have been a neighbor of the Concerned
Well & pump since it was drilled ^{on 4-10} and
it has been in use consistently since.
The Number of Well is A 35-04113
(permit)

Sincerely
Lamar Whyte

Subscribed & Sworn before me a Notary
Public on this the 29 day of June 1991.

my commission
expires 10-21-94

Cheryl R. Thelin
Sterling, Ida

RECEIVED

DEC 17 1991

Department of Water Resources
Eastern District Office

Mr. Whyte does
not mention
a date !!

RECEIVED

JUL 1 - 1991

Department of Water Resources
Eastern District Office

DEC 10 1992

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

AJ5807NP
(00-117)

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		MAXIMUM DIVERSION	STAGE
				FROM	TO		
A35-04113	MARJORIE SIANZ BOX 127 SPRINGFIELD ID 83277	04/10/1952	IRRIGATION	04-01	11-01	3.00 CFS	STATUTORY CLAIM
						3.00 CFS TOTAL	
						0.00 AFA TOTAL	

TRIBUTARY:

SOURCE: GROUNDWATER
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:

REMARKS:

POINT OF DIVERSION:
T04S R32E S10 NESE

PLACE OF USE: IRRIGATION
T04S R32E S10 NESE 40.0 SESE 30.0
S11 NWSW 8.0

78.0 ACRES TOTAL

Name correction
SAINZ

DECEMBER 13, 1991

MARJORIE SAINZ
BOX 127
SPRINGFIELD ID 83277

RE: NOTICE OF CLAIM A35-04113

Dear Ms. Sainz:

While doing the initial comparison between computer generated Notices and hard copy Notices filed by claimants in Basin 35, it has come to our attention that a signed and notarized copy of your notice is not in our files. Although your Notice of Claim to a water right has been data entered in our computer system, we do not have a signed "original". It is our error, not yours. It is necessary that we have a signed and notarized Notice before we can process the Notice and make recommendations to the court.

I have enclosed for your convenience a typed Notice of Claim that must be signed in the presence of a Notary and returned to this department within 10 days (December 27, 1991).

Also, we received the notarized statement from Lamar Whyte on this same water right regarding the priority date. The statement is fine, but he did not mention any dates in his affidavit, so consequently, it is not valid evidence. I am returning the notarized "evidence of priority" to you that Mr. Whyte signed. Please have Mr. Whyte sign another affidavit before a Notary, or perhaps he can insert the date in this affidavit. Please note your water right number (A35-04113) in the upper right hand corner.

MICROFILMED
DEC 10 1992

Marjorie Sainz
Page - 2 -

I am sorry for any inconvenience. Please do not hesitate to contact this office if you have any questions regarding this matter (525-7161).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Eric Verner", with a long horizontal flourish extending to the right.

Eric Verner
Senior Water Rights Agent

EV:jt

Enclosure

MICROFILMED

DEC 10 1992

June 29/1991

To Whom it May Concern

I Roman Whyte of Springfield, Idaho 83227,
have been a neighbor of the concerned
Well & pump since it was drilled and
it has been in use consistently since.
The Number of Well is A 35-04113
(Permit)

Sincerely
Roman Whyte

Subscribed & Sworn before me a Notary
Public on this the 29 day of June 1991.

my commission
expires 10-21-94

Cheryl R. Thelen
Sterling, Ida

RECEIVED

JUL 1 - 1991

Department of Water Resources
Eastern District Office

MICROFILMED

DEC 10 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

DATE: *Feb 20, 1992*

*MARJORIE SAINZ
PO BOX 127
SPRINGFIELD ID*

RE: REFUND

Dear *Marjorie*:

This office has initiated a Refund Request for the double payment of fees in the Snake River Basin Adjudication (SRBA).

Comparison of the land list on your Notice(s) with the lands listed on claims submitted by Aberdeen-Springfield Canal Company revealed an overlap of the following:

*76 acres on A35-04113
76 acres on A35-07790.*

Therefore, the Refund Request is for \$*154⁰⁰*, paid under receipt *E005728*. A check for this amount should be mailed from Boise in the near future.

Naturally, if you have any questions, feel free to contact this office (525-7161).

Respectfully submitted,

Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

EC:jt

cc: Aberdeen-Springfield Canal Company

File: To Claim

MICROFILME

DEC 10 1992

WHITE - State Auditor
 YELLOW - Remittance Advice
 PINK - State Auditor then Agency
 GOLDENROD - Agency Copy

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
 Office of State Auditor

AGENCY USE

Date	8616
Code	04/03/92
	193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES
 TAX EXEMPT # X-189030-E-920
 VALID THRU 1/94

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS ENCUMBRANCE REQUISITION

PAY

MARJORIE SAINZ
 PO BOX 127
 SPINGFIELD, ID 83277

TO

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	04 10 162	9337	8831		REFUNDS PER ERNIE CARLSEN CLAIM #A35-04113 CLAIM #A35-07790 4/ 2/92 154.00	154.00	
 APR 23 1992 Department of Water Resources Eastern District Office							
TOTAL						154.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

DEC 10 1992

E 00516

REFUND REQUEST

TO: S. Frazee to Log In
FOR: J. Carlson/D. Shaff/D. Allen
FROM: Ernie Carlson

RECEIVED

RE: Payor Marjorie Sainz
Address P.O. Box 127

FEB 24 1992

Claimant if NOT Payor same

Department of Water Resources

Refund Amount \$ 154⁰⁰ ✓

Claim Location Region

Extension Filed? Y/N NA

Copy Attached? Y/N NA

Late Fees Paid? Y/N NA

On Receipt #

S.O. Verified Ext. by on

Refund Generated By () Agent (X) Claimant claimant

Refund Category Double payment of variable fees

Date of Last Correspondence (copy attached) 2-20-92

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
<u>A3504113</u>	<u>01</u>	<u>\$ 128⁰⁰</u>	<u>50⁰⁰</u>	<u>E005728</u>
<u>A3507790</u>	<u>01</u>	<u>\$ 126⁰⁰</u>	<u>50⁰⁰</u>	<u>E005728</u>
<u> </u>	<u> </u>	<u>\$</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u>\$</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u>\$</u>	<u> </u>	<u> </u>

Detailed Reason(s) for Refund Attached Y/N

Region Adj. Supervisor Approval JMC John Carlson Approval gr
Don Shaff Approval 4-02-92 Hold To Fiscal
Not Refunded as of 03-04-92 Logged 02-25-92
Data Base Modified? Y/N NA By J. Muzee Date 02-25-92

Claimant paid assessment to Aberdeen Springfield Canal for land served by canal company and then ~~paid~~ claimant also paid the variable fee for the land under A35-04113 & A35-07790. Subsequently the canal company paid the variable for the P.O.U. on A01-000232 & A01-000232 under receipt E014259. Comparison of the P.O.U between these claims reveals an overlap of 154 acres. The claimant is therefore due a refund of ~~\$154⁰⁰~~ paid under receipt ~~E005728~~.

→ EWC sent ltr.

05/01/91

MICROFILME

DEC 10 1992

```
Date: 02/14/93
Time: 11:51:10
```

Receipt Amt : 254.00

(Enter=Continue) (GOLD2=Update) (GOLD4=Prev Pg) (GOLD5=Next Pg)

claim	P.O.U.	overlap w/ AOI-0002324/21	correct fee	refund
35-04113	78	78	50 ⁰⁰	78 ⁰⁰
35-07790.	76	76	50 ⁰⁰	76 ⁰⁰
				<u>154⁰⁰</u>

MICROFILMED
DEC 10 1992

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE			NW			SE			NE			NW			SE			NE			NW			SE			SUM																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
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A3504113	T04S R32E S10	GROUNDWATER																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE		NW		SE		SW		NE		NW		SE		SW		NE		NW		SE		SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A3507790	T0&S R32E S11	GROUNDWATER																						76
A010002320	SNAKE RIVE	38	37	37	35	32	37	31	35	39	40	38	40	36	40	40	40	40	40	40	36	40	40	595
A010029720	SNAKE RIVE	38	37	37	35	32	37	31	35	39	40	38	40	36	40	40	40	40	40	40	36	40	40	595
A010206460	SNAKE RIVE	38	37	37	35	32	37	31	35	39	40	38	40	36	40	40	40	40	40	40	36	40	40	595
A010206860	SNAKE RIVE	38	37	37	35	32	37	31	35	39	40	38	40	36	40	40	40	40	40	40	36	40	40	595
A010206880	SNAKE RIVE	38	37	37	35	32	37	31	35	39	40	38	40	36	40	40	40	40	40	40	36	40	40	595
A350254320	GROUNDWATE	38	37	37	35	32	37	31	35	39	40	38	40	36	40	40	40	40	40	40	36	40	40	595
A3504113	GROUNDWATE									08													8	
A350424620	GROUNDWATE	38	37	37	35	32	37	31	35	39	40	38	40	36	40	40	40	40	40	40	36	40	40	595
A3507540	GROUNDWATE																						75	
A3508069	GROUNDWATE																						2	

overlap
76

AJ0749NP
No. R35-04113

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/25/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARJORIE SIANZ PO BOX 127 SPRINGFIELD ID 83277 (208) 328-2256	04/10/1956	IRRIGATION	04-01 10-31	1.32 CFS	264.00 AFA
TOTAL DIVERSION:					1.32 CFS	264.00 AFA

Water Source: GROUNDWATER
Tributary to:
Stage: BENEFICIAL USE
Point(s) of Diversion: T04S R32E S10 NW/4SE BINGHAM County

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	SUM
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac
04S 32E 10	: :	: :	: :	: :	: 19
04S 32E 11	: :	: :	: 11	: :	: 55.0
TOTAL ACRES					66.0

POU County: BINGHAM
Other Rights: ABERDEEN SPRINGFIELD CANAL

Conditions of Approval:
E02 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ABERDEEN SPRINGFIELD CANAL CO.

Dates: Exam Made Date: 08/13/1992 Verified Date: Objection Filed Date:

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

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED
DEC 16 1998
Department of Water Resources
Eastern Region

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 35-04113

MARJORIE SIANZ
PO BOX 127
SPRINGFIELD ID 83277

Daytime Telephone Number:

Evening Telephone Number:

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

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

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

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: Dec 16, 1998 SIGNATURE: Margorie Sianz
Please print your name: MARJORIE SIANZ

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

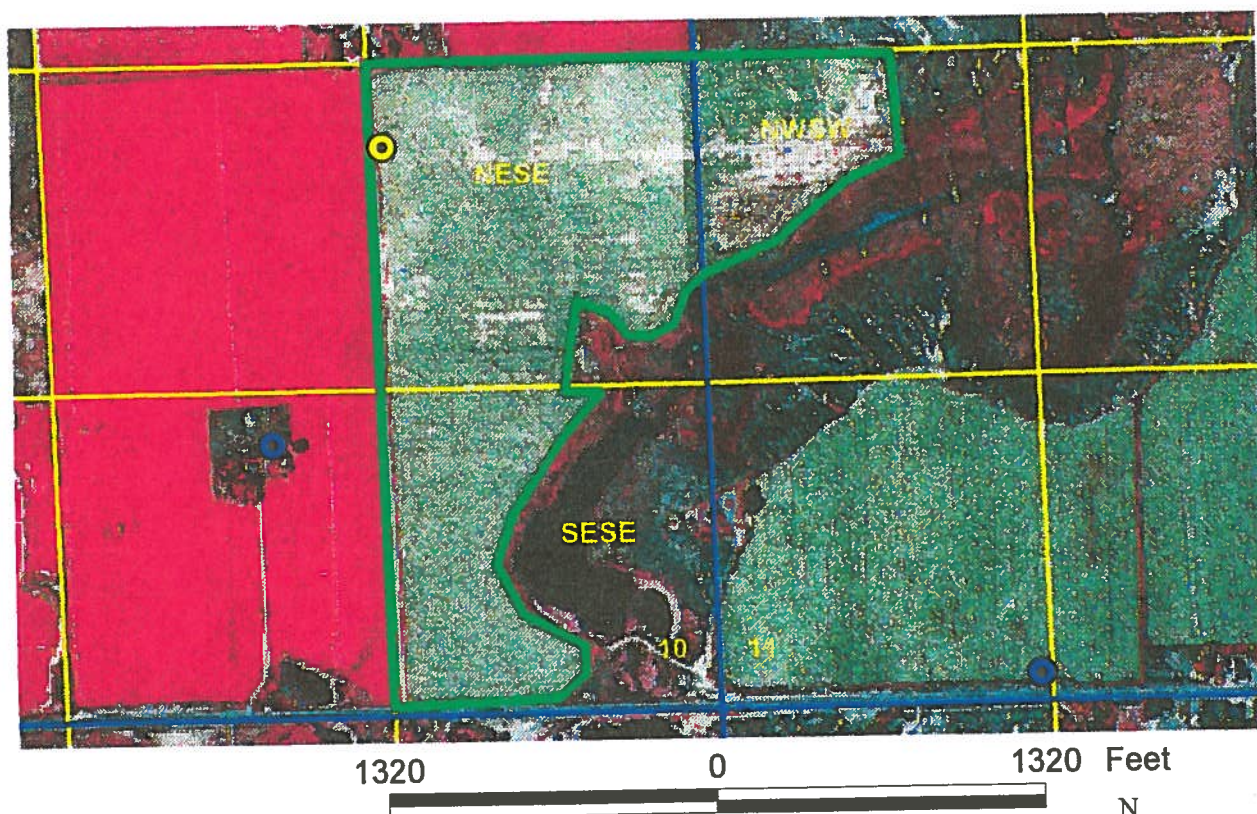
T

IDAHO DEPARTMENT OF WATER RESOURCES

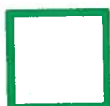
MARJORIE SAINZ

35-04113

TOWNSHIP 04S, RANGE 32E, SECTION 10,11



POINT OF DIVERSION



PLACE OF USE



SECTION LINE



QUARTER/QUARTER



ACRES IRRIGATED- 66

GIS PLACE OF USE ILLUSTRATION
1987/1988 NAPP PHOTOGRAPHY
PREPARED BY DAVE CARLSON
09/15/1998

Evans

312 38.6
107 H

950

16.9

TRANSFER
POWER
"92"

PD

MAINLINE

36 AC

19 AC

35 - 04113

11.0

10 H Highway 39

15 H

Springfield - Taber Rd.

Spring Rd.

LAST: SIAMZ
ADDRESS: BOX 127
CITY: SPRINGFIELD
PHONE NUMBER: 208-328-2255
FIRST: MARJORIE
STATE: ID ZIP: 83277

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD
EXAMINER
DATABASE
N

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

DATE OF FIELD EXAM: 4/13/92

APPOINTMENT MADE: Y() N(X)

ACCOMPANIED BY:

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

PHONE NUMBER: () - -

TIME: - : - A() P()

PHONE NUMBER: () - -

Field Exam

A. AJ CLAIM: # A35-04113

PRIORITY DATE: 04-10-1952

STAGE: 5

B. HR RECORD: # 35-04113

PRIORITY DATE: 04-10-1952

STAGE: 5

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
NFIELD
EXAMINER
---ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? (Y) (N) ()
IF YES EXPLAIN.

REMARKS: 4-10-1956

RECOMMENDED PRIORITY DATE:

04-10-1952

REVIEWED BY

DC

DATE

8/18/92

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	LOT	CNTY
A35-04113	04S	32E	10	NE	SE		BINGHAM

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

NONE NONE

HR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: GROUNDWATER

TRIB:

B. HR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
35-04113	04S	32E	10	NE	SE			BINGHAM

OTHER HR RECORDS WITH SAME HR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE	FIELD EXAMINER
Y	---
N	---

REMARKS:

PD is ok

Luidrive Motors Bu Do. H6L1088A

Houston Pump

horsepower not readable

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC. 1/4 1/4 LOT COUNTY

SOURCE: GROUNDWATER TRIB:

REVIEWED BY: DK DATE: 8/92

A. ROOT WATER RIGHT NUMBERS: A35-04113

B. POU LISTING

THP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	HR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
045	32E	10	NE	SE		SIANZ, MARJORIE	A35-04113 /40.0	35-04113 /40.0		37.0	
			NE	SE		LING, ROGER D.	A01-0002320/40.0	-	/	26.0	
			NE	SE		LING, ROGER D.	A01-0029770/40.0	-	/		
			NE	SE		LING, ROGER D.	A35-0254320/40.0	-	/		
			NE	SE		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/40.0	-	/		
			NE	SE		LING, ROGER D.	A01-0206460/40.0	-	/		
			NE	SE		LING, ROGER D.	A01-0206860/40.0	-	/		
			NE	SE		LING, ROGER D.	A01-020680/40.0	-	/		
045	32E	10	SE	SE		SIANZ, MARJORIE	A35-04113 /30.0	35-04113 /30.0		37.0	
			SE	SE		LING, ROGER D.	A01-0002320/40.0	-	/	19.0	
			SE	SE		LING, ROGER D.	A01-0029770/40.0	-	/		
			SE	SE		LING, ROGER D.	A35-0254320/40.0	-	/		
			SE	SE		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/40.0	-	/		
			SE	SE		LING, ROGER D.	A01-0206460/40.0	-	/		
			SE	SE		LING, ROGER D.	A01-0206860/40.0	-	/		
			SE	SE		LING, ROGER D.	A01-020680/40.0	-	/		
045	32E	11	NW	SW		SIANZ, MARJORIE	A35-04113 /8.0	35-04113 /8.0		38.0	
			NW	SW		LING, ROGER D.	A01-0029770/39.0	-	/	11.0	
			NW	SW		LING, ROGER D.	A01-0002320/39.0	-	/		
			NW	SW		LING, ROGER D.	A35-0254320/39.0	-	/		
			NW	SW		ABERDEEN SPRINGFIELD CANAL CO.	A35-0424620/39.0	-	/		
			NW	SW		LING, ROGER D.	A01-0206460/39.0	-	/		
			NW	SW		LING, ROGER D.	A01-0206860/39.0	-	/		
			NW	SW		LING, ROGER D.	A01-020680/39.0	-	/		
TOTAL ACRES							A35-04113	78.00	78.00	112.00	

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

IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE FIELD
Y EXAMINER

A. AS CLAIMED USES:

PURPOSES
435-04113 IRRIGATIONMONTH/DAY
FROM 04-01 TO 11-02 10/31DIVERSION QUANTITY
3.000 CFS
3.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. NR RECORDED USES:

PURPOSES
35-04113 IRRIGATIONMONTH/DAY
FROM 04-01 TO 11-01DIVERSION QUANTITY
3.000 CFS
3.000 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO NR STANDARDS OR OTHER?

Y	()	N	(X)
Y	(X)	N	()

EXPLAIN IN REMARKS, BELOW.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

8/13/92 5 lines -12

AJ TOTAL CLAIMED DIVERSION RATE:
HR ROOT RIGHT TOTAL DIVERSION RATE:

3.000 CFS
3.000 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***

*** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN REMARKS. ***

Measurement

FLOW MEASUREMENT REQUIRED?

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

Y

1.60 cfs = 3960/50 sec

1.46 cfs = 3960/55 sec

1.34 cfs = 3960/60 sec

-12
-12
-18
-38
-40
120 binks

5 gallons / 50 seconds

B. FLOW MEASUREMENT

MEASUREMENT METHOD Bucket-stopwatch, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

ABERDEEN SPRINGFIELD CANAL

LIST ALL RIGHTS WITH A SAME POW AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A35-04113	GROUNDWATER	SIANZ, MARJORIE	3.000	0.038		
A01-0002320	SNAKE RIVER	LING, ROGER E.	1250.000	0.035		
A35-0254320	GROUNDWATER	LING, ROGER D.	6.000			
A35-0424620	GROUNDWATER	ABERDEEN SPRINGFIELD CANAL CO.	2.440			
A01-0206460	SNAKE RIVER	LING, ROGER D.			57133.00	1.61
A01-0205860	SNAKE RIVER	LING, ROGER D.			129940.00	3.66
A01-0206800	SNAKE RIVER	LING, ROGER D.			22860.00	0.64

NO RIGHTS WITH SAME POW BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
ACRES 66 X 0.02 CFS/ACRE = 1.32 CFS
(TAKEN FROM P/U REVIEW)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 234.0 AF/A

ACRES 66 X CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 198 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 66 X DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 264 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	3.080 3.080 7.32 7.32	264 264	24.0 24.0
TOTAL FOR THIS RIGHT			264	24.0

REVIEWED BY:



DATE:

8/18/92

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNTACCERTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-04113

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
3.000

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERSCURRENT
CLAIM NUMBERSDIVERSION
RATECURRENT "R"
CLAIM NUM."R" DIV.
RATEWR RIGHT
NUMBERSDIVERSION
RATE

- 35-04113

3.000

-

35-04113

3.000

TOTAL CFS

3.000

3.000

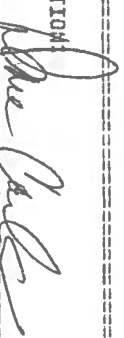
DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)DATABASE
Y
FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:



DATE:

8/8/02

NAME OF FIELD EXAMINER:

DAVE CARLSON

TITLE:

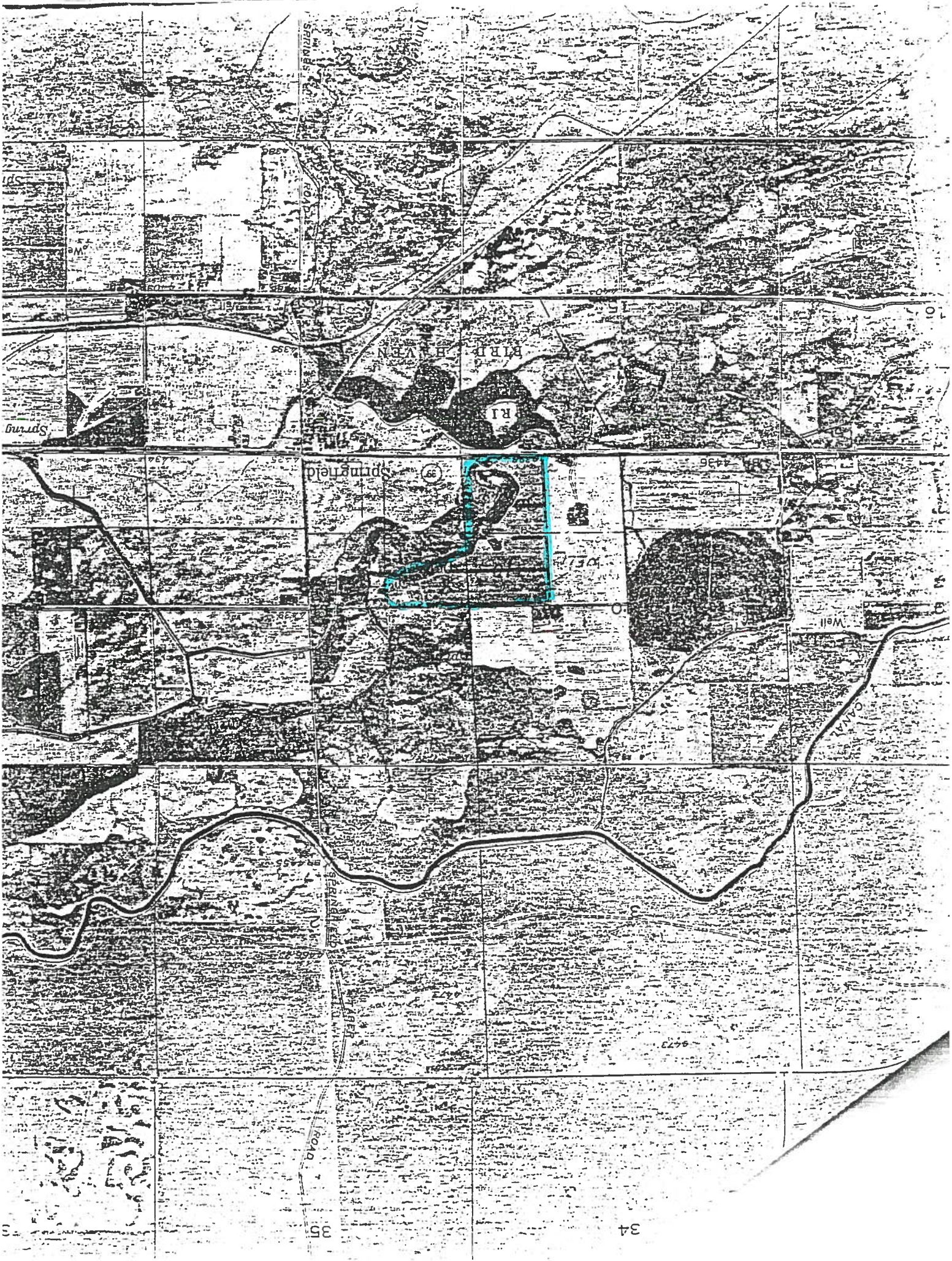
WR

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY HHOM/DATE	FIELD EXAM BY HHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW HHOM/DATE	COMPLETED DATA ENTRY HHOM/DATE	VERIFIED DATE HHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		12/8/92	Y				2-18-92
SOURCE								
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE				Y				
PURPOSES								
PERIOD OF USE				Y				
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

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

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



June 29/1991

it may concern

Ramar Whyte of Springfield, Idaho 832
we been a neighbor of the concerned
Well & pump since it was drilled ^{on 4-1} and
it has been in use consistently since.
The Number of Well is A 35-04113
(Permit)

Sincerely
Ramar Whyte

Subscribed & Sworn before me a Notary
Public on this the 29 day of June 1991.

my commission
expires 10-21-94

Cheryl R. Thelen
Sterling, Ida

RECEIVED

DEC 17 1991

Department of Water Resources
Eastern District Office

Mr. Whyte does
not mention
a date !!

RECEIVED

JUL 1 - 1991

Department of Water Resources
Eastern District Office

RECEIVED

DEC 17 1991

Department of Water Resources
Eastern District Office

STATE OF IDAHO)
County of Bingham }

LaMar Whyte, being first duly sworn, on oath deposes and says that he resides in Springfield, Idaho, 83277, and has been a neighbor of Marjorie Sainz for many years, and of his own knowledge knows that the well concerned with Permit #A35-04113 was drilled on April 10, 1956.

LaMar Whyte
LaMar Whyte

Subscribed and sworn to before me this 16th day of December, 1991.

Charles O. Paulson
Notary Public for Idaho
residing at Blackfoot

My commission expires:

Nov. 10, 1992