

141
COPYIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED

MAR 20 1990

Ident. Number: A41-07034
Date Received: 3/07/1990
Receipt No: W006177
Received By: DCDepartment of Water Resources
Southern Region OfficeNOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW1. Name: FAROLD J. NELSON
Address: BOX 177
ROCKLAND, ID

208-548-2261

83271

2. Date of Priority: APR 07, 1978

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	31E	28	SE		NW		POWER

5. Description of diverting works:
WELL/ PUMP TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.820		318.50

7. Total Quantity Appropriated is:
1.820 C.F.S. (and/or) 318.50 A.F.A.

8. Total consumptive use is 273.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	31E	28	NE	NE		IRR	2.0
			NW	NE		IRR	25.0
			SW	NE		IRR	35.0

A41-07034

Page 1

Date: 03/07/90

MICROFILMED

MAR 02 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	31E	28	SE	NE	IRR	4.0
			NE	NW	IRR	7.0
			SE	NW	IRR	18.0
					Section Acres	91.0
					Total Acres	91.0

11. Place of use in counties: POWER

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: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Harold J Nelson Date: 3/7/90

Date: _____

State of Idaho)
County of Power) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of March 19 98 Bert Carmona
Notary Public

Seal

Residing at am. Falls, Idaho
My Commission Expires 11/5/91

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
NOV 16 2006	
By _____	Clerk
_____	Deputy Clerk

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

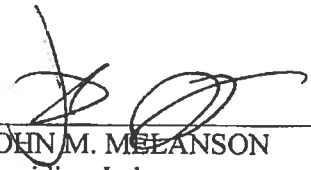
In Re SRBA	)	ORDER OF PARTIAL DECREES
	)	
Case No. 39576	)	SUBCASES: 41-07030 & 41-07034
	)	
	)	
	)	
	)	

On September 21, 2006, an *Order Granting Motions to Alter or Amend and Amended Special Master Report* was filed for the above-captioned water rights. No Challenges were filed to the *Amended Special Master Report* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Amended Special Masters Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached *Partial Decrees Pursuant to I.R.C.P. 54(b)*.

DATED Nov. 15, 2006.

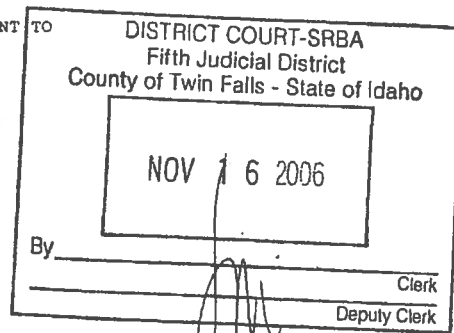


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 41-07030



NAME AND ADDRESS: TIMOTHY P DEEG
2957 DEEG ROAD
AMERICAN FALLS, ID 83211

SOURCE: GROUNDWATER

QUANTITY: 1.40 CFS
441.00 AFY

RIGHTS 41-7030, 41-7034, 41-7071, 41-7076 AND 41-7081 WHEN
COMBINED FOR IRRIGATION SHALL NOT EXCEED A TOTAL DIVERSION RATE
OF 10.02 CFS.
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE
FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

PRIORITY DATE: 01/02/1978

POINT OF DIVERSION: T09S R31E S06 SWSE Within Power County
SWSE
SWSE

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 1.40 CFS
441.00 AFY

PLACE OF USE:	Irrigation		Within Power County
	T09S R30E S01	NENE 40.0	NWNE 40.0
		SWNE 40.0	SENE 40.0
		NESW 40.0	SESW 40.0
		NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 31.0
	S12	NWNE 40.0	SWNE 40.0
		NENW 40.0	SENW 40.0
		NESW 40.0	SESW 40.0
		NWSE 40.0	SWSE 40.0
	R31E S06	NWNW 21.0	SWNW 22.0
		NESW 36.0	NWSW 22.0
		SWSW 18.0	SESW 30.0
		NESE 40.0	NWSE 38.0
		SWSE 33.0	SESE 40.0
	1011.0 Acres Total		

RIGHT 41-7030 IS LIMITED TO THE IRRIGATION OF 126.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHTS 41-7030, 41-7034, 41-7071, 41-7076 AND 41-7081 ARE
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 814.3 ACRES IN
A SINGLE IRRIGATION SEASON.

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

AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER
SHALL RECORD THE QUANTITY OF WATER DIVERTED OR SHALL ENTER INTO
AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER
DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE
INFORMATION TO THE DEPARTMENT. THE RIGHT HOLDER SHALL PROVIDE A
MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPARTMENT FROM ALL

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

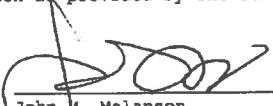
OTHER PROVISIONS (continued)

AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.

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

RULE 54(b) CERTIFICATE

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



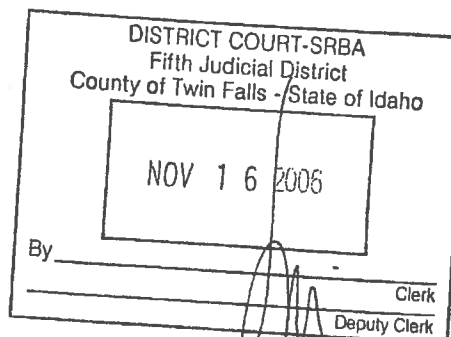
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

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

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 41-07034



NAME AND ADDRESS: TIMOTHY P DEEG
2597 DEEG ROAD
AMERICAN FALLS, ID 83211

SOURCE: GROUNDWATER

QUANTITY: 1.82 CFS
364.00 AFY

RIGHTS 41-7030, 41-7071, 41-7076 AND 41-7081 WHEN COMBINED FOR
IRRIGATION SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 10.02 CFS.
THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE AT THE
FIELD HEADGATE FOR IRRIGATION OF THE LANDS ABOVE.

PRIORITY DATE: 04/07/1978

POINT OF DIVERSION: T09S R31E S06 SWSE Within Power County
SWSE
SWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.82 CFS 364.00 AFY

PLACE OF USE:	Irrigation	Within Power County
T09S R30E S01	NENE 40.0	NWNE 40.0
	SWNE 40.0	SENE 40.0
	NESW 40.0	SESW 40.0
	NESE 40.0	NWSE 40.0
	SWSE 40.0	SESE 31.0
S12	NWNE 40.0	SWNE 40.0
	NENW 40.0	SENW 40.0
	NESW 40.0	SESW 40.0
	NWSE 40.0	SWSE 40.0
R31E S06	NWNW 21.0	SWNW 22.0
	NESW 36.0	NWSW 22.0
	SWSW 18.0	SESW 30.0
	NESE 40.0	NWSE 38.0
	SWSE 33.0	SESE 40.0
1011.0 Acres Total		

RIGHT 41-7034 IS LIMITED TO THE IRRIGATION OF 91.0 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHTS 41-7030, 41-7034, 41-7071, 41-7076 AND 41-7081 ARE LIMITED
TO THE IRRIGATION OF A COMBINED TOTAL OF 814.3 ACRES IN A SINGLE
IRRIGATION SEASON.

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

AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER
SHALL RECORD THE QUANTITY OF WATER DIVERTED OR SHALL ENTER INTO
AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER
DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE
INFORMATION TO THE DEPARTMENT. THE RIGHT HOLDER SHALL PROVIDE A
MEANS OF MEASUREMENT ACCEPTABLE TO THE DEPARTMENT FROM ALL
AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF

SRBA Partial Decree Pursuant to I.R.C.P. 54(b) (continued)

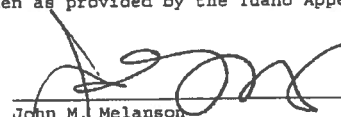
OTHER PROVISIONS (continued)

THE TOTAL RATE OF DIVERSION.

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

RULE 54(b) CERTIFICATE

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



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREES was mailed on November 16, 2006, with sufficient first-class postage to the following:

TIMOTHY P DEEG

Represented by:

KENT W FOSTER

1000 RIVERWALK DR, STE 200

PO BOX 50130

IDAHO FALLS, ID 83405

Phone: 208-523-0620

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

ORDER

Page 1 11/16/06

FILE COPY FOR 00007 Deputy Clerk

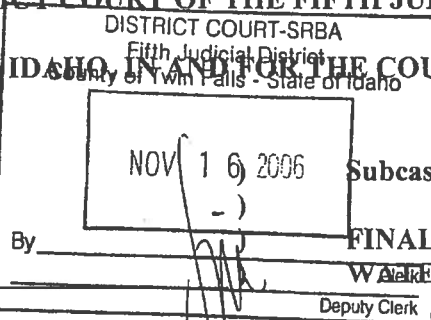


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576



Subcase: 37-00792A

FINAL ORDER DISALLOWING
WATER RIGHT CLAIM

On September 1, 2006, the Idaho Department of Water Resources filed a *Notice of Completed Administrative Proceeding* together with *Amended Director's Reports* notifying the Court that water right 37-00792A had been split into water rights 37-21613, 37-21617 and 37-21618. No objections were filed to the *Amended Director's Reports* and the time period for filing objections has expired. *Partial Decrees* for water rights 37-21613, 37-21617 and 37-21618 were entered on _____, 2006.

THEREFORE IT IS ORDERED AND ADJUDGED that water right claim 37-00792A is hereby **disallowed with prejudice** and shall not be confirmed in any partial decree or in any final decree entered in the SRBA, Case No. 39576, in whatever form that final decree may take or be styled.

RULE 54(b) CERTIFICATE

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

DATED Nov. 15, 2006.

A handwritten signature of John M. Melanson in black ink.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the FINAL ORDER
DISALLOWING WATER RIGHT CLAIM was mailed on November 16, 2006,
with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

VIRGINIA L LAMB
WILLIAM G LAMB
406 RIVER RD
BLISS, ID 83314
Phone: 208-352-4626

ORDER

Page 1 11/16/06

FILE COPY FOR 00814

Deputy Clerk

Julie Murphy

COPY

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 MAY 1 PM 2 13 **RECEIVED**

AUG 21 2003

Department of Water Resources

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

In Re SRBA

Case No. 39576

Water Rights: 41-7030, 41-7034

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

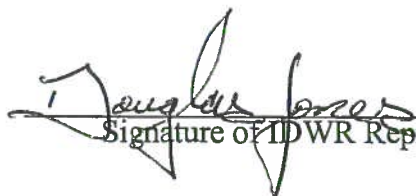
☒ I.C. § 42-222 transfer

☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than: May 3, 2004.

Dated 5/1/03



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/1, 2003, 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
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
Kent W Foster
Holden Kidwell Hahn & Crapo
PO Box 50130
Idaho Falls ID 83405-0130
3. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
4. 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

RECEIVED

DEC 30 1999

Department of Water Resources
Southam Ranger

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

In Re SRBA

Case No. 35976

A. Subcase 41-07034

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Timothy P. Deeg

Address: 2957 Deeg Road

American Falls, Idaho 83211

Daytime Phone: (208)

Name & Address of Attorney, if any:

Kent W. Foster

P.O. Box 50130

Idaho Falls, Idaho 83405

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Timothy P. Deeg

Address: 2957 Deeg Road

American Falls, Idaho 83211

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 1.82 cfs without restriction
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Points of Diversion**
Should be: TS 9 South, Sec 6, Range 31 E B.M.
(further described as Tract 23)
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☒ **Period of Year**
Should be: March 15-November 15
9. ☐ **Place of Use**
Should be: _____

10. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

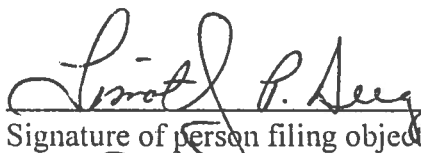
E. **REASONS SUPPORTING OBJECTION(S):** Claimant believes March 15-November 15 would be a more correct representation of the limits of the irrigation season in this area than April 1-October 31. This right has been leased by claimant and at the termination of the lease it will be necessary to return the right to the owner with the full quantity without restriction.

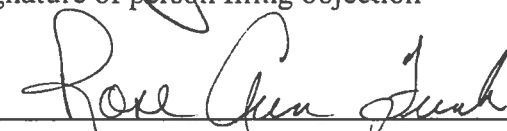
VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Power)

Timothy P. Deeg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


Signature of person filing objection


Attorney signing in representative capacity

Subscribed and sworn to before me on: Dec. 21, 1999

Notary Public for State of Idaho
Residing at: Am. Falls Id
My Commission Expires: 12-16-2000

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I hereby certify that on 21st day of December, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Timothy P. Deeg

Address: 2957 Deeg Road, American Falls, Idaho 83221

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of ~~Objector~~ or attorney mailing on
Objector's behalf

G:\WPDATA\KWF\1246\SF1.2.kmc



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

July 20, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TIMOTHY P DEEG
2957 DEEG ROAD
ROCKLAND ID 83211

RE: SRBA CLAIM NOS. 41-07030 & 41-07034 PRELIMINARY
RECOMMENDATION

Dear Mr. Deeg,

Your Notice of Error reply is received and has been reviewed in consideration of the comments you listed on the reply sheet. You requested we increase the combined flow rates of the licenses to 8.08 cfs from the 6.68 cfs as listed in the SRBA recommendation. Your SRBA recommendation is based upon the Conditions of Approval listed in Transfer No. 5120. This recent administrative review of these licensed rights is reflected in the current SRBA recommendation and will not be contradicted through the SRBA process.

You had the opportunity to correct the elements of the transfer through the Preliminary/Final Order process when it was issued last year. It is my understanding that it is quite difficult to make corrections to administrative actions after that time of correction window has passed.

Your application for an Extension of Time is being addressed through the regular staffing procedures within IDWR.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

CC: Kent Foster, Esq.
Georgia Satterlee, IDWR

RECEIVED

JUL 13 1999

Department of Water Resources
Southern Region

June 11, 1999

**NOTICE OF ERROR
REPLY**

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: July 9, 1999

Water right number: 41-07034

TIMOTHY P. DEEG
2957 DEEG ROAD
ROCKLAND, ID 83211

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):

Restriction on diversion rate

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

1.82 cfs under right no. 41-07030 should be added to the 6.68 cfs under the other rights for a total of 8.08 cfs

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

This right is a leased right and under the terms of the lease agreement must be returned to the lessor at the termination of the lease in the same condition it was in when the lease was executed.

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

DATE: 7/7/99 SIGNATURE: 
Please print your name: Kent W. Foster, attorney for Timothy P. Deeg

The point of diversion shown on the map which accompanied the preliminary recommendation does not appear to be the correct point of diversion. Applicant believes the actual well sight is approximately 1100 feet North of the point shown on the map, although within the same quarter-quarter section.

IDWR Southern Regional Office, 1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380, (208) 736-3033

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

COPY

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
SHAN B. PERRY
AMELIA A. CANEGALY

U.S. BANK OF IDAHO BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

July 7, 1999

RECEIVED

JUL 13 1999

Department of Water Resources
Suzanne Baglin

IDAHO DEPARTMENT OF
WATER RESOURCES
P.O. Box 83720
Boise, ID 83707-9815

Re: Water Rights Nos. 41-07030 and 41-07034

Gentlemen:

We are enclosing with this letter two notices of error reply and an application for extension of time to avoid forfeiture of a water right together with a check in the amount of \$100.00 for the filing fee.

The concern of the applicant is that both of these water rights are leased water rights and he consequently cannot risk any interpretation by the department or a court now or at a later date that the diversion rates or any portion of them have been forfeited. It may be that the department's interpretation of the transfer proceedings is that if these leases are terminated and it becomes necessary to apply to transfer these water rights back to other lands designated by the lessor, that the applicant would be able to continue diverting 6.68 cfs from his existing well and that lessors or someone else would be able to divert the 1.82 cfs and the 1.4 cfs under the two water rights. It seems like this is the right time to address these issues and to determine what might be done to protect these rights.

Thank you for your kind attention to this matter.

Very truly yours,



Kent W. Foster

c. Tim Deeg

G:\WPDATA\KWF\1246\UDWR0707 LTR.kmc

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

DATE: 06/10/99
PAGE: 1

REBIRTH BY

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TIMOTHY P DEEG 2597 DEEG ROAD AMERICAN FALLS ID 83211	04/07/1978	IRRIGATION	04-01 10-31	1.82 CFS	364.00 AFA
TOTAL DIVERSION:					1.82 CFS	364.00 AFA

Tributary to:

Stage: LICENSE

POWER County

NE

[illegible]

Other Rights: 41-07071, 41-07030, 41-07081, 41-07090 & 41-07076

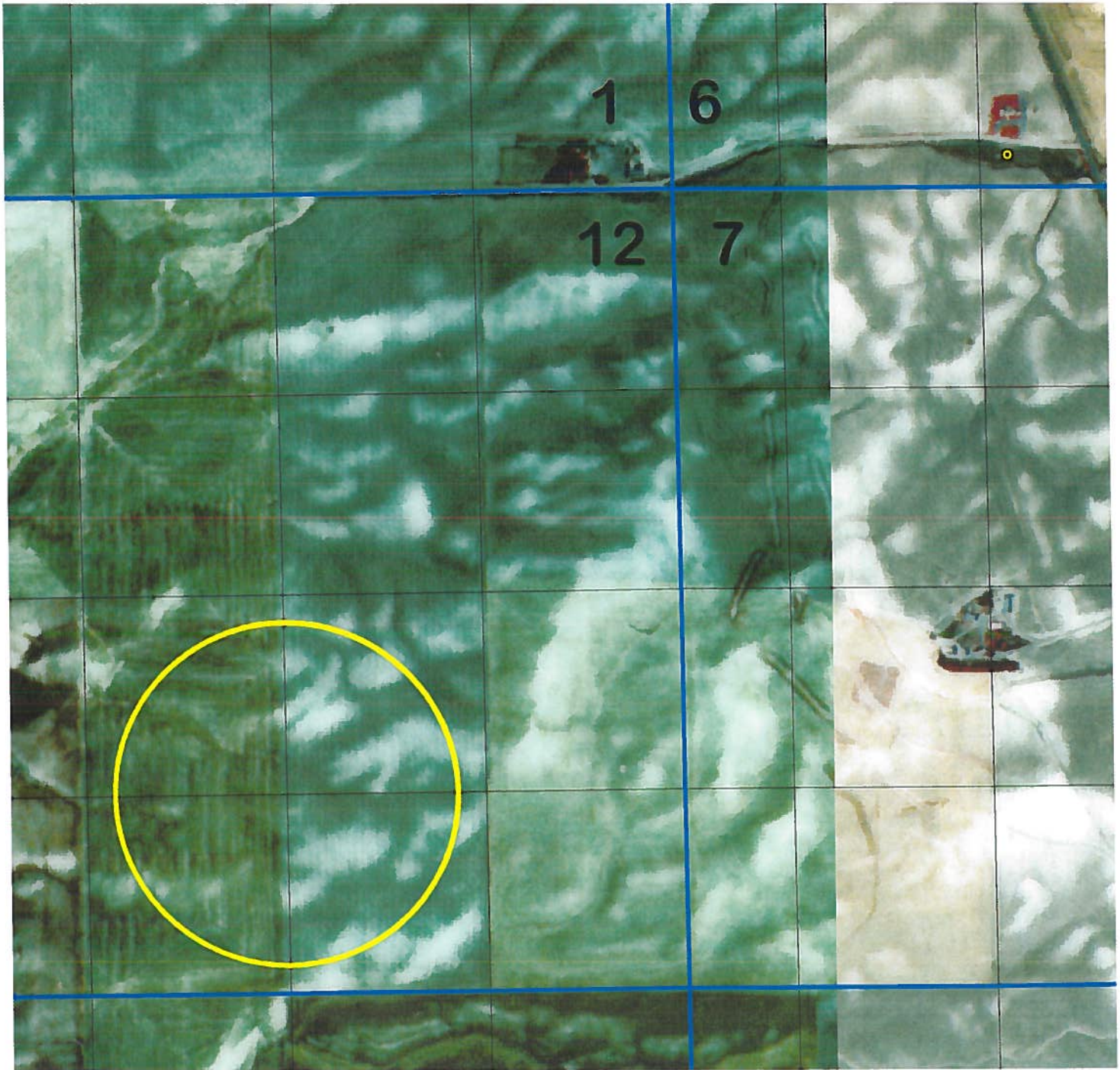
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.68 CFS. COMBINED RIGHT NOS.: 41-07071, 41-07030, 41-07081 & 41-07076

Dates:	Exam Made Date:	Verified Date:	06/10/1999	Objection Filed Date:
--------	-----------------	----------------	------------	-----------------------

Misc: Water District Number: 41 Field Inspection Flag: Presumption Flag:

IDAHO DEPT OF WATER RESOURCES

41-07034



660 0 660 1320 Feet

T9S R30E SEC. 12
PER TRANSFER 5120



- RECOMMENDED PLACE OF USE
- POINT OF DIVERSION
- ▬ SECTION LINES
- 1/4 - 1/4 LINES

GIS PLACE OF USE PRESENTATION
1987 &/OR 1988 NAPP PHOTOGRAPHY

DATA ENTRY BY: STEVE CLELLAND
DATE: June 10, 1999

CLAIM NUMBERS

A41-07034

DATE

5/5/99

AGENT

JL

TRANSFER NUMBER

#5120

HOMESTEAD ENTRY NO.

CLAIMED ACRE TOTAL

GEOGRAPHIC INFO ACRES

	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	95	30E	12					~~22~~			~~22~~	22			22		22	22		~~91~~
GIS												22.7			22.7		22.8	22.8		91
RECOM																				
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B41-POU.SHP

SHAPE NOS.

148

TRANS.#5120 - effectively amends SRBA claim
 Reid as transferred.

B41-POD.SHP

NOS. DESCRIPTION

72

WELL 798 506 SWSE
 THS R31E 28 (AFTER TRANS.)

DBF TABLES UPDATED

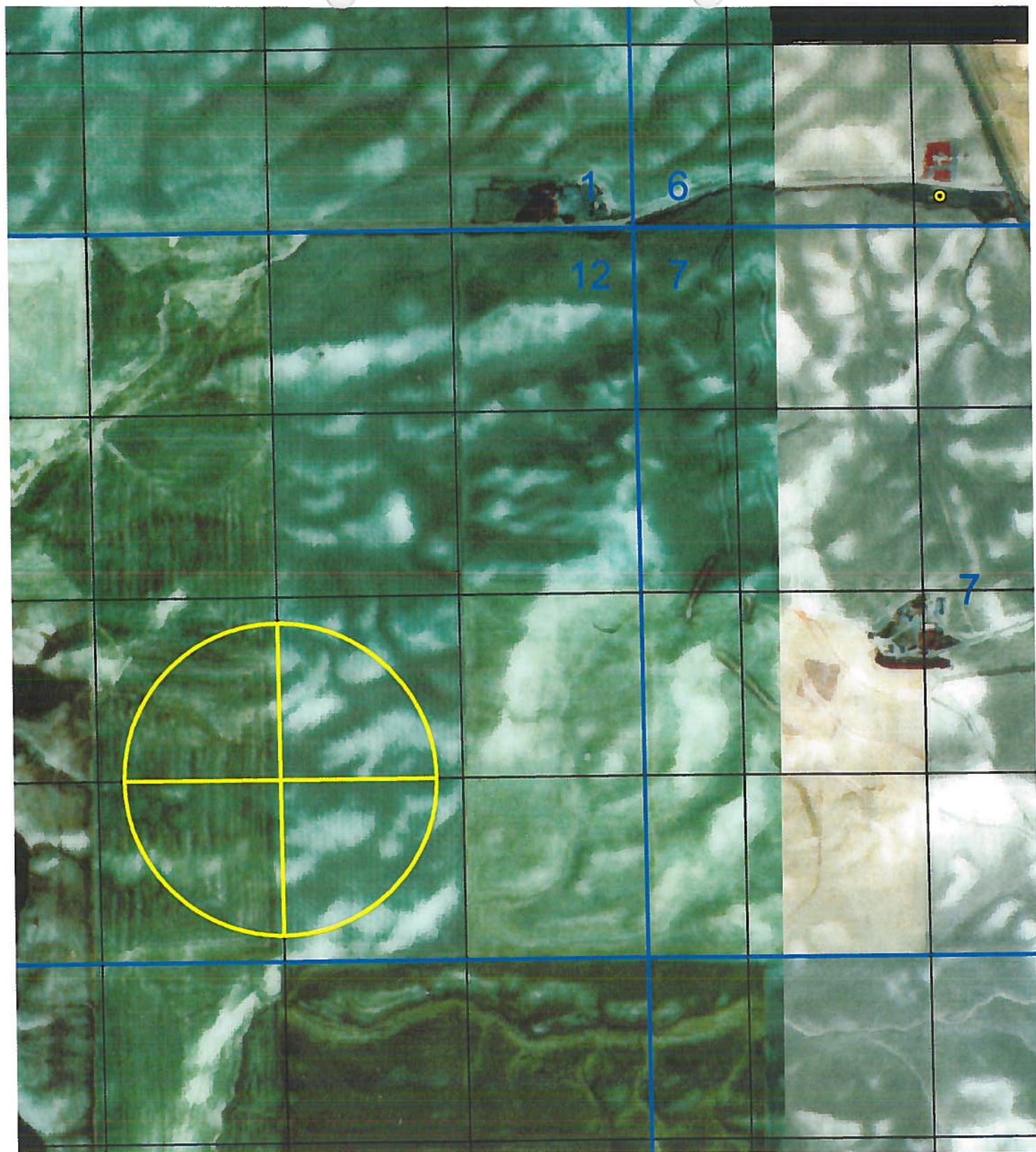
B41-DBPOU.DBF

B41-DBPOD.DBF

JPEG LAYOUT

✓ 41-07034.jpg

PRELIMINARY DATA revised 6/10/99 scc



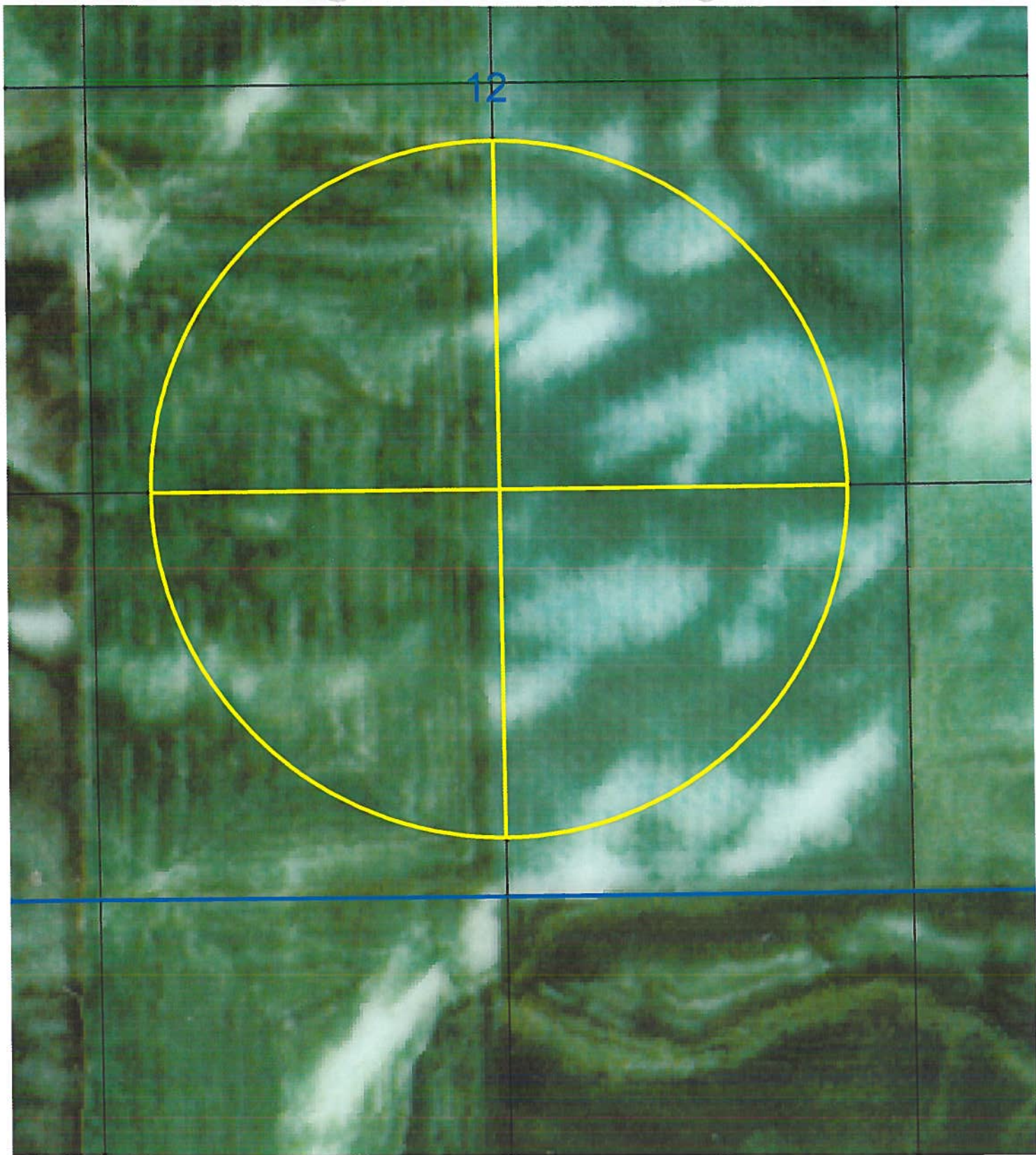
1320 0 1320 2640 Feet

-  Property of Interest
-  Point(s) of Diversion
-  Section Lines
-  Quarter/Quarter Lines

A41-07034
Field Copy

T9S R30E 12
R31E 6





1320 0 1320 Feet

-  Property of Interest
-  Point(s) of Diversion
-  Section Lines
-  Quarter/Quarter Lines

A41-07034
Field Copy

T9S R30E 12



WR5809NP
No. 41-07034

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/30/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TIMOTHY P DEEG 2597 DEEG ROAD AMERICAN FALLS ID 83211 (208) 226-5588	04/07/1978	IRRIGATION	04/01 10/31	1.820 CFS	364.00 AFA
TOTAL DIVERSION:					1.820 CFS	364.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R31E S06 SWSE POWER County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
09S	30E	12	:					:					:	22		22		:	22	22			:	91.0
TOTAL ACRES																							91.0	

Pou County: POWER

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

41-07030 41-07071 41-07076 41-07081 41-07090 L41-07076

Conditions of Approval:

- 028 - After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
- 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 Snake River Basin Adjudication.

Remarks: GEN Prior to the diversion of water under this right, the right holder shall provide a means of measurement acceptable to the department which will allow determination of the rate of diversion and annual volume of water pumped from the well. The authorized season of use is from April 1 to October 31 of each year. The maximum rate of diversion of water under this right when combined with water right Nos. 41-07030, 41-07071, 41-07076 and 41-07081 shall not exceed a total combined rate of 6.68 cfs nor more than 4.0 acre feet per acre per year at the well. It is further hereby ordered that the protests of Harold and Steve Isaak are SET ASIDE for failure to appear at the time and place set for hearing and will not be further considered by the department. The change authorized by this transfer shall be accomplished within one (1) year of the date of the final order in this

Change
of owner?
Transfer
effectively
Amends SRBA
CLAIM. 6/10/99
ECC

WR5809NP
No. 41-07034

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/30/99
PAGE: 2

Remarks: matter.

Dates: App. Received: 05/29/1997 Priority Date: 04/07/1978 (Priority Date Advanced.)
Proof Due Date: Proof Made Date: 10/19/1983 (Proof Received Late.)
Exam Made Date: 08/06/1987 Exam Sent to S.O.:
Licensed Date: 06/13/1988

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 08/08/1997 User-ID: MBALDWIN Subject: TRANSFER 5120
Transfer 5120 changes the point of diversion & place of use under
Right 41-07034.

Audit: 04/13/88 05/28/88 CONVERT 08/08/97 MBALDWIN D9/02/97 MBALDWIN
02/12/98 PSKAGGS 05/12/98 PSKAGGS 06/25/98 PSKAGGS

A41-07034



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APR 17 1998

April 15, 1998

Department of Water Resource
Southern Region

Senator Lin Whitworth
P.O. Box 183
Inkom, ID 83245

Senator Ralph Wheeler
659 Gifford Ave
American Falls, ID 83211

RE: APPLICATION FOR TRANSFER NO. 5120 IN THE NAME OF TIMOTHY
P. DEEG

Dear Senator Wheeler:

This letter follows up your inquiry during the recent legislative session about the above referenced application for transfer. Although I planned to meet with you during the session, schedules and commitments interfered with the planned meeting. This letter is intended to advise you of the current status of the above referenced matter.

The application was filed by Timothy Deeg to change the place of use of an existing irrigation water right from a location near Rockland, Idaho to a proposed new site approximately 10 miles north of the original site in the Rockland basin. Deeg proposed to divert the water from an existing well but to not increase the rate of diversion from the well as a result of transferring the water right to it. An additional 91 acres are planned to be irrigated under the transfer from the well.

The application was protested by Warm Creek Irrigation Co. resulting in a contested case before the department. An appointed hearing officer of the department has conducted an administrative hearing in the matter and is preparing a recommended order which will be served on the parties. After service of the recommended order, parties may file a petition for reconsideration, exceptions or briefs. After review of such filings, the director will issue a final order in the matter.

This is a contested matter which is specifically governed by the rules of procedure and the Idaho Code. To protect the rights of

the applicant and the protestant to a fair hearing in the matter, the hearing officer, Director and others at the department involved in the contested case must avoid ex parte contacts. Please feel free, however, to contact me if I can provide additional procedural or general information concerning this matter. I will be happy to provide you a copy of the recommended order.

Sincerely,

A handwritten signature in cursive script, appearing to read "Norman C. Young".

NORMAN C. YOUNG
Administrator

c: IDWR - S. Region
Timothy Deeg
Warm Cr. Irr. Co.

SD-0611-2 Basin: 41 Starting Water Right: 07034

S	Water	Name	O	Priority	STG/	Use	S
E	Right No.	Last, First	W	Date	STS	Desc	Y
L			N				S
-	41-07034	NELSON, RONALD R.	C	04/07/1978	L/	GROUNDWATER	WR
-	T41-07034	DEEG, TIMOTHY P	C	04/07/1978	L/	GROUNDWATER	WR
-	A41-07034	NELSON, FAROLD J	C	04/07/1978	L/	GROUNDWATER	AJ

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A41-07034

16:13:53
04/22/91

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

LISTING OF MAPS USED IN REVIEW OF THIS FILE

CLAIM NUMBER: _____.

DESCRIPTION OF MAP	ID NUMBERS	MAP DATE	COPY IN FILE?
AERIAL PHOTOQUAD (OPQ)	_____	_____	YES / NO
SCS MAP	_____	_____	YES / NO
AIR PHOTO	_____	_____	YES / NO
PLAN AERIAL	_____	_____	YES / NO
SUBDIVISION PLAT	_____	_____	YES / NO
TOPOGRAPHIC QUAD	_____	_____	YES / NO
GOVERNMENT LOT MAP	_____	_____	YES / NO
US SOILS MAP	_____	_____	YES / NO
OTHER:			
_____	_____	_____	YES / NO
_____	_____	_____	YES / NO
_____	_____	_____	YES / NO
_____	_____	_____	YES / NO
_____	_____	_____	YES / NO
_____	_____	_____	YES / NO

=====

REMARKS:

Water Right Number - A41-07034

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - - +

+ - - - - Address - - - - +

+ - - - -

*** C - CURRENT OWNER ***
NELSON

FAROLD J.

1 - BOX 177
2 -
3 -

City- ROCKLAND
Phone - 208-548-2261

State- ID Zip- 83271

*** O - ORIGINAL OWNER ***
MCMICHAEL

KENT O.

1 -
2 -
3 -
City- NA
Phone - 208-000-0000

State- ID Zip- 00000

+ - - Priority Date - - +
04/07/1978

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Stream Index (Blank if no Index Code)

Twn Rng Sec Tract Lot Rflg County
10S 31E 28 SE NW (77) POWER

+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.820 318.50

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
1.820 318.50 273.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
10S	31E	28	NE NE		2.0	01	IRRIGATION	(77)) POWER	
10S	31E	28	NW NE		25.0	01	IRRIGATION	(77)) POWER	
10S	31E	28	SW NE		35.0	01	IRRIGATION	(77)) POWER	
10S	31E	28	SE NE		4.0	01	IRRIGATION	(77)) POWER	
10S	31E	28	NE NW		7.0	01	IRRIGATION	(77)) POWER	
10S	31E	28	SE NW		18.0	01	IRRIGATION	(77)) POWER	

Total Acres: 91.0

+ - - Diversion Means - WELL/ PUMP TO SPRINKLER SYSTEM

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

Prefix Translation: ADJUDICATION CLAIM

No Remarks found.

No Old Water Right Numbers found.

No Conditions of Approval found.

1000

No Comments Found

Adjudication Rights Dates and Flags Area

Name Connector -

-	Civil Case Number	39516
-	Old Case Number	
-	Old Judicial District	
-	Temporary Right	P
-	Water District	
-	Federal/State Indicator	S
-	Presumption Flag	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

16:13:53
04/22/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A41-07034

LAST: NELSON
ADDRESS: BOX 177
CITY: ROCKLAND
PHONE NUMBER: 208-548-2261
OWNER CODE: C

FIRST: FAROLD J.
STATE: ID ZIP: 83271

LAST: MCMICHAEL
ADDRESS: NA
CITY: NA
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: KENT O.
STATE: ID ZIP: 00000

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

DATABASE N FIELD EXAMINER

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A41-07034 PRIORITY DATE: 04-07-1978 STAGE: L
B. WR RECORD: # 41-07034 PRIORITY DATE: 04-07-1978 STAGE: L

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

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

REMARKS:

RECOMMENDED PRIORITY DATE:
04-07-1978

REVIEWED BY _____

DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A41-07034	10S	31E	28		SE	NW		POWER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE
MR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
41-07034	10S	31E	28		SE	NW		POWER

OTHER WR RECORDS WITH SAME WR 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)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	

REMARKS:

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

SOURCE: GROUNDWATER TRIB:

REVIEWED BY: DATE:

A. ROOT WATER RIGHT NUMBERS: A41-07034

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	31E	28	NE	NE		NELSON, FAROLD J.	A41-07034 / 2.0	41-07034 / 2.0			
10S	31E	28	NW	NE		NELSON, FAROLD J.	A41-07034 / 25.0	41-07034 / 25.0			
10S	31E	28	SW	NE		NELSON, FAROLD J.	A41-07034 / 35.0	41-07034 / 35.0			
10S	31E	28	NE	NW		NELSON, FAROLD J.	A41-07034 / 7.0	41-07034 / 7.0			2.0
10S	31E	28	SE	NW		NELSON, FAROLD J.	A41-07034 / 18.0	41-07034 / 18.0			21.0
10S	31E	28	SE	NE		NELSON, FAROLD J.	A41-07034 / 4.0	41-07034 / 4.0			
TOTAL ACRES							A41-07034	91.00	91.00		23.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE FIELD
Y EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSES
A41-07034 IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.820 CFS 318.50 AF/A
1.820 CFS 318.50 AF/A

B. WR RECORDED USES:

PURPOSES
41-07034 IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.820 CFS 318.50 AF/A
1.820 CFS 318.50 AF/A

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?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.820 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.820 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

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

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 273.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 318.50 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ 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	03-15 11-15	DATABASE EXAMINER 1.820	DATABASE EXAMINER 318.50	DATABASE EXAMINER 273.0
TOTAL FOR THIS RIGHT		1.820	318.50	273.0

REVIEWED BY: _____

DATE: _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED
() ()
() ()
() ()

NEEDS REVIEW
() ()
() ()
() ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 41-07034

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.820

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A41-07034	1.820	-		41-07034	1.820

TOTAL CFS

1.820

1.820

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: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

Water Right Number - 41-07034

Prefix Translation: WATER RIGHT

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
NELSON

RONALD R.

1 - 4667 S. HWY. 37
2 -
3 -
City- ROCKLAND
Phone -

State- ID Zip- 83271

*** O - ORIGINAL OWNER ***
MC MICHAEL

KENT O.

1 -
2 -
3 -
City-
Phone -
State- Zip-

Priority Date - 04/07/1978

Region - 17 SOUTHERN

Stage - L - LICENSE

Status -

Source - GROUNDWATER

Tributary -

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

10S 31E 28 SE NW (77) POWER

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

01 - IRRIGATION

03/15 11/15

1.820

318.50

Total Div. Rate - 1.820
Total Div. Volume - 318.50
Total Div. Capacity - 2.480

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
10S	31E	28	NE NE		2.0	01 IRRIGATION		(77) POWER	
10S	31E	28	NW NE		25.0	01 IRRIGATION		(77) POWER	
10S	31E	28	SW NE		35.0	01 IRRIGATION		(77) POWER	
10S	31E	28	SE NE		4.0	01 IRRIGATION		(77) POWER	
10S	31E	28	NE NW		7.0	01 IRRIGATION		(77) POWER	
10S	31E	28	SE NW		18.0	01 IRRIGATION		(77) POWER	

Total Acres: 91.0

- - - Diversion Means -
- - - Non-Irrigation Use -
- - - Other Rights for Same Use -

WATER RIGHT

Proof Due Date	- 03/01/1984	Field Exam Made	- 08/06/1987	Field Exam Fee	-
Approved/Denied	- 03/28/1979	Tested Date	- 00/00/0000	Swan Falls	- 2
Proof Made Date	- 10/19/1983	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carrey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 06/13/1988	Appl Received	- 02/01/1978	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		