

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 WATER FROM
IN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-02662B
Date Received: 10/11/1988
Receipt No: M1570
Received By: LW

part
of exchange
pod

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEAN R. ROGERS, INC. 208-788-3644
Address: RT 1, BOX 305
BELLEVUE, ID 83313

2. Date of Priority: MAY 24, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	21	NW	NE			BLAINE

5. Description of diverting works:
12" CS, ARTESIAN, TO DITCH THEN PIPELINE, 365' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/31	1.320		198.00

7. Total Quantity Appropriated is:
1.320 C.F.S. (and/or) 198.00 A.F.A.

8. Total consumptive use is 165.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	22	NW	SW		IRR	33.0
			SW	SW		IRR	20.0

Section Acres 53.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	27	NW	NW	IRR	13.0
Section Acres						13.0
Total Acres						66.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

A37-02662A, A37-02641A & B, A37-04289A & B

14. Remarks:

PT. OF INJECTION INTO BUHLER CREEK: NESE, SEC. 18, T1S, R19E.
PTS. OF EXCHANGE FROM CAIN CREEK: NESE, SEC. 21, T1S, R19E,
(2 PTS); SESE, SEC. 21, T1S, R19E OR SWSW SEC. 32.
EXCHANGE 2906.

15. Basis of Claim: LICENSE

Water Right Number: 29753

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: 5

For Organizations:

I do solemnly swear or affirm that I am Sec of
Dean Rogers Inc. Title
Organization, that I have signed the foregoing
document in the space below as Sec of
Dean Rogers Inc. Title
Organization and that the statements contained in the
foregoing document are true and correct.

Dean Rogers Inc.
Signature of Authorized Agent

Sec. Dean Rogers Inc.
Title and Organization

Oct 12 - 1988
Date

State of Idaho)
County of B. L. L.) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of Oct 19 88

John Dal Corno
Notary Public

Seal

Residing at Bain ID

My Commission Expires 6/2/91

MICROFILMED
FEB 23 1993



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

☐ Water Right Number(s):

(See ATTACHED LIST)

☐ Old Mailing Address:

Dean R Rogers INC
RT 1 Box 305

☐ New Mailing Address:

28 HILLSIDE RANCH RD
BELLEVUE ID 83313

Same

☒ New Telephone Number:

() 788 - 3644

☐ Signature of Claimant(s):

Dean R Rogers

Date:

3-17-88

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 3/17/99 By: SCC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

A37-02662B

STEPHAN, KVANVIG, STONE & TRAINOR

ATTORNEYS AT LAW

RUSSELL G. KVANVIG
LAIRD B. STONE
KEVIN F. TRAINOR

TELEPHONE 208-733-2722
FAX 208-733-3619

WELLS FARGO BANK BUILDING
102 MAIN AVENUE SOUTH
POST OFFICE BOX 83
TWIN FALLS, IDAHO 83303-0083

FRANK L. STEPHAN 1886-1952
DANIEL A. SLAVIN 1938-1987
ROBERT W. STEPHAN 1918-2003

E-MAIL: sks&t@idaho-law.com

RECEIVED

MAR 28 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

March 20, 2007

RECEIVED

MAR 23 2007

DEPARTMENT OF
WATER RESOURCES

David R. Tuthill
Interim Director
State of Idaho, Dept. of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Water Rights in Reporting Area 16, Basin 37, Part 3, Snake River Basin Adjudication
Dean R. Rogers, Inc.
28 Hillside Ranch Road
Bellevue, Idaho 83313

Dear Mr. Tuthill:

I would request that you add my name to the notification list on behalf of Dean R. Rogers, Inc. Any future notices in regard to the water rights should be sent not only to them at their Bellevue, Idaho address but to me at:

Laird B. Stone
Stephan, Kvanvig, Stone & Trainor
P. O. Box 83
Twin Falls, ID 83303-0083

as their attorney.

Respectfully yours,

STEPHAN, KVANVIG, STONE & TRAINOR



Laird B. Stone

LBS:lm

cc: Dean Rogers

12/18/2006

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

RIGHT NUMBER: 37-2662B

NAME AND ADDRESS: DEAN R ROGERS INC
28 HILLSIDE RANCH RD
BELLEVUE ID 83313

SOURCE: CAIN CREEK
GROUND WATER
UNNAMED STREAM

TRIBUTARY: SILVER CREEK
TRIBUTARY:
TRIBUTARY: STALKER CREEK

QUANTITY: 1.320 CFS
198.000 AFY

Right Nos. 37-2662A and 37-2662B are limited to a total combined diversion rate of 3.42 cfs and to a total combined annual diversion volume of 513 AF.

The rights listed below are limited to a total combined annual diversion volume of 1554.8 af. Combined Right Nos.: 37-2600, 37-2641A, 37-2641B, 37-2662A, 37-2662B, 37-4289A, 37-4289B

PRIORITY DATE: 05/24/1961

POINT OF DIVERSION:

T01S R19E S18 SENESE Injection Within BLAINE County
T01S R19E S21 NENENE Within BLAINE County
T01S R19E S21 NWNWNE Within BLAINE County
T01S R19E S21 SWNWNE Within BLAINE County
T01S R19E S21 SWSENE Rediversion Within BLAINE County
T01S R19E S21 NENESE Rediversion Within BLAINE County
T01S R19E S22 NWSWSW Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.320 CFS 198.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R19E S21	NENE	35.00	T01S R19E S21	NWNE	36.00
T01S R19E S21	SWNE	37.00	T01S R19E S21	SENE	39.00
T01S R19E S21	NESE	28.00	T01S R19E S21	NWSE	37.00
T01S R19E S21	SWSE	39.00	T01S R19E S21	SESE	34.00
T01S R19E S22	NWSW	32.00	T01S R19E S22	SWSW	28.00
T01S R19E S27	NWNW	35.00	T01S R19E S28	NENE	39.00
T01S R19E S28	NWNE	39.00			

458 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 458 acres in a single irrigation season. Combined Right Nos.: 37-2600, 37-2641A, 37-2641B, 37-2662A, 37-2662B, 37-4289A, 37-4289B

This right is limited to the irrigation of 66 acres within the place of use described above in a single irrigation season.

Right Nos. 37-2662A and 37-2662B are limited to the irrigation of a combined total of 171 acres in a single irrigation season.

12/18/2006

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

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

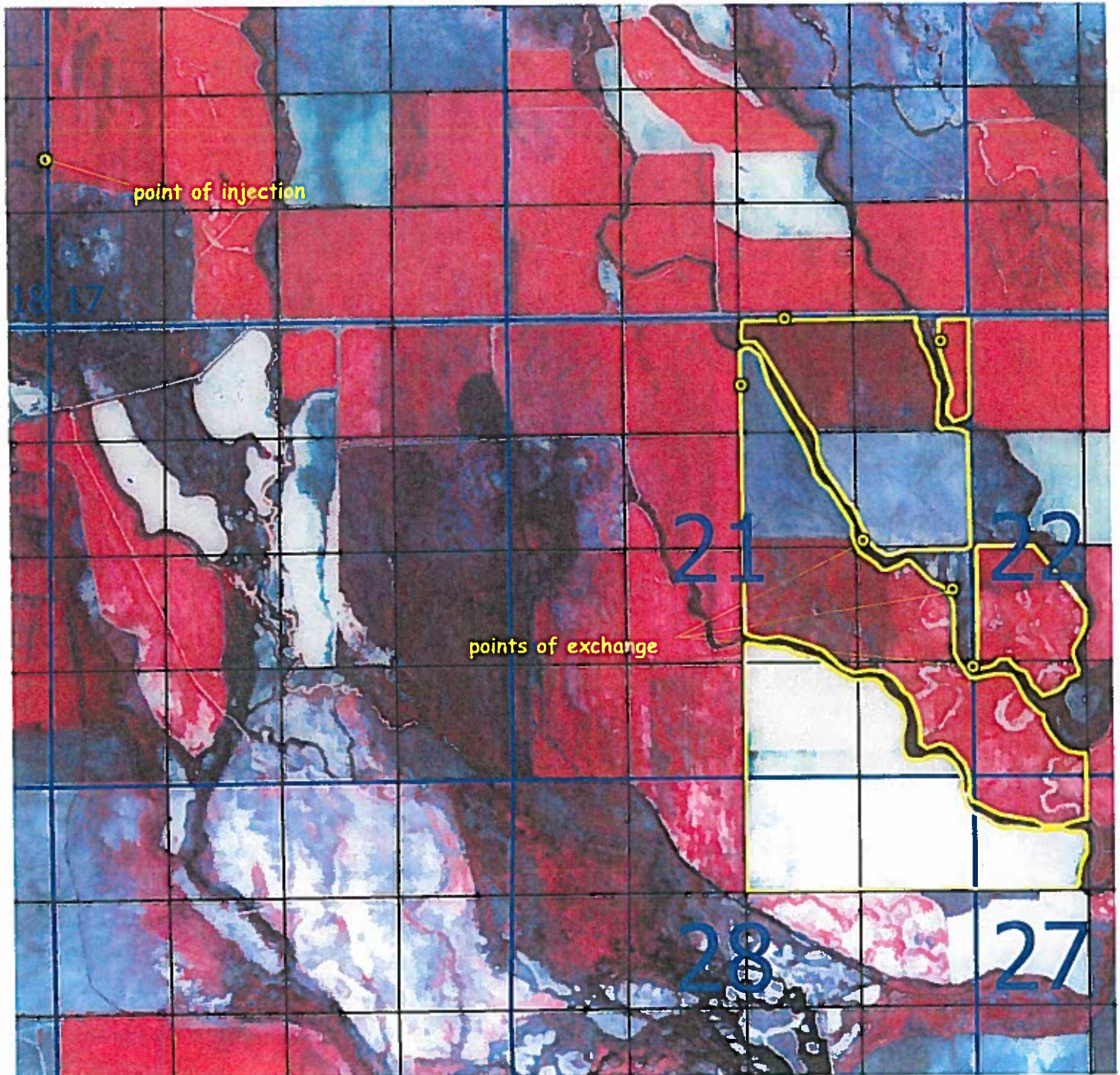
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Idaho Department of Water Resources

**Right(s): 37-2600, 2641A&B
2662A&B, 4289A&B**

Recommended Place of Use
TWP 01S RNG 19E S21, 22, 27, 28
Prepared December 18, 2006



660 0 660 1320 Feet



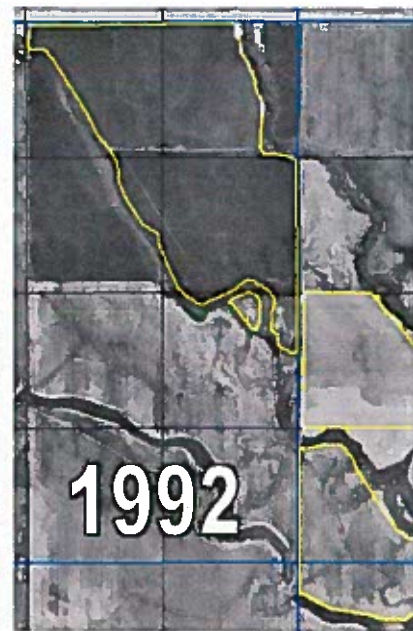
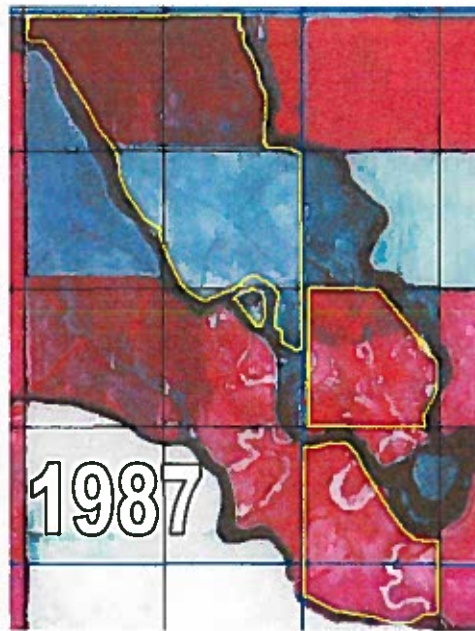
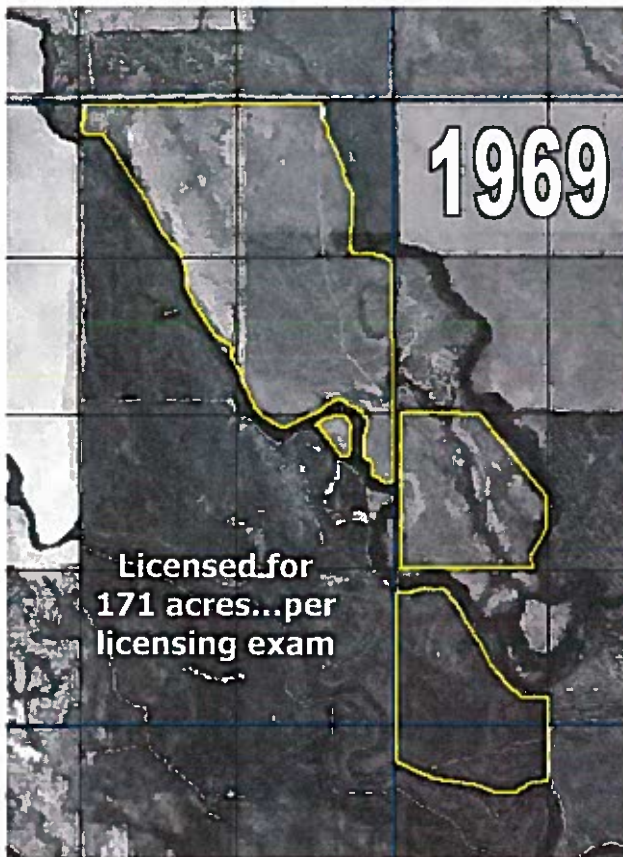
⊙	Recommended Point of Diversion
	Recommended Place of Use
	Quarter Section Lines
	PLSS Section Lines



GIS Place of Use Presentation
1987 NAPP Aerial Photography

Prepared by Amanda Kriwox

License 37-2662: Parts A & B



License 37-2662: 171 acres, 3.42 cfs, 513 afa

1987 there was a pod exchange...ended up splitting 2662 into 2 portions; **2662** split out 66 acres and established an exchange with the licensed pod where the pod discharged 1.32 cfs of the licensed water into the Buhler Drain and this water was rediverted at various points along Cain Creek.

37-2662B: Exchange broke 66 acres out and 1.32 cfs & 198 afa ...claim matches approved exchange.

37-2662A: Overclaimed; claim is for entire licensed POU...should be 105 acres. CFS and AFA are claimed correctly.

Within the Cain/Cheney Creek area PPU: 37-2662A & B NTE 171 acres, 3.42 cfs, and 513 afa.

File No.
37-2600-2662B-2662A-2641A-2641B

Owner
Dean R. Rogers Inc

788-3644

Date
5/19/05

28 Hillside Ranch Rd
Bellevue

On Wednesday afternoon I called Dean and made appointment so see him Thursday . I went up and reviewed his files and he and I drew on the photo and attached map of where this water is used regarding the yellow areas marked on photo, he then showed me where all 8 diversion points are which are marked on photo and map. The exchange water from no. 8 is re-diverted to cain creek when there is ample water In the system

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Look S	Roger 1	2483348	1347558	A0016185	105058\$ 6
S creek diversion	" 2	2483346	1347680	"	586 7
S	" 3	2483501	1347776	"	587 8
S	" 4	2484058	1347692	"	588 9
S Tractor Div	" 5	2483773	1346998	"	589 90
" "	" 6	2484094	1346828	"	590 91
" "	" 7	2484162	1346548	"	591 92
SE well	" 8	2480900	1348358	"	592 93

Lee R. Peterson

5/19/05

SD-0601-2 Last Name: DEAN R ROGERS INC

STATE

S	O	First	W	Water	Priority		Total	Use
E		Name	N	Right No.	Date	Source	Diversion	Code Desc
L								
---	---	DEAN R ROGERS INC	---	---	---	---	---	---
---	C	A37-11620	12/31/1889	GROUNDWATER	0.040	43	DOMEST	
---	C	A37-11621	05/31/1959	GROUNDWATER	0.120	04	STOCK	
---	C	A37-11626	10/31/1969	GROUNDWATER	0.150	43	DOMEST	
---	C	A37-02598	09/27/1957	UNNAMED DRA	2.280	01	IRR	
---	C	A37-02641A	09/27/1960	GROUNDWATER	4.070	01	IRR	
---	C	A37-02641B	09/27/1960	GROUNDWATER	0.930	01	IRR	
---	C	A37-02642	09/27/1960	GROUNDWATER	3.000	01	IRR	
---	C	A37-02643	09/27/1960	GROUNDWATER	3.400	01	IRR	
---	C	A37-02661	05/24/1961	GROUNDWATER	2.320	01	IRR	
---	C	A37-02662A	05/24/1961	GROUNDWATER	2.100	01	IRR	
---	C	A37-02662B	05/24/1961	GROUNDWATER	1.320	01	IRR	
---	C	A37-04289A	06/01/1961	GROUNDWATER	0.160	01	IRR	
---	C	A37-04289B	06/01/1961	GROUNDWATER	0.080	01	IRR	
---	C	A37-11614	09/27/1957	UNN DRAIN	2.280	01	IRR	
---	C	A37-00114B	05/01/1886	BIG WOOD RI	15.000	01	IRR	

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-0601-2 Last Name: DEAN R ROGERS INC

STATE

S	O	First	W	Water	Priority		Total	Use
E		Name	N	Right No.	Date	Source	Diversion	Code Desc
L								
---	---	DEAN R ROGERS INC	---	---	---	---	---	---
---	C	A37-00117B	05/01/1902	BIG WOOD RI	6.000	01	IRR	
---	C	A37-07633	06/20/1977	GROUNDWATER	6.440	01	IRR	
---	C	37-11620	12/31/1889	GROUNDWATER	0.040	43	DOMEST	
---	C	37-11621	05/31/1959	GROUNDWATER	0.120	04	STOCK	
---	C	37-11626	10/31/1969	GROUNDWATER	0.150	43	DOMEST	

17 separate claims
3 decreed in D&S

D&S to get Neaps

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

ATTACHMENT TO CHANGE OF ADDRESS
3/17/99 *sw*

37-2641
37-2662
Identification No. 37-4289
Exchange No. 2906

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXCHANGE OF WATER

APPLICANT'S RIGHT - Describe the water right under which you wish to exchange water

1. Name of Right Holder Dean R. Rogers, Inc.
Post office address Rt. 1, Box 305, Bellevue, ID 83313
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____ Fully describe decree _____
- b. Permit, License, or Claim No. (1) 37-2641 in the records of the Department of
Water Resources. (2) 37-2662
(3) 37-4289
3. Source of water Groundwater tributary to _____
(Name of stream or source)
4. Date of Priority of Right (1) 9/27/1960 (2) 5/24/1961
(3) 6/1/1961
5. Amount of water a(1) 5.0 c.f.s. and/or
b(2) 3.42 ~~7575757575757575~~ cfs
6. Water is used for (3) 0.24 from 4/1 to 11/1
(Purpose) (Month-Day) (Month-Day)
from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is (1), (2), (3)
NW NE of Section 21
Township 1S, Range 19E, B.M., in Blaine County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS	
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4		
(1)	18	19E	21	8	23											24	38	38	33	164 (Sub Totals)
			22									6								6
			27				22													22
			28	37	39															76 (268)
(2)	1S	19E	21	26	29	6	38													105
			22									33	20							53
			27				13													13 (171)
(3)	1S	19E	21			6	1													8
			22																	4 (12)
																			451	

Total number of acres to be irrigated

SCRIBE RIGHT HELD BY USER WITH WHOM YOU WISH TO EXCHANGE WATER

1. Name of Right Holder Dean R. Rogers, Inc.
 Post office address Rt. 1, Box 305 Bellevue, ID 83313
 10. Source of water Groundwater tributary to _____
 (Name of stream or source)
 11. Name of canal or ditch _____
 12. Amount of water a. _____ c.f.s. and/or
 b. _____ acre feet/annum
 13. Right obtained by:
 a. Decree to _____ in Case of _____
 (Name)
 vs. _____, Dated _____ in _____
 (Name of Court)
 Court, County of _____. Fully describe decree (if known) _____

b. Permit, License, or Claim No. _____ in the records of the Idaho Department of Water Resources.

EXCHANGE 37-2641B : 0.93 cfs 37-4289B : 0.08 cfs
 37-2662B : 1.32 cfs

14. 2.33 c.f.s and/or 360 acre feet per annum of water diverted at the point described in line 7 and will be delivered into Buhler Drain at a point in NE 1/4 SE 1/4 of Section 18, Township 1S, Range 19E, B.M. in Blaine County; Additional points, if any (The original points of diversion within the NW 1/4 NE 1/4 Sec. 21, Twp. 1S, Rge. 19E are still valid)
 15. In lieu thereof 2.33 c.f.s. and/or 360 acre feet per annum will be diverted from Cain Creek at a point within the NE 1/4 SE 1/4 of Section 21 Township 1S, Range 19E, B.M., in Blaine County. (2
 16. Explanation (Additional p.d.: SE 1/4 SE 1/4 Sec. 21 or SW 1/4 SW 1/4 Sec. 22, Twp. 1S, Rge. 19E)

Groundwater is discharged into Buhler Drain in exchange for surface water diverted Cain Creek. This document has a dual purpose of adding a point of diversion in the NE 1/4 SE 1/4 Sec. 18, Twp. 1S, Rge. 19E, and recording the exchange which has been delivered as shown for many years.

In the space below draw a sketch map showing your point of diversion under the exchange, where you will return the replacement water, land irrigated, and the general location of your conveyance system. Include any other information which would help in understanding the proposed exchange. Note that parts of 37-2641, 37-2662 and 37-4289 not shown below are labeled parts A and are not affected by the exchange/transfer. The parts identified below are

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
(1)	(1)	37-2641B													20			20	(S
		1S 19E 21																	40
		22											6						6
		27						3											3
(2)	(2)	37-2662B																	1
		1S 19E 22											33	20					53
		27						13											13
		37-4289B																	4
(3)	(3)	1S 19E 22																	4

MICROFILMED
 FEB 23 1993

Total number of acres to be irrigated 120

See Map Attached

I hereby assert that no one will be injured by such exchange and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

[Signature]
(Signature of applicant)

Subscribed and sworn to before me this 15 day of April, 1983.

[Signature]
(Notary Public)

My commission expires Sept 10, 1984

ACTION OF THE DIRECTOR, IDAHO DEPARTMENT OF WATER RESOURCES
37-2641B, 37-2662B

I have examined Application for Exchange of Water No. & 37-4289B and said application is hereby APPROVED

Approval of said application is subject to the following limitations and conditions:

1. Use of water under this right is subject to control by the watermaster of State Water District No. 37M, Little Wood River.
2. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained at the point of injection into Buhler Drain and at the points of diversion (exchange) from Cain Creek.
3. No more than 95% of the rate of flow injected into Buhler Drain shall be diverted from Cain Creek.
4. Approval of this exchange in no way validates Claim No. 37-4289B.

Witness my hand this 10th day of January, 1984

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

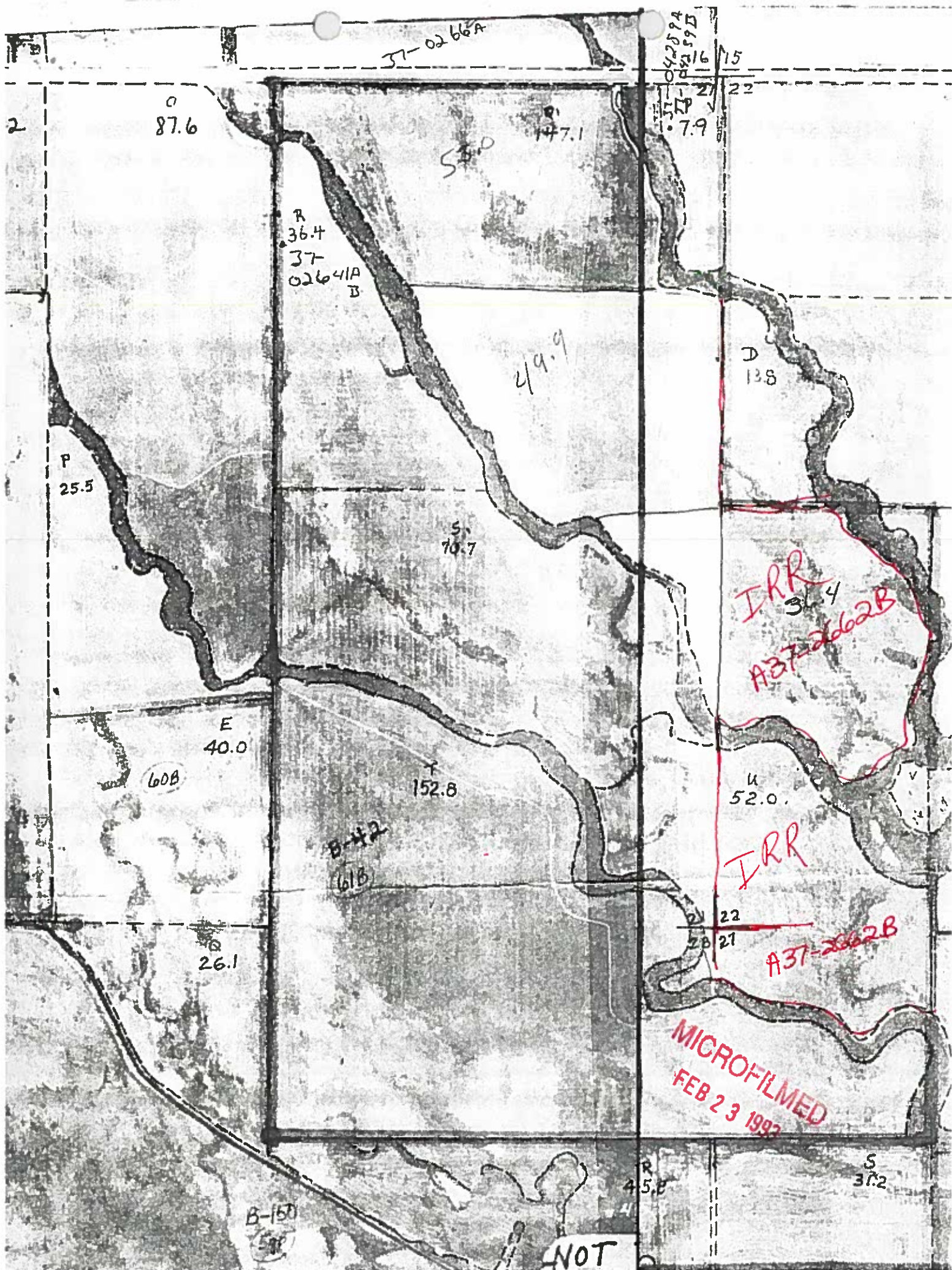
Received by DRT Date 4/15/1983 Time 11:20 Preliminary check by ADM
Fee \$ 50.00 Receipted by 26498 Date 4/15/83 Publication prepared by Mary
Date 7/5/83 Published in Wood River Journal Dates _____
Affidavit of Publication received Yes Publication approved by Mary A
Republished Dates 7/14 & 7/21/82
Protests Filed By: None
Protestant _____ Address _____ Date Filed _____ Copies Forwarded _____
by _____ Date _____ Action Taken _____

SCANNED
NOV 18 2015

MICROFILMED
FEB 23 1983

Agreement needed _____ Agreement received _____
Hearings held at _____ Date _____
Recommended for approval denial by ADM Jim DRT
(Title)

*For up to 0.2 cfs or 20 af....\$30.00
For greater amounts.....\$50.00





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

JAN - 9 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 27, 2001

JOHN H KOYLE
MARGARET H KOYLE
4477C VALLEY STEPPE DR
BUHL ID 83316-5256

RECEIVED

JAN 28 2002

Department of Water Resources
Southern Region

Re: Snake River Basin Adjudication (SRBA)
Water Right(s) #37-2663, 37-7889, 37-7916, 37-11082, 37-11083, 37-11084
Change of Address

Dear Water Right Holders:

*10 conds modified 1-9-02.
CIDs updated. -m*

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by January 18, 2002. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Margaret H Koyle
Claimant Signature

(208) 543-0982
Telephone No.

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

U.S. POSTAL SERVICE
PS FORM 3547

Snake River Basin Adjudication
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

ADDRESS SERVICE
REQUESTED

First Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

fee due 60¢

U.S. POSTAL SERVICE
PS FORM 3547

KOYL774* 833302223 1A01 07 11/29/01
FORM 3547

KOYLE
4477C VALLEY STEPPE DR
BUHL ID 83316-5256

Margaret H.



KOYLE, JOHN H
1774 S 1500 E
GOODING ID 83330

37-2663
7889
7916
11082
11083
11084