

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

not part of
pod exchange

DJUDICATION
E OF WATER FROM
IN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-04289A

Date Received: 10/11/1988

Receipt No: M1570

Received By: LW

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

2. Date of Priority: JUN 01, 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:
6" CS, ARTESIAN WELL, APPROX. 180' DEEP, W/PIPELINE TO POU

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.160		

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

8. Total consumptive use is 30.0 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	21	SW	NE		IRR	6.0
			SE	NE		IRR	1.0
			SW	SE		IRR	1.0
						Section Acres	8.0

A37-04289A

Page 1

Date: 10/12/88

MICROFILMED
FEB 24 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	19E	22	SW	SW		IRR	4.0
Section Acres							4.0
Total Acres							12.0

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:

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

14. Remarks:

EXCHANGE 2906.

THERE ARE 2 P/DS IN THE NWNE SEC. 21. AFTER PUMPING WATER FROM WELL THE WATER RUNS BACK INTO CHANEY CREEK THEN WATER IS PUMPED OUT OF CAIN CREEK. CAIN CREEK IS THE SECOND DIVERSION MENTIONED ABOVE. ALSO, THE POD MAY BE LISTED WRONG. COULD BE IN NE, NE OF SECTION 21.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
FEB 24 1993

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 Title of Deard Wiggins Inc Organization, that I have signed the foregoing document in the space below as Sec Title of Deard Wiggins Inc Organization and that the statements contained in the foregoing document are true and correct.

Deard Wiggins Inc
Signature of Authorized Agent

Sec. Deard Wiggins Inc
Title and Organization

Oct 12 - 1988
Date

State of Idaho)
County of Blaine) SS.

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

John Dale Corbin
Notary Public

Seal

Residing at Boise Tel

My Commission Expires 6/2/94



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

BELLEVOUE 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:

A37-04289A

STEPHAN, KVANVIG, STONE & TRAINOR

ATTORNEYS AT LAW

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

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

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

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

RECEIVED

March 20, 2007

MAR 28 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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:

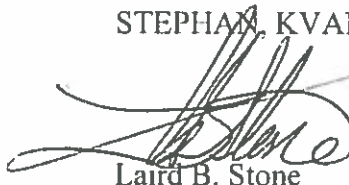
I would request that you add my name to the notification list on behalf of Dean R. Rogers, Inc. Any future notices in regard to the water rights should be sent not only to them at their Bellevue, Idaho address but to me at:

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: 37-4289A

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: 0.160 CFS
24.000 AFY

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

Right Nos. 37-4289A and 37-4289B are limited to a total combined diversion rate of 0.24 cfs and to a total combined annual diversion volume of 36 AF.

PRIORITY DATE: 06/01/1961

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	04/15 10/31	0.160 CFS 24.00 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

This right is limited to the irrigation of 8 acres within the place of use described above in a single irrigation season.

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

Right Nos. 37-4289A and 37-4289B are limited to the irrigation of a combined total of 12 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:

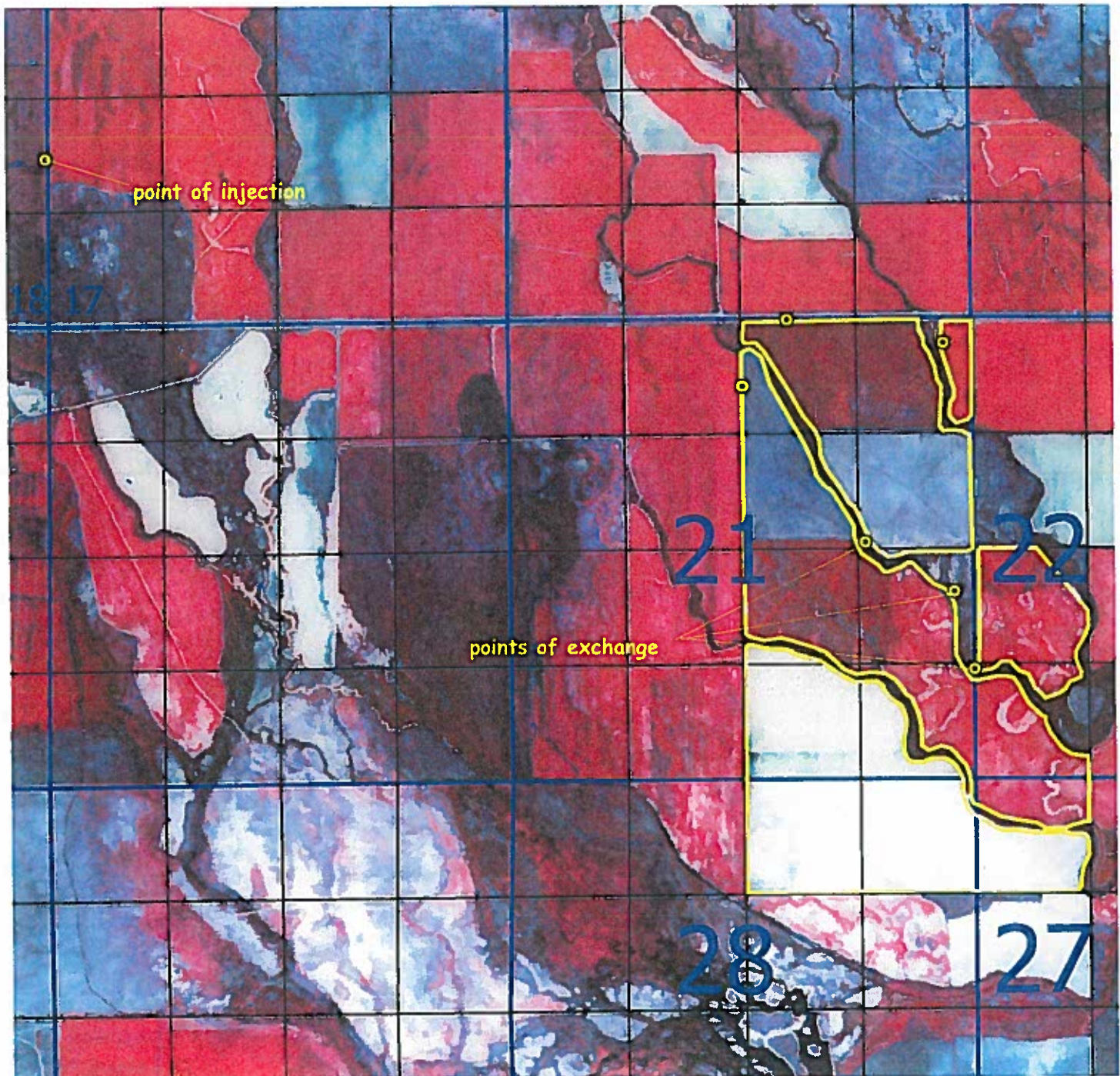
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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



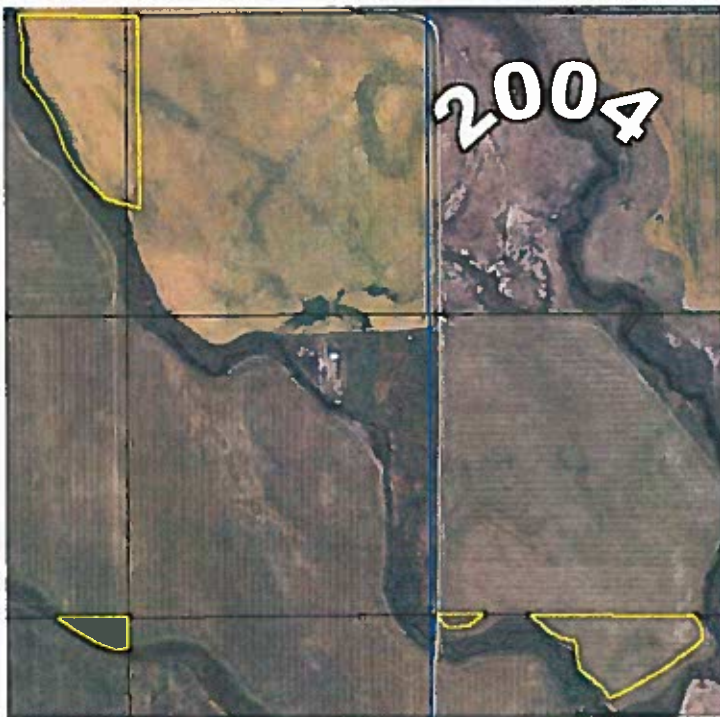
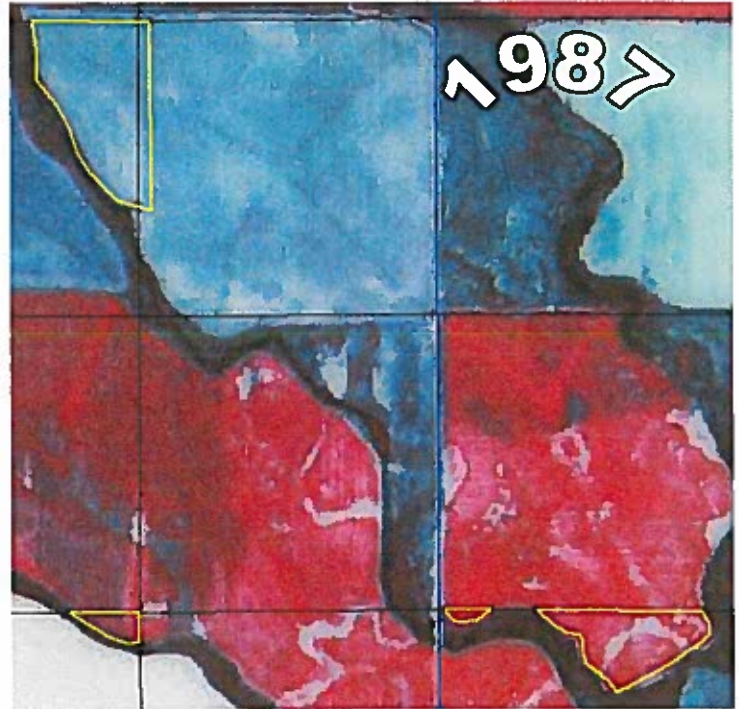
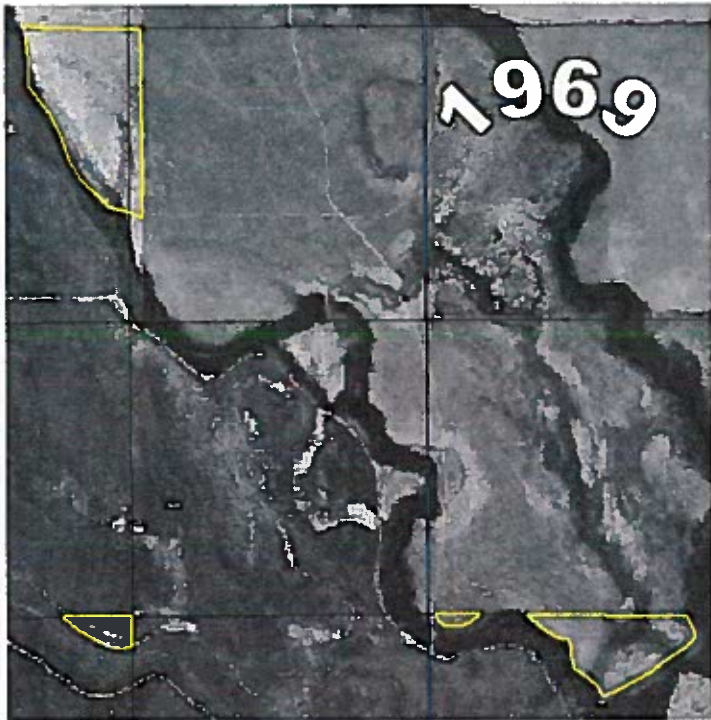
⊙	Recommended Point of Diversion
Yellow outline	Recommended Place of Use
White outline	Quarter Section Lines
Blue outline	PLSS Section Lines



GIS Place of Use Presentation
1987 NAPP Aerial Photography

Prepared by Amanda Kriwox

37-4289; parts A&B



Original 37-4289 claim: 12 acres, 0.24 cfs

1987 there was a pod exchange...ended up splitting 4289 into 2 portions; 4289B split out 4 acres and established an exchange with the claimed pod where the pod discharged 0.08 cfs of the licensed water into the Buhler Drain and this water was reddiverted at various points along Cain Creek.

Volume was not part of claims...12 acres at 3.0 afa = 36AFA

37-4289B: Exchange broke 4 acres out and 0.08 cfs & 12 afa...claim matches approved exchange.

37-4289A: claim is overclaimed as far as the POU. Should be 8 (4 acres went to portion B)...but it's claimed as 12 acres. CFS & is claimed correctly and volume should be recommended as 24AFA

Within the Cain/Cheney Creek area PPU: 37-4289A & B NTE 12 acres, 0.24 cfs, and 36 afa.

PPU notes in file 37-2600

? re volume... licenses on this PPU are all for under 5 afa/acre ... season = 5.5 afa/acre but I rec this for 5 afa/acre since claim notes indicate this is a "filler" claim for licenses 2641 & 2662.

(No. assigned per
telecom w/ Region)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Dean R. Rogers, Inc.
(Name of Claimant)

Rr. 1, Box 305 Bellevue, ID 83313 Telephone No. 788-2841
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 6/1/1961

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

- groundwater tributary to _____

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs. or)		(Domestic, Irrigation, Stock, Etc.)		(Both dates Inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.24</u>	Use	<u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>
Quantity	<u> </u>	Use	<u> </u>	Period of Use From <u> </u>	To <u> </u>

- (4) TOTAL QUANTITY USED.

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ NE ¼, Sec. 21 Twp. 1S Rge. 19E B.M., County of Blaine (2 points)

- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. **2 wells, existing diversion system, flood irrigation**

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

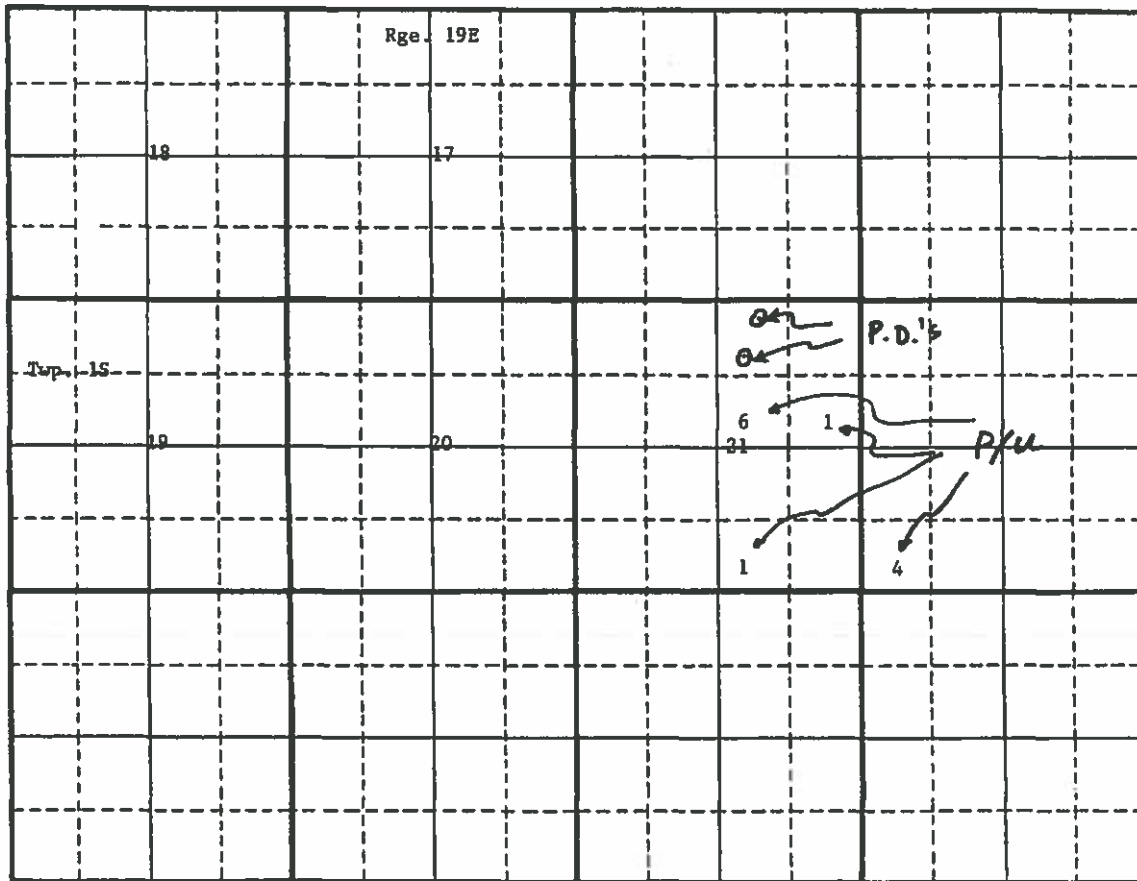
No. of acres 12

- B) If water is used for other than Irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks This claim is intended to increase the irrigated lands described under Licenses 37-2662 and 37-2641 from a total of 439 acres to a more realistic total of 451 acres.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15 day of April

Notary Public
Residing at Boise Id

My commission expires Sept 10, 1984

FOR DEPARTMENT USE ONLY

Received by DW Date 4/15/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by ADM Date 5/4/83 claimant by: _____
\$30.00 fee received by R.G. Date 4/15/83 #26498
Published in Wood River Journal
Dates 6/30 & 7/7/83

~~Company Name Here~~

Dean R. Rogers Inc.
28 Hillside Ranch Rd.
Bellevue Idaho 83313

April 27, 2005

Dept. of Water Resources
Re. Letter of April 25, 2005 To Dean R. Rogers Inc.

RECEIVED
MAY 11 2005
Department of Water Resources
Southern Region

Dear Dept. of Water Resources:

Dear Sirs,

I trust the following narrative will be considered as evidence as to the water Rights in question.

37-4289A

37-4289B

This well has been used for water to sprinkle land on the properties listed on the water right. The water right lists fewer acres than is actuality watered as we leveled and straightened fields to make them easier to irrigate and more efficient use of the available water. We sprinkled with a tractor powered pump in the years of 1957, 1958, 1959, 1960. The well was drilled in late 1954 or early 1955. The priority date listed is the date the Department actually measured the well. I witnessed the measurement. Later Soil Conservation maps with improved measurements (more accurate), I believe are partly responsible for the difference in acreage.

We started leveling land in the summer of 1959. I graduated from the 8th grade to a cat and carryall that year. The first land leveled is marked on map and outlined in red with date.

37-1164 -37-02598

This water is from a drain ditch, which was dug by Dean R. Rogers and Son in 1955 and 1957.
(Completed in 2 different years)

NOTE Dean R. Rogers and Son became Dean R. Rogers Inc. in 1966

This water was as a resource of water to sprinkle lands adjacent to this drain ditch. Years sprinkled were, 1957-1958-1959-1960. The sprinkler system was sold to Baldwin Bros. in 1961. They are no longer in farming.

NOTE , We were sprinkling with the tractor powered pump and leveling land in 1959 and 1960.

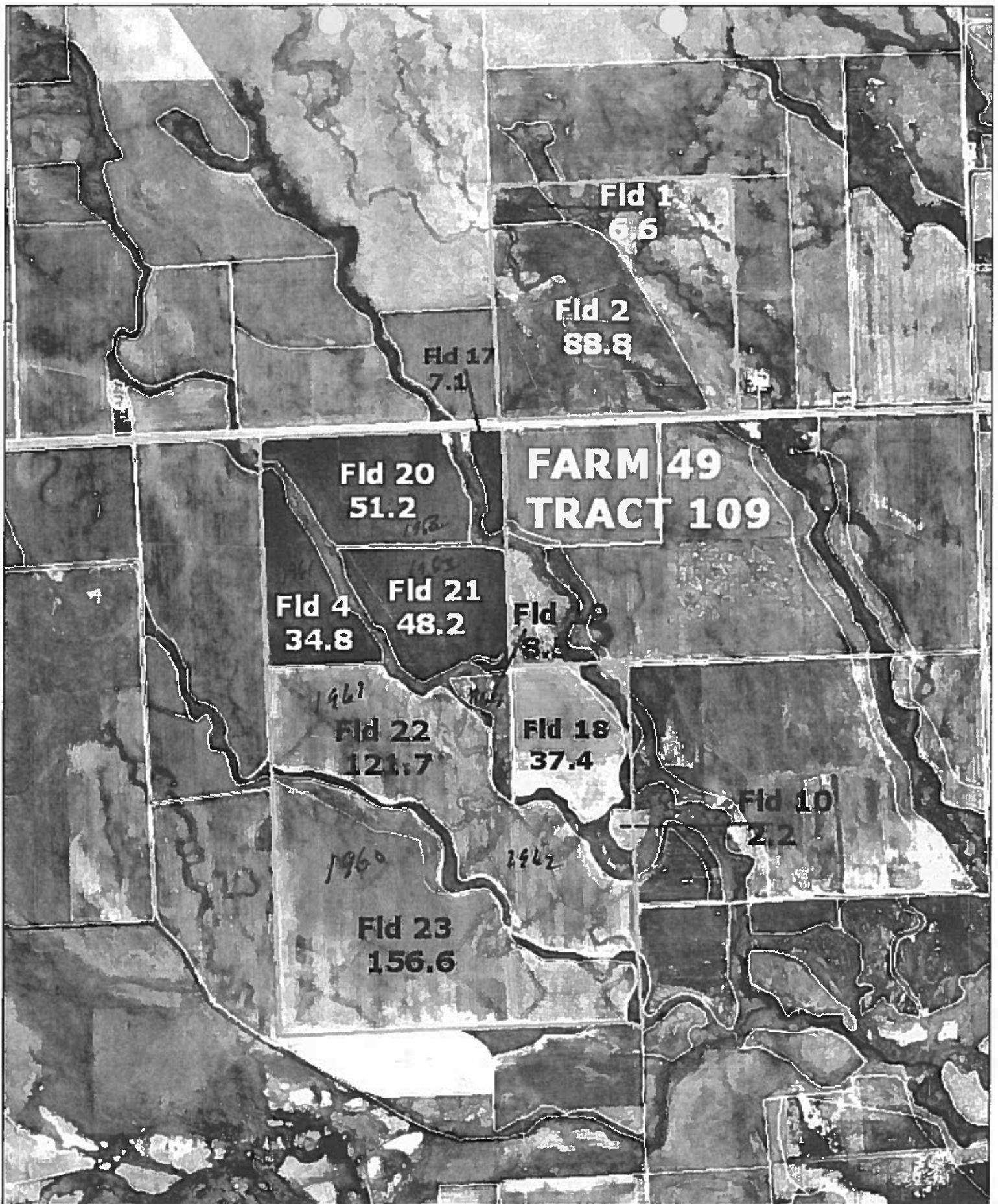
Enclosed are maps marked with years land was leveled.

The building of what is now State Highway 20 made apparent ,an omission in the original filing. Before , the highway was built , the water flowed across the now leveled land. Now in order to irrigate the land south of the highway it is necessary to pump from the drain ditch. This omission was an oversight and not intentional.

We have used the water as needed during the years since the drain ditch was installed. We believe the use of the water developed by the Rogers family has been beneficial to not only the Rogers family but to all water users down stream from Buhler Drain.

Thank you for your consideration,





FARM 49 TRACT 109
OW/OP DEAN ROGERS INC

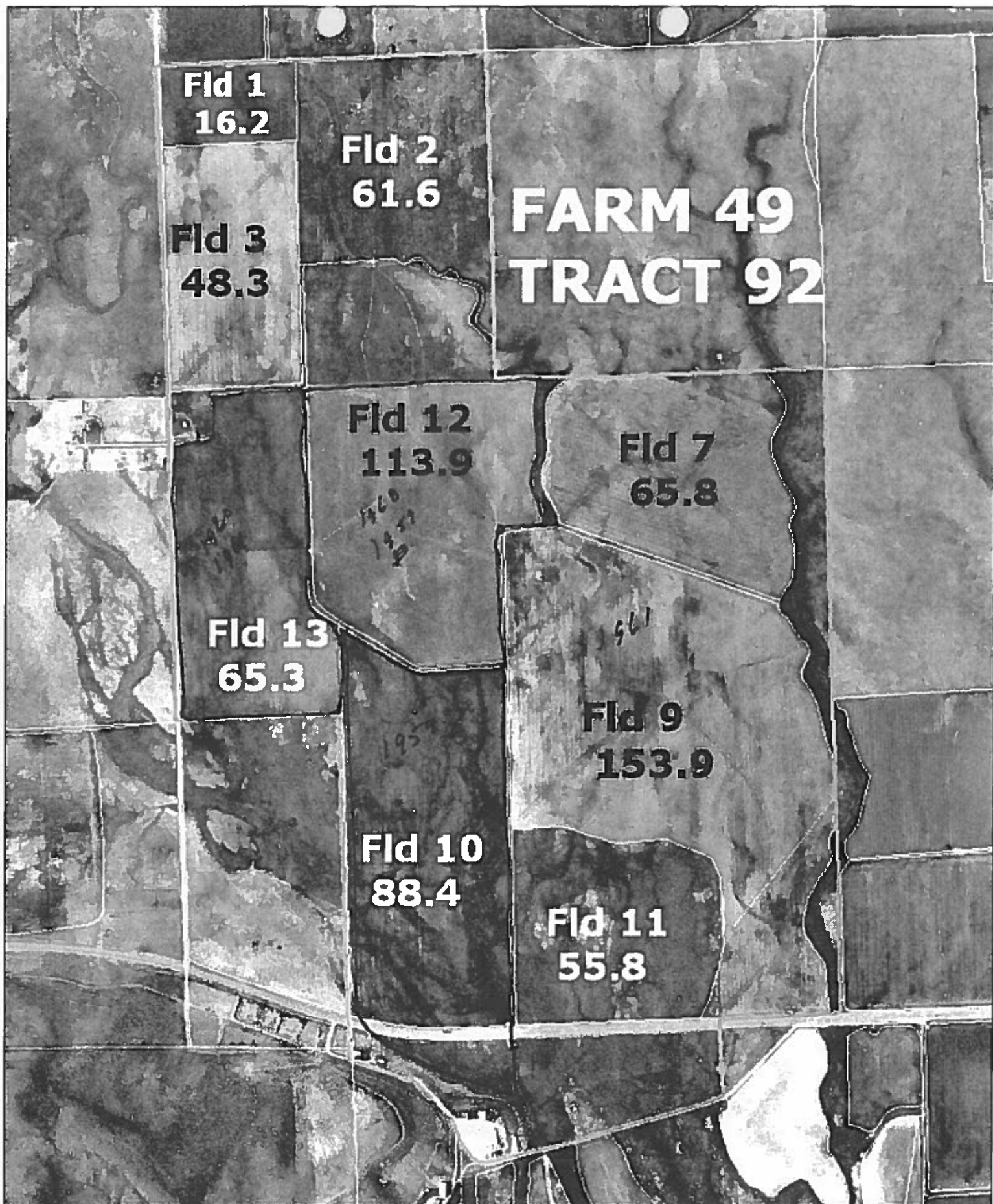
RECEIVED

MAY 11 2005

Department of Water Resources
Southern Region



Map Printed: Sep 14, 2004



FARM 49 TRACT 92
OW/OP DEAN ROGERS INC

RECEIVED

MAY 11 2005

Department of Water Resources



Map Printed: Sep 14, 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

Re: Evidence of Priority

RESPONSE DEADLINE
JUNE 17, 2005

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your 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. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

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 ~~5000-1777777777~~ cfs
6. Water is used for Irrigation (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 NW (1), (2), (3) 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)	1S	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								6				105
			22								33	20							53
			27				13												13 (171)
(3)	1S	19E	21		6	1									1				8
			22																4
Total number of acres to be irrigated																			451 (12)

MICROFILMED
FEB 24 1955

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

9. 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 NW1/4 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. (2p)
16. Explanation (Additional p.d.: SE1/4 Sec. 21 or SW1/4 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 NE1/4 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	40 (S)
		1S 19E 21																	
		22											6						6
		27						3											3
		28	1																1 (
(2)	(2)	37-2662B													33	20			53
		1S 19E 22																	
		27						13											13 (
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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) - See.

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
37-26418, 37-26628

I have examined Application for Exchange of Water No. 8 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

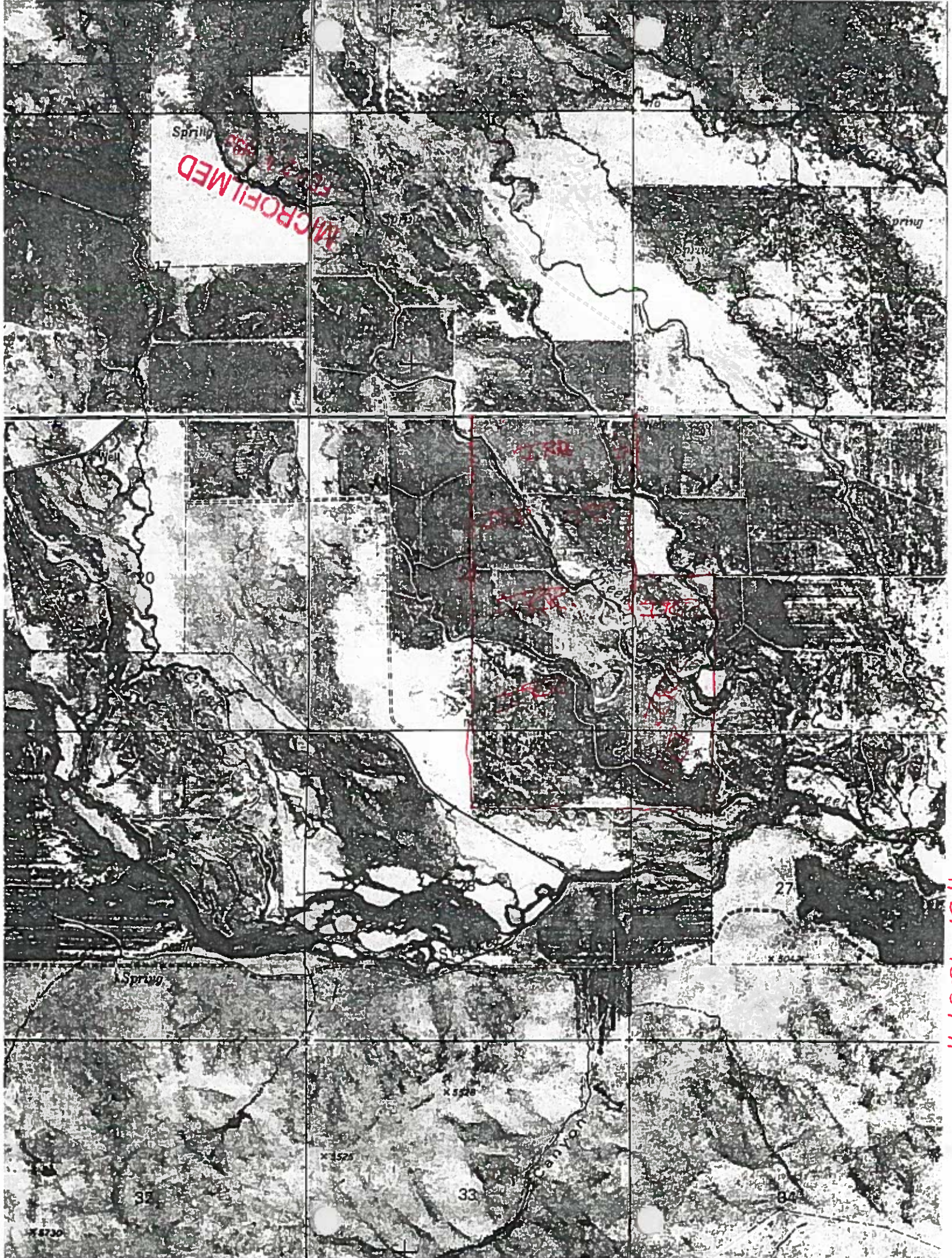
Received by DRT Date 4/15/1983 Time 11:20 Preliminary check by ADM
Fee \$ 50.00 Receipted by 26478 Date 4/15/83 Publication prepared by Mary
Date 7/5/83 Published in Wood River Journal Dates _____
Affidavit of Publication received Yes Publication approved by Mary A
Republished Dates 7/14 & 7/21/83
Protests Filed By: None
Copies Forwarded _____
Protestant _____ Address _____ Date Filed _____ by _____ Date _____ Action Taken _____

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

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

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