

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: A35-02750
Date Received: 5/04/1989
Receipt No: MO03373
Received By: PAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KAY S. JORGENSEN 208-684-4561
Address: BOX J
MORELAND, ID 83256

2. Date of Priority: JUL 29, 1964

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	34E	15	NW	NW	NW		BINGHAM

5. Description of diverting works:
125' WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		357.00
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
2.040 C.F.S. (and/or) 357.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOUSE HOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	34E	10	SW	SW		IRR	26.0
Section Acres							26.0

A35-02750

Page 1

Date: 05/04/89

MICROFILMED

DEC 10 1992

A3502750



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	34E	15	NW	NW		DOMEST	
			NW	NW		IRR	39.0
			SW	NW		IRR	37.0
						Section Acres	76.0
						Total Acres	102.0

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: LICENSE
Water Right Number: 32003

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: 0

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): Ray J. Jensen Date: 5-4-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 4 day
of May 19 89 Bruce A. Schuld
Notary Public

Seal

BRUCE A. SCHULD, NOTARY PUBLIC
Residing at RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1991

RECEIVED

RECEIVED

1999

MAY 21 1999

State Office
2 Duplex

East
EMC

Department of Water Resources
Eastern Region

Department of Water Resources

1999 MAY 18 AM 09:05
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

RECEIVED

JUN 11 1999

In Re SRBA

) ORDER SETTING HEARING

Department of Water Resources
Eastern Region

Case No. 39576

)
)
)
) SUBCASE NOS: 35-02750A

35-02750B

Please be advised that Special Master TERRENCE A. DOLAN
has set for hearing the MOTION TO SET ASIDE PARTIAL DECREE AND
SCHEDULING CONFERENCE.

THURSDAY, JUNE 24, 1999 at 03:30 PM

IF
BONNEVILLE COUNTY COURTHOUSE
605 NORTH CAPITAL AVE
IDAHO FALLS, ID

IT IS SO ORDERED.

Dated: MAY 18, 1999

/S/ TERRENCE A. DOLAN

Special Master

Snake River Basin Adjudication

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

Page 1 5/18/99

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING HEARING was mailed on MAY 18, 1999, with sufficient first-class postage to the following:

C & L FARMS
DEL RAY HOLM
HOLM BROS. PARTNERSHIP, HOLM
HOLM BROTHERS PARTNERSHIPS,
R & M FARMS PARTNERSHIP
THEODORE L DEFFINGER
THOEDORE L DEFFINGER

Represented by:
BLAIR J. GROVER
PO BOX 36
215 FARNSWORTH WAY
RIGBY, ID 83442-0036
Phone: 208-745-6653

ABERDEEN-AMERICAN FALLS
BINGHAM GROUND WATER DISTRICT
UPPER VALLEY IRRIGATORS ASSOC.

Represented by:
JEFFREY C. FEREDAY
PO BOX 2720
BOISE, ID 83701
Phone: 208-388-1200

FREMONT MADISON IRRIG. DIST.

Represented by:
JERRY R. RIGBY
PO BOX 250
REXBURG, ID 83440-0250
Phone: 208-356-3633

NORTH SIDE CANAL COMPANY LTD
TWIN FALLS CANAL COMPANY

Represented by:
JOHN A ROSHOLT
PO BOX 1906
TWIN FALLS, ID 83303-1906
Phone: 208-734-0700

ALBERT & CHRISTINE WADA
BRENT STOLWORTHY
CLYDE M WILSON
DARWIN BROWN
FRANK S & AGNES H WADA
GERALD BUTIKOFER
GERALD J BUTIKOFER
JAY L & MERRI LYNN STOLWORTHY
KENT B CORNELISON
KENT CORNELISON
KENT SEARLE
LDS CHURCH
LINDEN & LOIS BUTIKOFER
LINDEN J. LOIS J BUTIKOFER
MERLE & ULENE BUTIKOFER
MURDOCH-WILSON FARMS
PAUL & ALICE HEYREND
WAYNE HANSEN

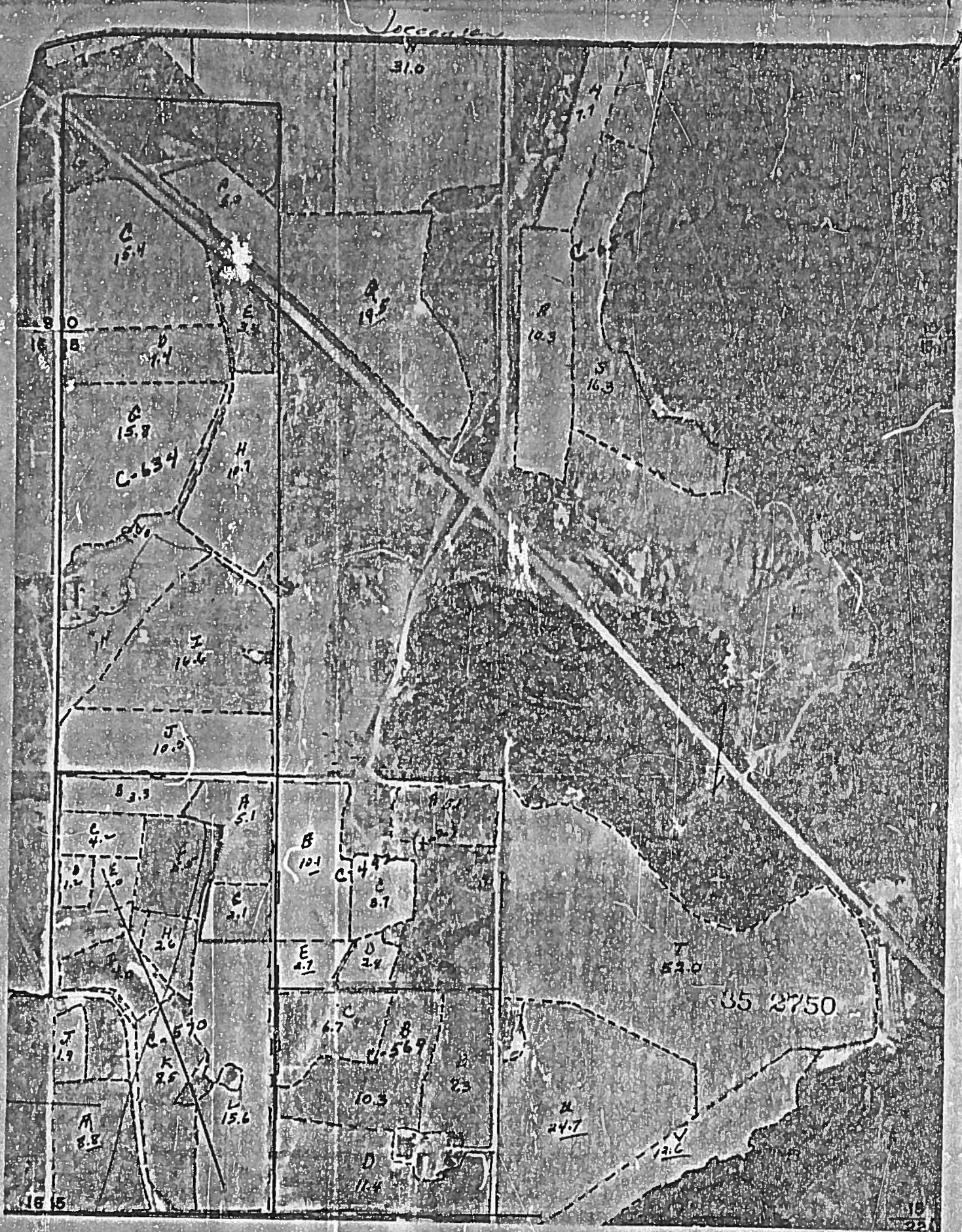
Represented by:
KENT W FOSTER
PO BOX 50130
IDAHO FALLS, ID 83405
Phone: 208-523-0620

STATE OF IDAHO

Represented by:
PETER J. AMPE
PO BOX 83720
BOISE, ID 83720-0010
Phone: 208-334-2400

KAY S JORGENSEN
BOX J
MORELAND, ID 83256
Phone: 208-684-4568

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





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

35-02750B

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

L RICHARD & KIM THOMAS
PO BOX 185
MORELAND ID 83256

RE: Notice of Change of Water Right Ownership (NCO) for
35-02750 and Notice of Completed Administrative Proceeding
(NCAP)

Dear Mr. & Mrs. Thomas:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

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 the 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: 35-02750, 35-02750A,
35-02750B

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (Split) **JORGENSEN – JORGENSEN & THOMAS**
- ☐ 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: 16 June '00

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 23, 2000, 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:
KAY JORGENSEN
PO BOX 191
MORELAND ID 83256

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
L RICHARD & KIM THOMAS
PO BOX 185
MORELAND ID 83256

4. One copy to:

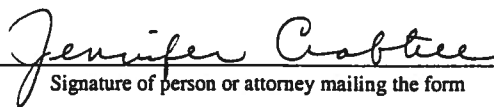
Each party in the subcase, or attorney of record
NORMAN SEMANKO
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

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

AJ5856NP

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

DATE: JUN-15-2000
PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-02750B

NAME & ADDRESS: L RICHARD THOMAS
KIM THOMAS
PO BOX 185
MORELAND ID 83256

SOURCE: GROUNDWATER

QUANTITY: 0.13 CFS
25.2 AFY

PRIORITY DATE: 07/29/1964

POINT OF DIVERSION: T02S R34E S15 SWNNW Within BINGHAM County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.13 CFS
			25.2 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County
T02S R34E S10 SWSW 6.3
6.3 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 - LICENSE

DELOG BC
6/12/00
RECEIVED
JUN 12 2000

Department of Water Resources
Eastern Region

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 32003/35-2750
Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim 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 Kay S Jorgensen
Box 191
4. New Owner/Claimant(s) Moreland ID 83256
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address L. Richard and Kim Thomas
City, State and ZIP Code Box 185 Moreland, Id. 83256
New Telephone Number (208) 684-3757
5. Date you acquired the property 10/23/1985
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right	<u>6.3</u>	Number and type of stock
Diversion rate in CFS	<u>0.13</u>	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) L. Richard Thomas
or Claimant(s) Kimber Lee Thomas
Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

REAL ESTATE AGREEMENT

THIS AGREEMENT made and entered into this 23rd day of October, 1985, by and between KAY S. JORGENSEN and ROZILLA B. JORGENSEN, husband and wife, of Moreland, Idaho, hereinafter referred to as "vendor," and LAWRENCE RICHARD THOMAS and KIMBER LEE THOMAS, husband and wife, of Moreland, Idaho, hereinafter referred to as "purchaser."

W I T N E S S E T H:

That the vendor, in consideration of the covenants and agreements on the part of the purchaser hereinafter contained, agrees to sell and convey to the purchaser and the purchaser agrees to buy all that certain piece and parcel of land lying and being in Bingham County, State of Idaho, and bounded and more particularly described as follows, to-wit:

Township 2 South, Range 34, E.B.M., being in Section 10:

All that portion lying N.E. of the Hiway 26 right-of-way, being in the SW1/4SW1/4 of Section 10, approximately 14 acres, more or less, together with all water rights.

The parties hereinafter agree and covenant as follows:

A G R E E M E N T:

Section 1 - Purchaser Price and Payment. The purchase price of the hereinabove described parcel of land shall be the sum of TWENTY THREE THOUSAND and no/100 dollars (\$23,000.00), lawful money of the United States of America; and the said purchaser, in consideration of the premises, agrees to pay to the said vendor the said sum of Twenty Three Thousand and no/100 dollars (\$23,000.00) as follows, to-wit:

The sum of One Thousand and no/100 dollars (\$1,000.00), as a downpayment.

The sum of Twenty Two Thousand and no/100 dollars (\$22,000.00) shall be paid at NINE and ONE-HALF percent (9.5%) interest from date of this agreement, and it is understood and agreed that a monthly installment in the sum of Two Hundred and no/100 dollars (\$200.00), more or less, shall be paid commencing the 1st day of November, 1985, and one of said monthly installments shall be due and payable on the 1st of each and every month thereafter, until the balance of the principal and interest is paid in full.

Section 2 - Prepayment. No prepayment shall be accepted before ten (10) years from the date of this agreement. Any prepayment made after ten (10) years from the date of this agreement shall be accepted on the balance of the purchase price and prorated over a three (3) year period.

Section 3 - Release Acreage. The vendor shall release an acreage for the purchaser to build a house or place a mobile home upon the released acreage if an amount paid on the purchase price shall be equal to the amount of acreage to be released. In other words, if one acre of the total 14 acres is requested to be released, the one acre will be released if 1/14 of the total price has been paid.

Section 4 - Taxes, Assessments, etc. The vendor agrees to pay all state, city, school and county taxes, and all assessments of whatsoever nature which are levied against the said premises for the year 1984 and for prior years, and 10/12ths of the taxes and assessments levied against the said premises for the year 1985. The purchaser agrees to pay 2/12ths of the taxes and assessments levied against the said premises for the year 1985 and for all the said taxes and assessments for the year 1986 and for each and every year thereafter.

Section 5 - Title Insurance. The vendor shall purchase title insurance for the premises at the time one-half (1/2) of the principal purchase price (approximately \$11,000.00) shall be paid by the purchaser to the vendor.

Section 6 - Warranty Deed Delivered. Upon final payment, the vendor agrees to deliver to the purchaser a good and sufficient warranty deed executed by the vendor to the purchaser, and the title policy which shall insure the purchaser against loss or damage for a reason of any defect or lien or encumbrance effecting the title of said premises, or by reason of the unmarketability of the title of the vendor, save and except any encumbrance that might be caused or permitted to be placed against the premises by the said purchaser and except accruing taxes and assessments. The purchaser acknowledges that they have inspected the premises and take the premises AS IS.

Section 7 - Time. Time is of the essence of this agreement.

Section 8 - Default, Remedies. In case the purchaser shall fail, refuse or neglect to pay to the vendor or to pay the taxes and assessments at the time the same shall become due or shall fail to fulfill any of the covenants or agreements on the part of the purchaser to be kept and performed, then, and in that event, after demand and notice of thirty (30) days by registered mail to the address of the purchaser, the vendor shall be relieved from all obligations in law or equity to convey the said property and the vendor may at his option forfeit any and all right of the purchaser in and to the said real estate and any and all improvements thereon and all money paid to the vendor by the purchaser under this agreement shall be retained by the vendor as liquidated damages for a nonperformance of this contract and is rent for the said premises and the vendor shall have the right to demand possession of the premises, together with any and all improvements made upon such premises, and have a quitclaim deed from the purchaser to the vendor and the purchaser shall cease to have any right, title or interest in and to said premises and agrees to immediately surrender the peaceful possession of the same to the vendor.

It is agreed that the above remedies are accumulative and the vendor shall have any other remedy for the enforcement of this contract given to the vendor under the laws of the State of Idaho.

It is further agreed that if it becomes necessary for either party to bring an action in any court of competent jurisdiction for the enforcement

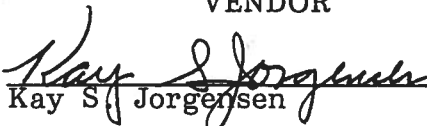
of this contract, or on the part of the vendor for repossession of the premises upon failure of the purchaser to make the payments and perform the covenants as herein specified then the defaulting party shall pay all court costs contracted by the other party together with a reasonable attorneys fee.

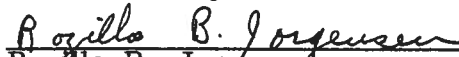
Section 9 - Agreement Binding. It is further agreed that the stipulations herein set forth are to apply to and bind the heirs, executors, administrators and assigns of the respective parties hereto and the purchaser shall have possession of the said premises on or before the 1st day of November, 1985, and shall be entitled to said possession so long as the purchaser makes the payments and performs the covenants as herein set forth.

Section 10 - Terms. The terms vendor and purchaser shall include singular and plural parties and shall also include masculine and feminine or neuter parties.

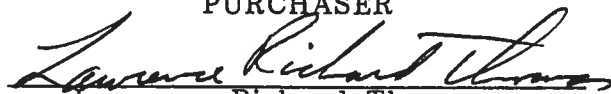
IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year hereinabove first written.

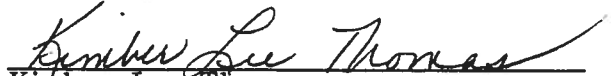
VENDOR


Kay S. Jorgensen


Rozella B. Jorgensen

PURCHASER

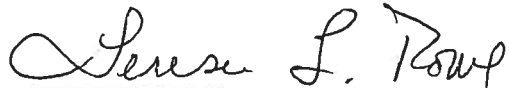

Lawrence Richard Thomas


Kimber Lee Thomas

STATE OF IDAHO)
: ss
County of Bannock)

On this 23rd day of October, 1985, before me, a Notary Public, personally appeared KAY S. JORGENSEN and ROZILLA B. JORGENSEN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC For Idaho

Residing at: Pocatello

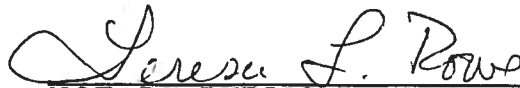
Commission Expires: 5-14-91

(SEAL)

STATE OF IDAHO)
: ss
County of Bannock)

On this 23rd day of October, 1985, before me, a Notary Public, personally appeared LAWRENCE RICHARD THOMAS and KIMBER LEE THOMAS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



NOTARY PUBLIC For Idaho

Residing at: Pocatello

Commission Expires: 5-14-91

(SEAL)



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

June 14, 2000

L RICHARD & KIM THOMAS
PO BOX 185
MORELAND ID 83256

RE: Application for Transfer #5762 (35-02750B) and Notice of
Administrative Proceeding (NAP)

Dear Mr. & Mrs. Thomas:

The Idaho Department of Water Resources (IDWR) received an
Application for Transfer for the above referenced water right(s).

In response to the Application, this office is sending the enclosed NAP
to the SRBA Court and other parties listed on page 2 of the form. The
intent of this mailing is to notify those parties of the requested change.

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

Case No. 39576

Water Rights: 35-02750B

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 5762

☒ point of diversion ☐ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: **JUNE 14, 2001**

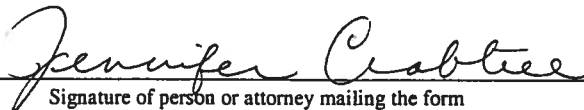
DATED: 16 June 00

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/23/00, 2000, 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:
L RICHARD & KIM THOMAS
PO BOX 185
MORELAND ID 83256
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
NORMAN SEMANKO
ROSHOLT ROBERTSON & TUCKER
PO BOX 1906
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

PART 2

Transfer No. _____

35-02750

any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

amount 0.13 cfs for Irrigation purposes from 4/01 to 11/01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

"B"

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	NW	NW	15	2S	34E	Bingham	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	34E	10											6.3						6.3

Total Acres 6.3

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.91 cfs for Irrigation purposes from 4/01 to 11/01
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

"A"

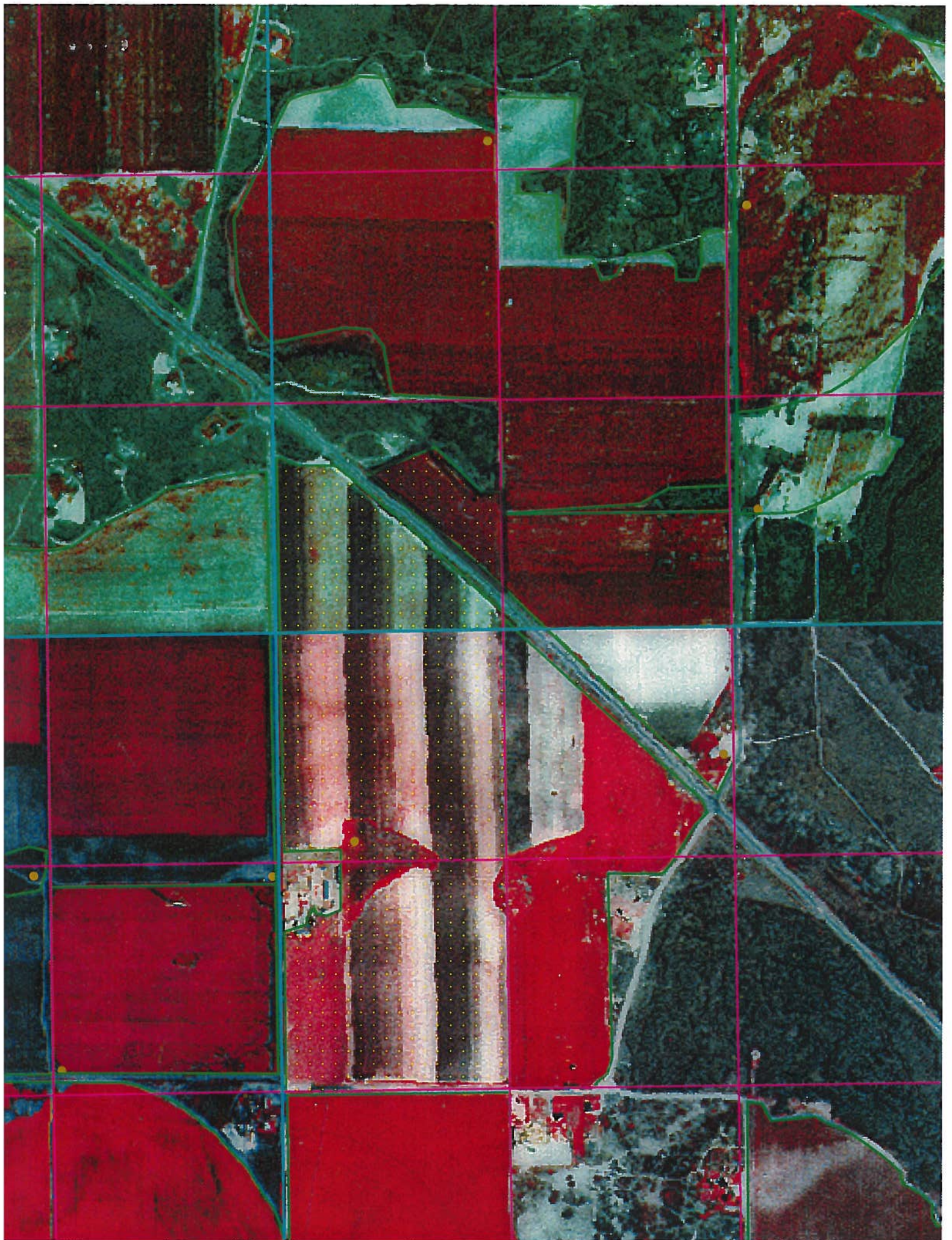
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	SW	NW	NW	15	2S	34E	Bingham	

3. Lands irrigated or place of use:

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	34E	10											19.7						19.7
		15						39	37										76

Total Acres 95.7



24 November 1998

MR KAY S JORGENSEN
BOX J
MORELAND ID 83256

Re: Your letter, dated 27 October 1998, to: Karl J. Dreher, Director

Dear Mr. Jorgensen:

The department is in receipt of your letter expressing concerns over recommendations to your Snake River Basin Adjudication (SRBA) water right claims. Herein, I will attempt to clarify the points of your concerns.

First, regarding domestic water right 35-10838, which you "declare should be in effect", this water right was decreed (partial) by the SRBA court on 11/28/97. 35-10838 was recommended and decreed (partial) as it was claimed. I have enclosed a copy of the claim for your reference. Any concerns regarding this water right should be addressed to the SRBA court at the number below.

Next, you have expressed concerns regarding the pictorial representation of you irrigation claim 35-02750B. The claim to 35-02750B was examined on 01/16/97. The examining agent determined at that time service from the well did not cross the highway to the north. Consequently, the recommendation was based on the irrigated lands south of the highway. The examiner found 98 acres irrigated. The diversion rate was reduced according to the acres, maintaining a diversion rate of 0.02 cfs/ac, which equates to 1 inch per acre.

Your letter references water right 35-02470B. Our database shows no record of that water right, but it does show 35-02470 is claimed in T.6S., R.31E. Section 18. This is not your water right claim.

However, when you filed your claim in the SRBA, you split 35-02750 into parts A and B. Part A was for 0.04 cfs for domestic use (copy of the recommendation is enclosed). Part B was the remainder of the license used for irrigation. As licensed, 35-02750 was for 2.04 cfs on 102 acres. Since the domestic claim (35-02750B) was filed in the SRBA, the license was reduced to 2.00 cfs available for irrigation. But, the examining agent found only the 98 acres irrigated and adjusted the recommended diversion rate accordingly to 1.96 cfs.

Referencing the last paragraph of you letter, *"The place of use as enlarged has been sold with water right as claimed under state license enclosed"*. The meaning of this paragraph is unclear. If you have sold the lands, or portions thereof, to which this water right is appurtenant a Notice of Change of Water Right Ownership is required to list the name of the new owner pursuant to §42-

Jorgensen, K.S.
Page 2

248 IC. Further, if the place of use was enlarged, as stated, there is no SRBA water right claim or permit for the lands enlarged. This is a violation of §42-1426 IC.

The deadline for filing a Notice of Error with IDWR was August 31, 1998. To modify the recommendation at this point will require filing an objection with the SRBA court in Twin Falls. To help expedite this, enclosed are objection forms with instructions. Questions regarding the filing of objections should be directed to the court. Their telephone number is (208) 736-3011.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudication Bureau

cc: files 35-02750A and B

enclosures: Recommendations to 35-02750A and 35-02750B
SRBA claim 35-10838 (copy)
Objection forms, SF-1 & SF-4, w/ instructions

RECEIVED

NOV 10 1998

Department of Water Resources

27 October 1998
Box J
Moreland, Idaho 83256

State Of Idaho
Department of Water Resources
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Karl J. Dreher-Director:

In reply to your letter dated 11 September 1998 RE: Water Rights in Reporting Area5,
Basin 35 Snake River Basin Adjudication{SRBA}.

Enclosed is a copy of domestic claim not included with your letter which I declare should
be in effect. *35-10838 PARTIAL DECREE 11/28/97.*

Enclosed is a map sent to me by someone which is in error as it does not cover the
complete place of use. Map is adjusted to cover total land area cover as per water license
issued by the State of Idaho dated 9 July 1973.

I also claim that as per this license this property has rights to 2.04 cfs not 1.96 cfs as stated
on right number 35-02470B. *SEE NOTE 1 BELOW.*

SEE NOTE 2. BELOW.

? — The place of use as enlarged has been sold with water right as claimed under the state
license enclosed.

This therefore is my filed claim to rights in question.

Sincerely,

Kay S. Jorgensen
Kay S. Jorgensen

enclosures:3

NOTES:

1. THERE IS NO SRBA CLAIM FOR 35-02470B.
A35-02470 IS RECOMMENDED IN TOTAL TO
RAYMOND FUNK IN 6S 31E SEC. 18 S2NW.
2. SRBA AGENT ERIC VORNER RECOGNIZED 98 AC.
IRRIQ. AS 22 AC IN SWSW SEC. 10 SOUTH OF HWY.
AND W2NW SEC. 15. NO USE IN SEC. 10 NORTH OF HWY.
SO GIS'D, SO RECOMMENDED RT. REDUCED A...

RECEIVED

NOV 23 1998

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)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO NOV 28 PM 2:16
I.R.C.P. 54(b) FOR

Water Right 35-10838

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

NAME & ADDRESS: KAY S JORGENSEN
BOX J
MORELAND ID 83256

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/29/1965

POINT OF DIVERSION: T02S R34E S23 SESEW Within BINGHAM County

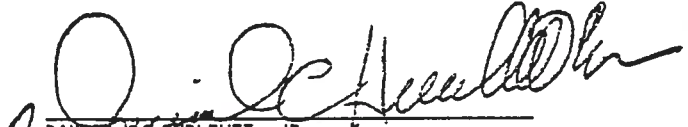
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County
T02S R34E S23 SESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED:


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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:


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication



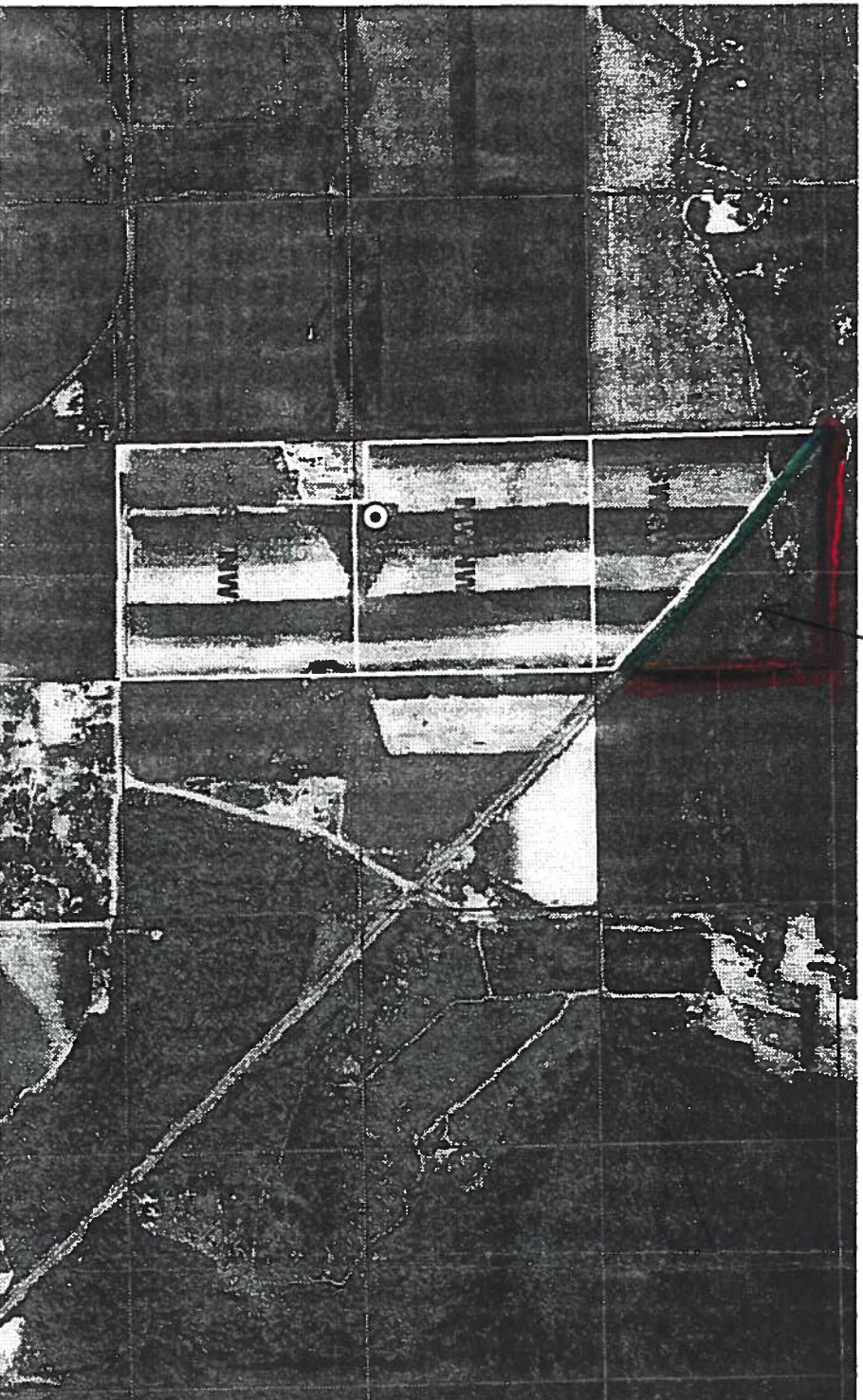
STATE OF IDAHO

Department of Water Resources

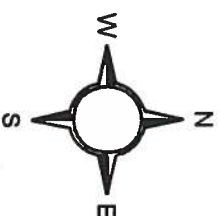
Eastern Region

Claimant: **K. S. Jorgensen**

Place of use



1000 0 1000 2000 3000 4000 5000 Feet



POU Id # - 603
POD Id # - 499

Water Right(s):
35-02750B

Legal Description:
T2S, R34E
Sec. 10 SWSW
Sec. 15 W2NW

Point(s) of Diversion:
T2S, R34E, Sec. 15
SWNW

LEGEND

○ Point of Diversion

SESE Place of Use

Section Line

Quarter-section line

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32003/35-2750 Priority July 29, 1964 Amount 2.04 cfs

THIS IS TO CERTIFY, that KAY S. JORGENSEN
of Moreland, Idaho, has complied with the terms and conditions of Permit
No. 32003/35-2750 issued pursuant to Application for Permit dated July 29, 1964,
and has submitted proof to the Department of Water Administration on July 24, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 3.64 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 2.04 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 2.04 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 15, Twp. 2 S, Rge. 34 E, B.M.

in the county of Bingham; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 357 acre feet per year or _____
3.5 acre feet per acre.

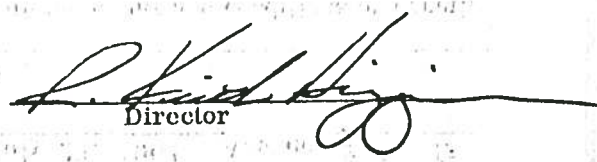
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2 S	34 E	10											26						26
		15						39	37										76

Total number of acres irrigated 102

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 9th day of
July, 19 73.


Director

NO. OF CLAIMS IN POLYGON _____

TRANSFER NUMBER _____

CLAIM NUMBERS 35-02750B DATE _____

OBJECTION FILED _____

AGENT _____

TOTAL ACRES FROM RECOMMENDATION 98⁰GEOGRAPHIC INFO SYSTEM 97⁰

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	25	34E	10											22					
GIS														21					
RECOM			15					39	37										
GIS								39	37										
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B35-DBPOU.DBF _____

ATTRIBUTES OF B35-POU.SHP () 603

B35-DBPOD.DBF _____

ATTRIBUTES OF B35-POD.SHP () _____

Claimant: _____

K. S. JORGENSENP.O.D./Source 499 # G.W. S.W.Box JTownship 25, Range 34E, Section 15MORISLAND RD B32561. SWNW NW

2. _____

3. _____

Other Rights: _____

35-02750A Domestic

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()

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

A: Subcase 35-02750 B
(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Kay S. Jorgensen

Address: Box 1

Moreland ID 83256

Daytime Phone: 208-684-4924

Name & Address of Attorney, if any:

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

Name: Kay S. Jorgensen

Address: Box 1

moreland ID 83256

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: Increased to 2.04
4. ☐ Priority Date
Should be: _____
5. ☐ Point(s) of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: _____

11. 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): Acceage was reduced by

St of Id Dept of Water Resources from 102nd as original
license (Copy enclosed) to 98A (Copy enclosed). Acceage
in question has been irrigated and not abandoned.

RECEIVED
DEC 07 1998
Department of Water Resources

INSTRUCTIONS FOR MAILING

You must mail the objection, 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.

CERTIFICATE OF MAILING

G.

I certify that on 3 Dec, 1998 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
PO Box 2707
Twin Falls, ID 83303-2707

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

Name: Kay S. Jorgensen
Address: Box 5
Moreland, ID 83256

3. Copies to:

/ IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

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

Kay S. Jorgensen
Signature of Objector or attorney
mailing on Objector's behalf

VERIFICATION (Must be Completed)

State of Idaho)
County of Bingham) ss.
Kav S. Bergersen

_____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

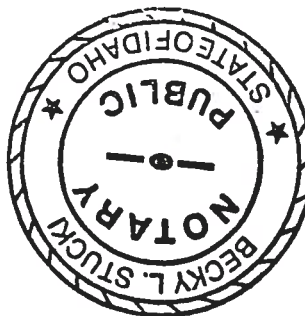
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

[Signature]
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: December 3, 1998

Becky J. Stuckes
Notary Public for Westmark Credit Union
Residing at: Bingham County
My Commission Expires: 2-19-2004



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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KAY S JORGENSEN BOX J MORELAND ID 83256 (208) 684-4568	07/29/1964	IRRIGATION	04-01 11-01	1.96 CFS	392.00 AFA
TOTAL DIVERSION:					1.96 CFS	392.00 AFA

Stage: LICENSE

BINGHAM County

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: BINGHAM

Conditions of Approval:

- C12 THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 35:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 35 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 35 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 01/17/1992 User-ID: VERNER Subject: RENUMBERING

01/29/2001

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

RIGHT NUMBER: 35-2750B
NAME AND ADDRESS: KIM THOMAS
L RICHARD THOMAS
PO BOX 185
MORELAND, ID 83256

SOURCE: GROUND WATER

QUANTITY: 0.13 CFS
25.2 AFY

PRIORITY DATE: 07/29/1964

POINT OF DIVERSION: T02S R34E S10 NWSWSW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.13 CFS 25.20 AFY

PLACE OF USE:

IRRIGATION Within BINGHAM County
T02S R34E S10 SWSW 6.3

6.3 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 - License



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

June 13, 2001

L RICHARD THOMAS
KIM THOMAS
PO BOX 185
MORELAND ID 83256

RE: Transfer #5762 for water right(s) 35-2750B and Notice of
Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Thomas:

On August 4, 2000, the Idaho Department of Water Resources (IDWR) approved Transfer #5762, modifying the above referenced water right. Based on this transfer, 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 the water right(s) as recorded in the SRBA.

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

Respectfully,

Cheri Vandermeulen
Records 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

)
)
)

Water Rights: 35-2750B

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- ☒ I.C. § 42-222 transfer 5762
- ☒ point of diversion ☐ place of use
- ☐ period of use ☐ nature of use
- ☐ split of water right ☐ change in ownership
- ☐ other

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: June 13, 2001

Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 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
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
L RICHARD THOMAS
KIM THOMAS
PO BOX 185
MORELAND ID 83256

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

Each party in the subcase, or attorney of record

BLAIR J GROVER	JEFFREY FEREDAY	JERRY RIGBY
GROVER & ARCHIBALD	GIVENS PURSLEY LAW OFFICE	PO BOX 250
PO BOX 36	PO BOX 2720	REXBURG ID 83440
RIGBY ID 83442	BOISE ID 83701-2720	

KENT FOSTER	JOHN K SIMPSON
HOLDEN KIDWELL HAHN & CRAPO	ROSHOLT ROBERTSON & TUCKER
PO BOX 50130	PO BOX 2139
IDAHO FALLS ID 83405	BOISE ID 83701

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

Cheri Undermeulen

Signature of person or attorney mailing the form

01/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 35-2750B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KIM THOMAS
Current Owner	L RICHARD THOMAS
	PO BOX 185
	MORELAND, ID 83256
	(208)684-3757

Priority Date: 07/29/1964
Basis: License
Status: Valid

SEE COMMENTS

Source
GROUND WATER

Tributary to

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.13 CFS	25.2 AFA	
Total Diversion			0.13 CFS	25.2 AFA	

Location of Point(s) of Diversion:

GROUND WATER NWSWSW Sec. 10 Township 02S Range 34E BINGHAM County

IRRIGATION Use:
Acre Limit: 6.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	34E	10		SWSW	6.3									

Total Acres: 6.3

Conditions of Approval:

1. C18 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.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
ARuberry	1/29/01	TRANSFER #5762	TRANSFER CHANGES POD ONLY.

Dates:

Licensed Date:
Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Review Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	1/29/01 10:22:02 AM		1/29/01 10:22:02 AM	ARuberry	Complete
	1/29/01 10:21:53 AM	ARuberry			In Process
	1/29/01 10:20:38 AM	ARuberry			In Process

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False



STATE OF IDAHO

Department of Water Resources

Eastern Region

C Duplex

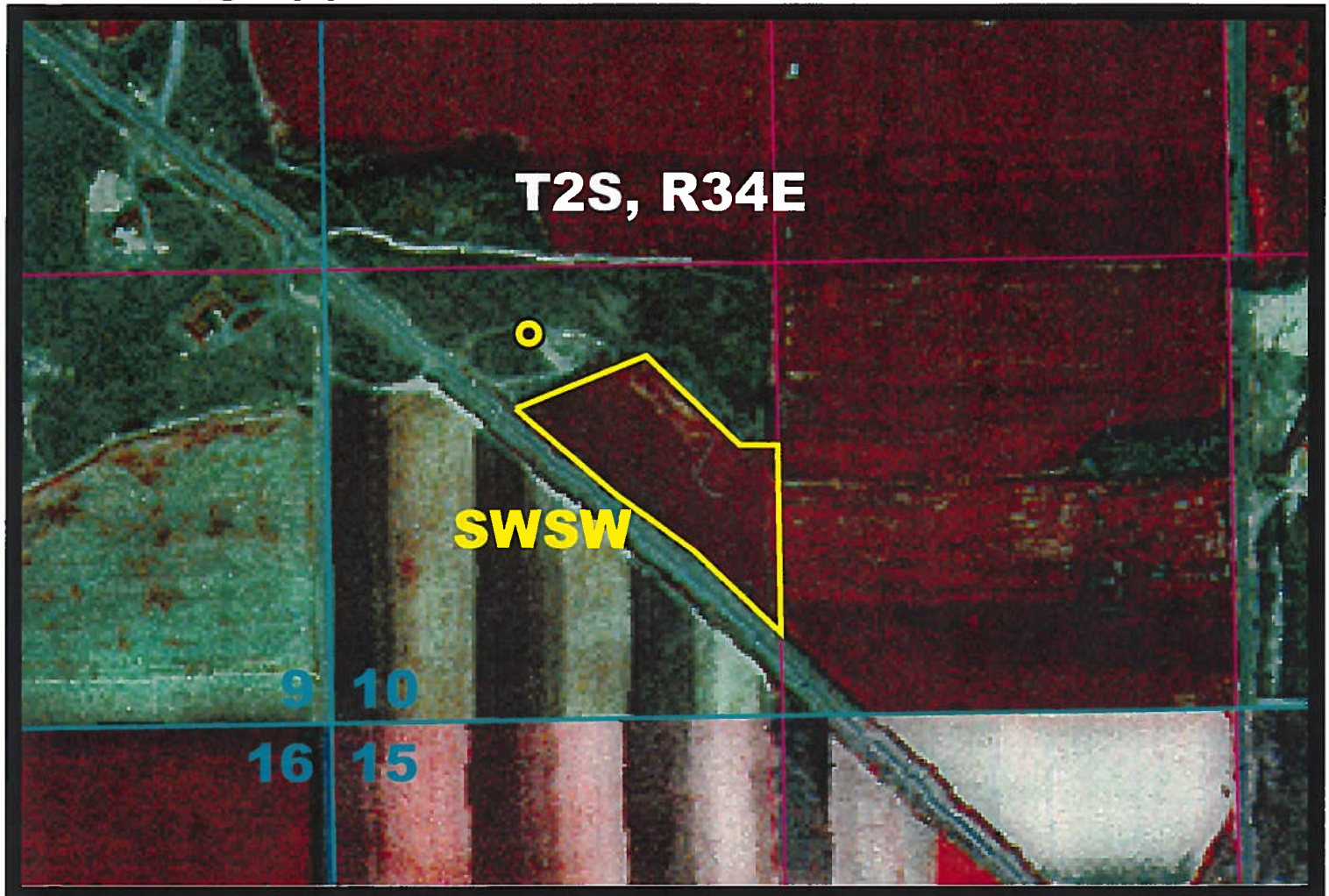
RECEIVED

AUG 13 2001

Department of Water Resources

Claimant: Richard and Kimber Thomas

Water Right(s): 35-02750B



LEGEND



Point of Diversion



Place of Use



Section Line

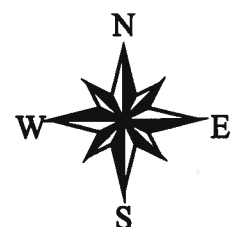


Quarter-section line

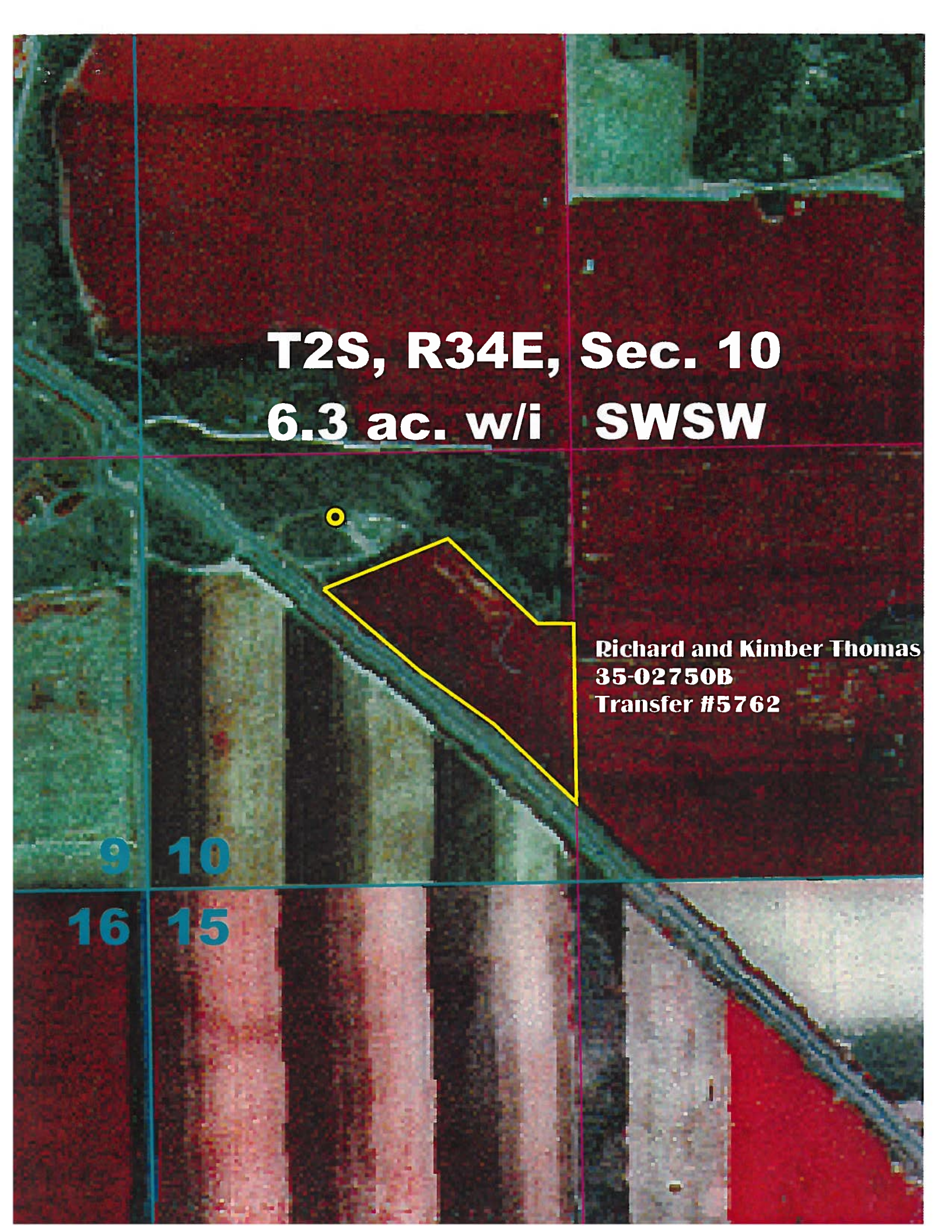
**Legal Description: T2S, R34E
(10 ac. within) Sec. 10, SWSW**

**Point(s) of Diversion: T2S, R34E,
Sec. 10 NWSWSW**

PER TRANSFER #5762



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: January 2001



T2S, R34E, Sec. 10
6.3 ac. w/i SWSW

Richard and Kimber Thomas
35-02750B
Transfer #5762

9 10
16 15

TRANSFER APPLICATION STAGE

1) Recommended rights being transferred (from Part 2). Check IWTRS for partial decrees.

1.	35-02750 (no PD)	4.
2.		5.
3.		6.

*2) Overlapping recommended rights before and after proposed change. Check IWTRS for partial decrees.

1.	NO	4.
2.		5.
3.		6.

TRANSFER APPROVAL STAGE

*1) Pedigree for parents and splits (children) due to approved transfer

2750 — A REMAINDER OF TX,
 B NEW OWNER NEW POD
 BY TX

*2) Any additional overlapping recommended rights

1.	NO	4.
2.		5.
3.		6.

* To be completed by agent



01/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 35-2750B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KIM THOMAS
Current Owner	L RICHARD THOMAS
	PO BOX 185
	MORELAND, ID 83256
	(208)684-3757

Priority Date: 07/29/1964
Basis: License
Status: Active

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.13 CFS	25.2 AFA	
Total Diversion			0.13 CFS	25.2 AFA	

Location of Point(s) of Diversion:

GROUND WATER	SWNWNW	Sec. 15	Township 02S	Range 34E	BINGHAM County
--------------	--------	---------	--------------	-----------	----------------

IRRIGATION Use:
Acre Limit: 6.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION	BINGHAM County
--	----------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	34E	10		SWSW	6.3									

Total Acres: 6.3

Conditions of Approval:

1. C18 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.

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
VERNER	1/17/92	RENUMBERING	THIS RIGHT WAS RECOMMENDED AS A SPLIT OF A35-02750 DUE TO A CHANGE IN NATURE OF USE FOR A PORTION OF THE RIGHT. 35-02750A IS RECOMMENDED FOR DOMESTIC USE FOR A PORTION OF 35-02750. FEES FOR THIS RIGHT WERE PAID UNDER RECEIPT M003373.
AJU10-DS	7/16/98	AJU10 CONDITION UPDATE	CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

*Needs
NCA*

TRANSFER OF WATER RIGHT

TRANSFER NO. 5762
WATER RIGHT NO. 35-02750B

RECEIVED

AUG 11 2000

Department of Water Resources
Eastern Region

This is to certify that: L RICHARD THOMAS
KIMBER L THOMAS
PO BOX 185
MORELAND ID 83256

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.13 CFS	25.2 AF

SOURCE

GROUNDWATER

Priority: 07/29/1964

LOCATION OF POINT(S) OF DIVERSION:

NWSWSW , Sec. 10, Township 02S, Range 34E
BINGHAM County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 34E 10	SWSW 6.3			6.3

Total number of acres irrigated: 6.3

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5762
WATER RIGHT NO. 35-02750B

CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dated this 4th day of August, 2000.

J. Glen Saylor
Chief, Water Allocation Bureau

Water Right Number - X35-02750B

Prefix Translation: XFER OF RECOM. CLAIM

Old (D) Number - 32003

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

*** C - CURRENT OWNER ***

THOMAS

KIMBER L

1 - PO BOX 185

2 -

3 -

City- MORELAND

State- ID Zip- 83256

Phone - 208-684-3757

THOMAS

L RICHARD

1 - PO BOX 185

2 -

3 -

City- MORELAND

State- ID Zip- 83256

Phone - 208-684-3757

*** O - ORIGINAL OWNER ***

JORGENSEN

KAY S

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
07/29/1964 15 EASTERN L - LICENSE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
02S 34E 10 NW SW SW (11) BINGHAM+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.130 25.20+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.130 25.20 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02S 34E 10 SW SW 6.3 01 IRRIGATION (11) BINGHAM

Total Acres: 6.3

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - X35-02750B Prefix Translation: XFER OF RECOM. CLAIM

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

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

+ - - - - Conditions of Approval - - - - -

- 046 - Right holder shall comply with the drilling permit
- requirements of Section 42-235, Idaho Code.
- 067 - The right holder shall measure and annually report diversions of
- water and/or other pertinent hydrologic and system information as
- required by Section 42-701, Idaho Code.
- R64 - This right when combined with all other rights shall provide no
- more than 0.02 cfs per acre nor more than 4.0 afa per acre at the
- field headgate for irrigation of the lands above.
- T07 - The right holder shall accomplish the change authorized by this
- transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.
- T19 - Pursuant to Section 42-1412(6), Idaho Code, this water right is
- subject to such general provisions necessary for the definition
- of the rights or for the efficient administration of water rights
- as may be determined by the Snake River Basin Adjudication court
- at a point in time no later than the entry of the final unified
- decree.

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

+ - - - - Comments - - - - -

Date: 01/17/1992 User Id: VERNER Subject: RENUMBERING
THIS RIGHT WAS RECOMMENDED AS A SPLIT OF A35-02750 DUE TO A CHANGE IN NATURE OF USE FOR A PORTION OF THE RIGHT. 35-02750A
IS RECOMMENDED FOR DOMESTIC USE FOR A PORTION OF 35-02750. FEES FOR THIS RIGHT WERE PAID UNDER RECEIPT M003373.
Date: 07/16/1998 User Id: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
Date: 08/02/2000 User Id: PSKAGGS Subject: TRANSFER 5762
Transfer 5762 changes the point of diversion under Right 35-02750B.

+ - - Audit Fields - 08/04/00 PSKAGGS

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

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- E025892	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- B
Presumption Flag	-	Name Connector	-	POU Ownership Flag	- Y
SRBA Decreed Flag	-				

Water Right Number - 35-02750

Prefix Translation: WATER RIGHT

Old (D) Number - 32003

*** C - CURRENT OWNER ***
JORGENSEN
KAY S.
1 - P.O. BOX 171
2 -
3 -
City- MORELAND
Phone -
State- ID Zip- 83256

Priority Date - 07/29/1964
Region - 15 EASTERN
L - LICENSE
Stage -
Status -

Source - GROUNDWATER
Tributary -

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
02S	34E	15	NW NW			(11) BINGHAM				

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01		2.040	357.00

Total Div. Rate - 2.040
Total Div. Volume - 357.00
Total Div. Capacity - 0.0
Total Consumptive Use - 0.0
KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02S	34E	10	SW SW		26.0	01	IRRIGATION	(11) BINGHAM
02S	34E	15	NW NW		39.0	01	IRRIGATION	(11) BINGHAM
02S	34E	15	SW NW		37.0	01	IRRIGATION	(11) BINGHAM
Total Acres:					102.0			

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

Remarks
No Remarks found.

Old Water Right Numbers
No Old Water Right Numbers found.

Conditions of Approval
No Conditions of Approval found.

01/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 35-2750

Owner Type Name and Address
Current Owner KAY S JORGENSEN
 PO BOX 171
 MORELAND, ID 83256

Priority Date: 07/29/1964
Basis: License
Status: Active

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	2.04 CFS	357 AFA	
Total Diversion			2.04 CFS	357 AFA	

Location of Point(s) of Diversion:

GROUND WATER NWNW Sec. 15 Township 02S Range 34E BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
02S	34E	10		SWSW	26									
		15		NWNW	39		SWNW	37						

Total Acres: 102

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
PSKAGGS	8/4/00	TRANSFER 5762/SEE X35-02750B.	TRANSFER 5762/SEE X35-02750B.

Dates:

Licensed Date: 08/07/1979
Decreed Date:
Permit Proof Due Date:
Permit Proof Made Date:
Permit Approved Date:
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:

LAST: JORGENSEN FIRST: KAY S.
ADDRESS: BOX 7
CITY: MORELAND STATE: ID ZIP: 83256
PHONE NUMBER: 208-684-4568
OWNER CODE: C

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

DATABASE: N FIELD EXAMINER

FIELD EXAMINATION INFORMATION

CONTACT PERSON: PHONE NUMBER: () - -
DATE OF FIELD EXAM: 1/16/92 APPOINTMENT MADE: Y() N() TIME: : A() P()
ACCOMPANIED BY: PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: - -
DIRECTIONS TO PROPERTY / REMARKS:

Back for Review w/ 00 Y85, Van Y89 SW 1/4 Bldg

THIS RIGHT HAS BEEN RECOMMENDED A 2 RIGHTS UNDER PORTION
A 1/8 - THE EXAM WRITES UP FOR BOTH 1/4 W/ THIS CTR.

1. AD CLAIM: # A35-02750 PRIORITY DATE: 07-29-1954 STAGE: L
1. MR RECORD: # 35-02750 PRIORITY DATE: 07-29-1954 STAGE: L

FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE N FIELD EXAMINER -A-

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)

IF YES EXPLAIN.

REMARKS:

Selfie match w/ license. Recommend same priority date for sections A & B.

RECOMMENDED PRIORITY DATE:

07-29-1954

REVIEWED BY

SC

DATE 1-16-92

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A35-02750	025	34E	15		NH	NH		BINGHAM

OTHER AJ CLAIMS WITH SAME AJ POD
1 PREFIX R PREFIX
NONE

4R RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TR18:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
35-02750	025	34E	15		NH	NH		BINGHAM

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TR18:

C. FIELD EXAM REQUIRED?

DATE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DATE TO SOURCE DISCREPANCY?	(Y/N)	N	N

REMARKS:

IS LOT CLAIMING A CHANGE IN LICENSE FOR TURNOUT TO AERIAL PHOTO IN
LICENSE FROM FILE, POINT OF DIVERSION IS IN THE SURVIVABLE SEC. 15. FOR
BRIGADION RIGHT 35-02750B.
THE DOMESTIC PARTIAL 35-02750A, HAS AN ALLEGEDLY CHANGED IN
POINT OF DIVERSION TO NEW SURVIVABLE SEC 15. CQS. SEE Pg 738

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: 174 174

114

114

115

107

INFINITY

$$\begin{array}{r} 25 \\ \times 34 \\ \hline 100 \\ 750 \\ \hline 850 \end{array}$$

524

523

12/11/2019

3 0

Blue.

7

SOURCE: GROUNDWATER

日三

2501 EUTEMED 3Y:

DATE:

1-16-1

Q3 Portion A

A. ROOT WATER RIGHT NUMBERS: A35-02750

B. POB LISTING

TWP RING SEC 21/4 1/4 LOT NAME

AJ
#/ACRES

AR
#/ACRES

LANDSAT
DATA

FIELD
EXAM. ACRES

RECON.
ACRES

025 34E 10 54 54 JORGENSEN, KAY S.

A35-02750 126.0 ✓ 35-02750 126.0 ✓ 25.0

27 (22) Highway Road - South of Road (B)

025 34E 15 54 54 JORGENSEN, KAY S.

A35-02750 139.0 ✓ 35-02750 139.0 ✓ 40.0

39 39 Domestic use - Portico (B)

025 34E 15 54 54 JORGENSEN, KAY S.

A35-02750 137.0 ✓ 35-02750 137.0 ✓ 39.0

37 37 Country Road (B)

TOTAL ACRES A35-02750

102.00

441.00

102

98 98

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

C. FIELD EXAM REQUIRED?

DUE TO POB DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Y

PRESUMPTION FLAG:

REMARKS:

VERIFIED IS NOT CLAIMING A CHANGE OR EXPANSION OF POB. PLACE OF USE IS SOUTH OF HIGHWAY 26
POB. Acres Verified w/ 00 Y89; MAP Y89SW

Domestic use is in the SW 1/4 100' x 100' - Verified w/ 00 Y89.

RECOMMENDATIONS:

TOTAL ACRES: 98

REVIEWED BY: EBL

DATE: 1-16-92

101

A. AS CLAIMED USES:

PURPOSES
A35-02750 IRRIGATION
A35-02750 DOMESTIC

MONTH/DAY
FROM 04-01 TO 11-01
FROM 01-01 TO 12-31

DIVERSION QUANTITY
2.000 CFS 357.00 AF/A
.040 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.040 CFS 357.00 AF/A

B. WR RECORDED USES:

PURPOSES
35-02750 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
2.040 CFS 357.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.040 CFS 357.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(X)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(X) N() EXPLAIN IN REMARKS, BELOW.

REMARKS:

- LICENSE DID NOT INCLUDE DOMESTIC USE - ONLY LICENSED USE IS IRRIGATION.
- LICENSED DIVERSION RATE IS 2.04 cfs FOR IRRIGATION.
- CHANGE PERIOD OF USE FOR IRRIGATION TO 4/1 TO 10/31 FOR IRRIGATION.

Phone Conversation Memo: w/ Kay S. Jorgensen, owner - I ASKED MR. JORGENSEN IF THE CURRENT WATER ~~WAS~~ CAME OUT OF THE SAME WELL AS THIS IRRIGATION RIGHT. HE SAID NO - HE ADDED A TRAILER HOME ON SITE IN 1971. WELL WAS PUT IN IN 1980 FOR STOCKWATER USE. LOCATION OF THIS WELL IS UNKNOWN SEC. 15 (EXTENSIVE SW/4). ~~THE RECOMMENDATION IS TO SP~~

SEE DOCUMENTS BELOW (Pg 7) FOR MY RECOMMENDATION

S. J. 1-17-01

MOJ3373

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

AD TOTAL LIMITED DIVERSION RATE: 2.040 CFS
MR R001 RIGHT TOTAL DIVERSION RATE: 2.040 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?

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

FLOW MEASUREMENT

MEASUREMENT METHOD

NO SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

• CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

A35-02750 (AS Lic.) 2.04cfs, 102ac

A35-02750A = $\frac{.04cfs \text{ for Domestic}}{2.00cfs, 102ac}$

PER FIELD EXAM:
R35-02750B = 98ac @ 0.02cfs/ac = 1.96cfs

∴ 35-02750B WAS REDUCED BY 0.04cfs AND 4ac.

NO ENLARGEMENT RECOMMENDED.

- ANALYSIS OF DOMESTIC USE - SINCE I AM RECOMMENDING A REDUCTION IN CFS FOR THE

IRRIGATION RIGHT AND TO OWNER WISHES THIS LICENSE TO REPRESENT HIS DOMESTIC USE,

I RECOMMEND RECOGNIZING AN ACCOUNTED TRANSFER OF 0.04cfs OF 35-02750 FOR

FROM IRRIGATION TO DOMESTIC USE. TRANSFER OCCURRED IN 1971 PURSUANT

INFORMATION FROM PHONE CONVERSATION w/ OWNER. ECV THERE IS NO EXAMINATION OF

CONSUMPTIVE USE: LICENSE FOR 102 ACRES - RECOMMENDING 98 WHICH REDUCES RIGHT BY 4 ACRES -

CONSUMPTIVE USE FOR 102 AC OF 4 ACRES = (4)(3) = 12 AFA - CONSUMPTIVE USE FOR 1 WING - DOMESTIC USE

ALSO RECOMMEND SPLITTING RIGHT INTO A 3/8 DUE TO SEPARATE SYSTEMS - PORTION A HAS DOMESTIC USE

PORTION B HAS IRRIGATION USE.

CAUTION CODE C06 FOR PORTION A -

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES 98 X 0.02 CFS/ACRE = 1.96 CFS
(TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DUES AMOUNT CLAIMED EXCEEDS 0.02 CFS/ACRE? Y (X) N ()

RECOMMEND REDUCTIONS @ TO 1.96

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 98 X CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 294 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 357.00 AF/A

ACRES 98 X DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 392 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y () N (X)

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

None

RECOMMENDATIONS:

PORTION	REC. PURPOSES	REC. PERIOD		REC. DIV RATE CFS	REC. DIV		REC. COMS. USE
		FROM	TO		VOL.	AF/A	
PORTION "B"	IRIGATION	4/1	10/31	1.96	392	294	
				4			
				1.96	392	294	

OTAL FOR THIS RIGHT

VIEWED BY: SS

DATE: 1-16-92

PORTION "A"

Domestic

1/1 12/31

D.O.C.F.

—

—

3. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP FORFEIT/ABANDON ACCEPTED AS CLAIMED (X) NEEDS REVIEW ()
ADDITIONAL DIV. AMOUNT (8) () ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-02750

TOTAL DIVERSION RATE OF HR SPLITS

DATABASE 2.040

EXAMINER 204

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	HR RIGHT NUMBERS	DIVERSION RATE
-	A33-02750	2.040	-	-	35-02750	2.040

TOTAL CFS

2.040

2.040

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 Y

REMARKS:

Right Granted in Full

AUTHENTICATION:

SIGNATURE:

[Signature]

DATE: 1-16-92

NAME OF FIELD EXAMINER:

Eric Silveira

TITLE:

SUA

WR 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 JIV	Y					881-16-92	881-16-92	881-16-92
SOURCE								
PLACE OF USE	Y			Y	614			
JIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y			Y	6			
PERIOD OF USE								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS								

VERIFIED BY CODES

- TOPG MAP/DRT 40-PQ = 1
- ASCS MAP = 2
- MATERMASTER RECORDS = 3
- APP 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.