

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 22-7222 V1

WATER RIGHT NUMBER: 22-7222 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUCE J ARNOLD PO BOX 67 TETONIA, ID 83452 (208)456-2537
Original Owner	KEITH J ARNOLD & SONS INC PO BOX 53 FELT, ID 83424

Priority Date: 07/28/1977
Basis: License
Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/15	3.210 CFS	1,171.50 AF
<u>Total Diversion:</u>		3.210 CFS	1,171.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 5, Twp 06N, Rge 43E, B.M.
MADISON County		
GROUND WATER	SW1/4NW1/4	Sec. 5, Twp 06N, Rge 43E, B.M.
MADISON County		
GROUND WATER	SE1/4SE1/4	Sec. 29, Twp 07N, Rge 43E, B.M.
MADISON County		

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06N	43E	5	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			31.0	29.0	38.0	38.0	31.0	29.0	36.0	40.0	30.0	25.0	35.0	40.0					402.0
			L 1	L 2			L 3	L 4											
07N	43E	27					40.0	40.0	40.0	40.0									160.0
07N	43E	28	40.0	40.0	40.0	40.0	34.0	40.0	40.0	40.0	40.0	40.0	40.0	35.0					469.0
07N	43E	29	40.0	34.0	34.0	40.0									40.0	35.0	35.0	40.0	298.0

Total Acres: 1329

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 22-7222 V1

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.
2. E56 The rights listed below are limited to the irrigation of a combined total of 1329 acres in a single irrigation season. Combined Right Nos.: 22-7127, 22-7222, 22-7406.
3. S37 The use of water for irrigation under this right may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water after October 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. K06 This right is limited to the irrigation of 459 acres within the place of use described above in a single irrigation season.

Remarks:Comments:Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		1329
Combined Water Rights: 22-7127 , 22-7406 , 22-7222		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			04/27/2006	dcarlson	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	4/26/2006 3:30:59 PM	dcarlson	Updated shape for 0
POU	4/26/2006 3:30:59 PM	dcarlson	Updated shape for 0

04/27/2006

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7222

BRUCE J ARNOLD

PO BOX 67

TETONIA ID 83452

Telephone Number: (208)456-2537

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

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

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

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

DATE: 10-16-06

SIGNATURE: Bruce J Arnold

Please print your name: BRUCE J ARNOLD

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

KM5
10/16/06



Idaho Department of Water Resources

Adjudication Claim:

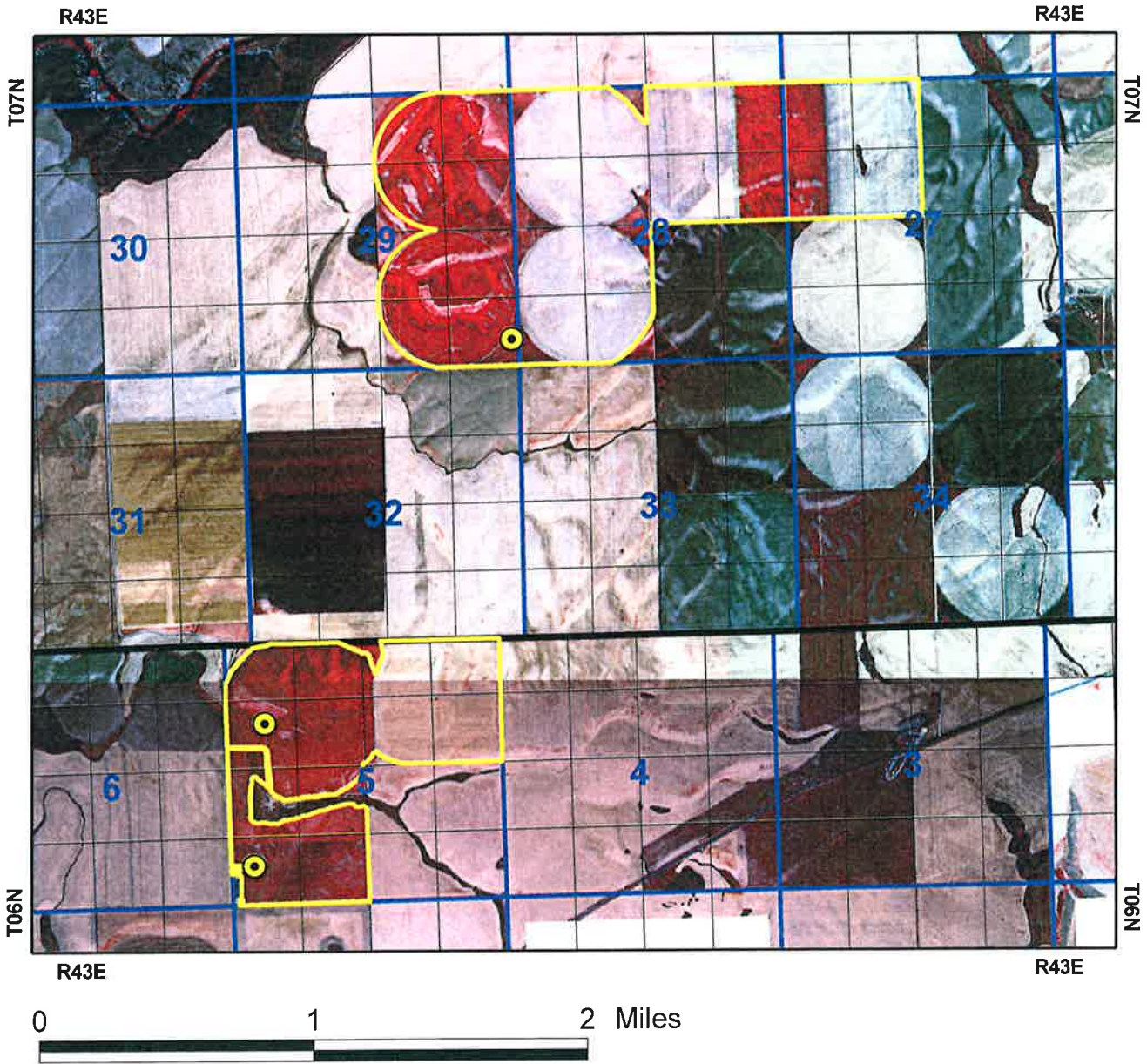
22-7127
22-7222
22-7406

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Teton, Madison Counties
IDWR Basin 22



Prepared by D. Carlson
On Thursday, April 27, 2006
1987/88 Aerial Photography

Date:



0.1 0.1 0.2 0.3 Miles

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07222

Priority: July 28, 1977

Maximum Diversion Rate: 3.21 CFS
Maximum Diversion Volume:¹ 1362.5 AF

This is to certify, that BRUCE J. ARNOLD
P.O. BOX 67

TETONIA, ID 834520000 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 1, 1977; and has submitted Proof of Beneficial Use on April 5, 1979. An examination indicates that the works have a diversion capacity of 9.290 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	3.21 CFS	1362.5 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 5, Township 06N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	43E	28	NENW 34	NWNW 40	SWNW 40	
			SEnw 40	NESW 40	NWSW 40	
			SWSW 40	SESW 35		309
	29		NESE 40	NWSE 35	SWSE 35	
			SESE 40			150

Total number of acres irrigated: 459

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

OCT 06 1989

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 22-07222

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 29th
day of September, 1989.

Acting for *Norman Young*
R. Keith Higginson, Director

RECEIVED

OCT 4 6 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4127
WATER RIGHT NO(S). 22-07127/22-07222/22-07406

This is to certify that: BRUCE J ARNOLD
PO BOX 67
TETONIA ID 834520000

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>
Right No. 22-07127 :			
IRRIGATION	04/15 to 10/15	2.81 CFS	1025.5 AF
Priority: 02/24/1975			
Right No. 22-07222 :			
IRRIGATION	04/15 to 10/15	3.21 CFS	1171.5 AF
Priority: 07/28/1977			
Right No. 22-07406 :			
IRRIGATION	04/15 to 10/15	3.27 CFS	1193.4 AF
Priority: 06/24/1982			

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 5, Township 06N, Range 43E
SESE , Sec. 29, Township 07N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	43E	5	Lot 1(NENE) 31	Lot 2(NWNE) 29	SWNE 38	
			SENE 38	Lot 3(NENW) 31	Lot 4(NWNW) 29	
			SWNW 36	SENE 40	NESW 30	
			NWSW 25	SWSW 35	SESW 40	402
07N	43E	27	NENW 40	NWNW 40	SWNW 40	
			SENE 40			160
		28	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 34	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 35	469
		29	NENE 40	NWNE 34	SWNE 34	
			SENE 40	NESE 40	NWSE 35	

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TRANSFER NO. 4127
WATER RIGHT NO(S). 22-07127/22-07222/22-07406

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N 43E 29	SWSE 35	SESE 40		298
Total number of acres irrigated:				1329

CONDITIONS/REMARKS:

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Right No. 22-07127 is limited to the irrigation of 402 acres in the place of use described above in a single irrigation season.
6. Right No. 22-07222 is limited to the irrigation of 459 acres in the place of use described above in a single irrigation season.
7. Right No. 22-07406 is limited to the irrigation of 468 acres in the place of use described above in a single irrigation season.
8. All rights when combined shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for the lands described above.

Dated this 27th day of

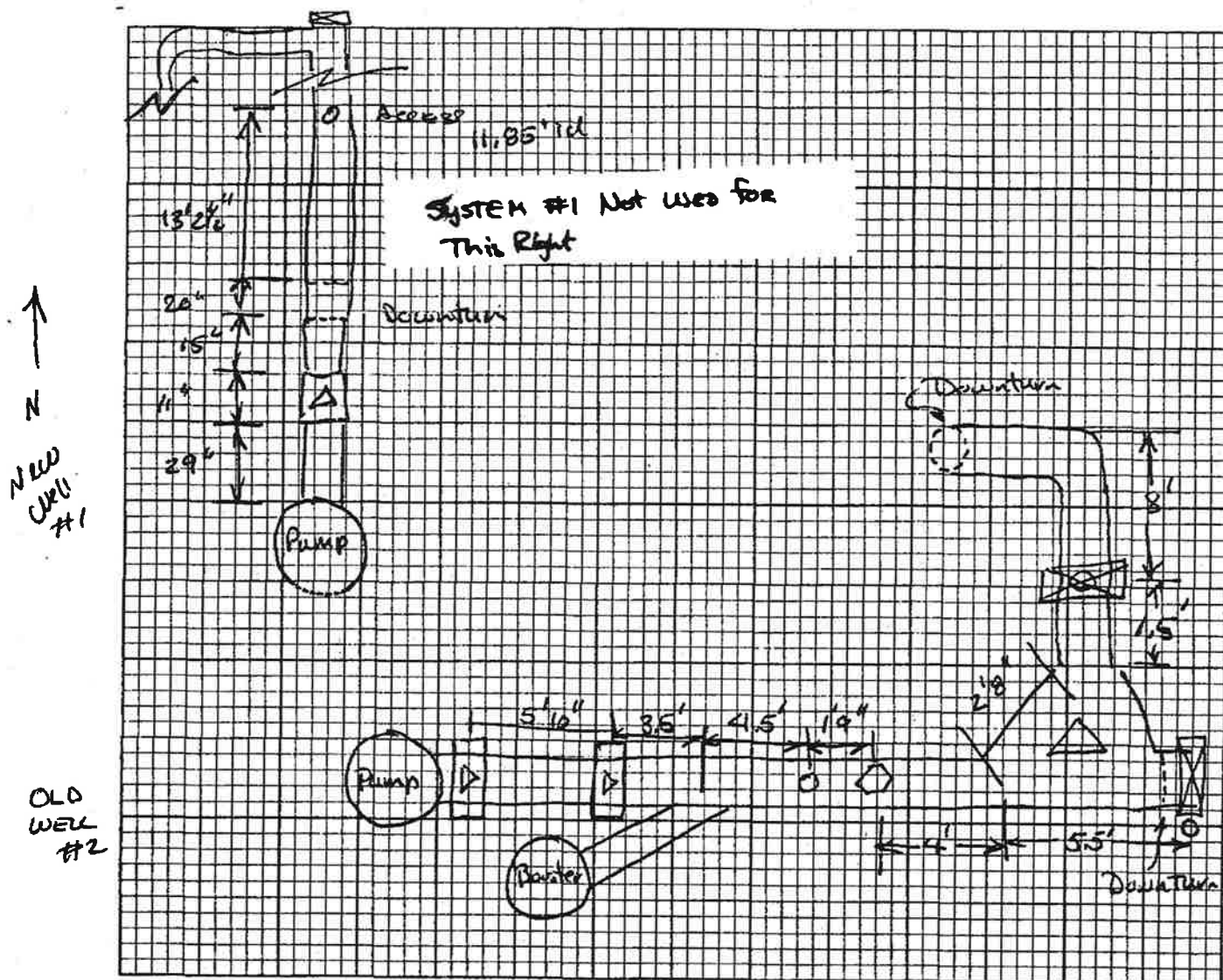
July, 1993

J. Blum Saylor

Chief, Water Alloc. Bureau

AUG 25 1993

10. Other water rights on these lands 22-4187/4188
11. Other water right diverted from same p.d. 22-7127/7406
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks Plu also includes E 1/2 Sec 31; W 1/2 Sec 32, T7N R9E that is under interim permit 22-7501 (this acreage not listed nor used in computation)

15. Recommended Amendments

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☒ Add P.U. as reflected above

- ☐ None
- ☐ Other

16. Examiner's/Consultant's Signature

Keith Cullen

Date 17 June 85

Consultant's License Number

Keith Cullen 24 June 87

IDWR Director's Authorization to Conduct

Beneficial Use Examination

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OCT 06 1989

CONSULTANT'S SIGNATURE

Keith Cullen
2/5/88

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4866
WATER RIGHT NO(S). 22-07127/22-07222/22-07406

RECEIVED

AUG 28 1996

This is to certify that: BRUCE J ARNOLD
PO BOX 67
TETONIA ID 83452

Department of Water Resources
Eastern Region

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>
Right No. 22-07127 :			
IRRIGATION	04/15 to 10/15	2.81 CFS	1025.5 AF
Priority: 02/24/1975			
Right No. 22-07222 :			
IRRIGATION	04/15 to 10/15	3.21 CFS	1171.5 AF
Priority: 07/28/1977			
Right No. 22-07406 :			
IRRIGATION	04/15 to 10/15	3.27 CFS	1193.4 AF
Priority: 06/24/1982			
	TOTAL:	9.29 CFS	3390.4 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 5, Township 06N, Range 43E
SWSW , Sec. 5, Township 06N, Range 43E
SESE , Sec. 29, Township 07N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 43E 5	Lot 1(NENE) 31	Lot 2(NWNE) 29	SWNE 38	
	SENE 38	Lot 3(NENW) 31	Lot 4(NWNW) 29	
	SWNW 36	SENE 40	NESW 30	
	NWSW 25	SWSW 35	SESW 40	402
07N 43E 27	NENW 40	NWNW 40	SWNW 40	
	SENE 40			160
28	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 34	NWNW 40	
	SWNW 40	SENE 40	NESW 40	
	NWSW 40	SWSW 40	SESW 35	469

TRANSFER NO. 4866
WATER RIGHT NO(S). 22-07127/22-07222/22-07406

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
29			NENE 40	NWNE 34	SWNE 34	
			SENE 40	NESE 40	NWSE 35	
			SWSE 35	SESE 40		298
Total number of acres irrigated:						* 1329

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
8. The total instantaneous diversion of water from all points of diversion under Transfer No. 4866 shall not exceed 9.29 cfs, nor total combined annual volume of 3390.4 af.
- * 9. Right No. 22-07127 is limited to the irrigation of 402 acres in the place of use described above in a single irrigation season.
- * 10. Right No. 22-07222 is limited to the irrigation of 459 acres in the place of use described above in a single irrigation season.
- * 11. Right No. 22-07406 is limited to the irrigation of 468 acres in the place of use described above in a single irrigation season.

Dated this 22nd day of August, 1996


Chief, Water Alloc. Bureau

SEPTEMBER 9, 1993

BRUCE J ARNOLD
PO BOX 67
TETONIA ID 83452

RE: TRANSFER

Dear Mr. Arnold:

Our office has received notice of your approved transfer #4127 of water right #22-07127, 22-07222 and 22-07406. The Snake River Basin Adjudication claims filed on this right have been amended pursuant to the approved transfer. Enclosed are copies of the amended claims for your records.

Please review the notices carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice, please place the copies with your records.

Sincerely,

Eric Verner
Sr. Water Agent

EV:sc

Enclosure

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APR 11 1994

Region Adjunct

TRANSFER OF WATER RIGHT

TRANSFER NO. 4127
WATER RIGHT NO(S). 22-07127/22-07222/22-07406

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AUG 02 1993

Department of Water Resources
Eastern District Office

This is to certify that: BRUCE J ARNOLD
PO BOX 67
TETONIA ID 834520000

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>
Right No. 22-07127 :			
IRRIGATION	04/15 to 10/15	2.81 CFS	1025.5 AF
Priority: 02/24/1975			
Right No. 22-07222 :			
IRRIGATION	04/15 to 10/15	3.21 CFS	1171.5 AF
Priority: 07/28/1977			
Right No. 22-07406 :			
IRRIGATION	04/15 to 10/15	3.27 CFS	1193.4 AF
Priority: 06/24/1982			

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 5, Township 06N, Range 43E
SESE , Sec. 29, Township 07N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N	43E	5	Lot 1(NENE) 31	Lot 2(NWNE) 29	SWNE 38	
			SENE 38	Lot 3(NENW) 31	Lot 4(NWNW) 29	
			SWNW 36	SENE 40	NESW 30	
			NWSW 25	SWSW 35	SESW 40	402
07N	43E	27	NENW 40	NWNW 40	SWNW 40	
			SENE 40			160
		28	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 34	NWNW 40	
			SWNW 40	SENE 40	NESW 40	
			NWSW 40	SWSW 40	SESW 35	469
		29	NENE 40	NWNE 34	SWNE 34	
			SENE 40	NESE 40	NWSE 35	

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4127
WATER RIGHT NO(S). 22-07127/22-07222/22-07406

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Department of Water Resources
Eastern District Office

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SESE , Sec. 29, Township 07N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
06N 43E	5	Lot 1(NENE) 31	Lot 2(NWNE) 29		SWNE 38		
		SENE 38	Lot 3(NENW) 31	Lot 4(NWNW) 29	NESW 30		
		SWNW 36	SENE 40	SESW 40			402
		NWSW 25	SWSW 35	SWNW 40			
07N 43E	27	NENW 40	NWNW 40				
		SENE 40					160
	28	NENE 40	NWNE 40	SWNE 40			
		SENE 40	NENW 34	NWNW 40			
		SWNW 40	SENE 40	NESW 40			
		NWSW 40	SWSW 40	SESW 35			469
	29	NENE 40	NWNE 34	SWNE 34			
		SENE 40	NESE 40	NWSE 35			

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INTERDEPARTMENT MEMO

DATE: 26 May 93
FROM: Ernest Carlsen
RE: Application for transfer #4127.
22-07127, 22-07222, 22-07406
Bruce Arnold

FINDINGS:

- The total irrigated acreage and system capacity was determined during a licensing field inspection conducted by Keith Wilson and Eric Verner in 1987. The POU for the three licenses are connected by a common mainline and operated as a single system.
- The rate per acre of 0.007 cfs/acre is below the minimum of 0.01 cfs/acre adopted by adjudications for evaluating whether or not there is an adequate water supply.
- Diverting water at a rate of 9.29 cfs for the irrigation season of 214 days produces 3943 af which is less the 4651 af allowable by the department standard of 3.5 af/acre.
- During a telecon with the applicant on 25 May, he indicated the diversion capacity of the system has declined by 25% to 30%. To compensate for this decline the applicant has used both the yearly government set-aside program to remove acreage for production plus the normal cropping pattern for the POU is 40% seed potatoes and 60% grains which puts most of the land on a 3 year rotation. Mr. Arnold indicated the practice was to irrigate grain first and the switch to the potatoes.
- Mr. Arnold admits the licensed rate of diversion of 9.29 cfs is marginal for irrigation of 1329 acres. To provide sufficient water he needs average rain fall and have the ability to pump the licensed rate of diversion.
- Mr. Arnold expects having to drill around 1100 feet with a pumping lift of 500 feet. He would eventually like to appropriate more water but while the moratorium is in place he stated the licensed rate of diversion would be adequate.
- On 25 May, spoke with Dave Steube, Conservation Technician, for SCS in Madison County. Mr. Steube stated, that because of the high elevation, annual precipitation of around 15", soil profile and type of crops raised in the area of the POU, the SCS uses an application rate of 6.5 gallons per acre for evaluating irrigation systems. Dividing the licensed rate of diversion by 6.5 indicates there is sufficient water for 641 acres. Mr. Steube stated this acreage can be doubled by using a grain potato rotation. Also for the location of the POU the SCS irrigation handbook lists a total net irrigation requirement of 14.8"/ac for potatoes (less for seed potatoes) and

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12"/ac for grain. Figuring and irrigation requirement of 14.8"/ac for the entire 1329 acre totals 1639 af. Using Based on his experience with this type of farming practice and the cropping pattern used by Mr. Arnold, Mr. Steube felt the 9.29 cfs would be sufficient to irrigate 1329 acres in years of normal precipitation.

CONCLUSIONS:

- There is the potential that adding a second point of diversion will result in a combined rate of diversion in excess of 9.29 cfs.
- Based on the farming practice where the POU is located, the combined licensed rate of diversion and annual diversion volume are sufficient for irrigation of 1329 acres during years of normal precipitation.
- The application does not request a change in place of use.

RECOMMENDATION/CONDITIONS:

The transfer should be **granted** with the following conditions:

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Use of rights 22-07127, 22-07222 and 22-07406 is limited to a total combined rate of diversion of 9.29 cfs and a total combined annual diversion volume of 3943 af.
- A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
- Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

ADJUDICATION FOLLOWUP:

Should the transfer be approved the Notices will have to be changed to include the new POD. Also since the irrigation system covers the entire POU, Mr. Arnold should be consulted about listing a 1329 acre permissible place of use for each right.

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NOV 06 1996

WATER RIGHT LICENSE

WATER RIGHT NO. 22-07222

Priority: July 28, 1977

Maximum Diversion Rate: 3.21 CFS
Maximum Diversion Volume:¹ 1362.5 AF

This is to certify, that BRUCE J. ARNOLD
P.O. BOX 67

TETONIA, ID 834520000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 1, 1977; and has submitted Proof of Beneficial Use on April 5, 1979. An examination indicates that the works have a diversion capacity of 9.290 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	3.21 CFS	1362.5 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 5, Township 06N, Range 43E
MADISON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07N	43E	28	NENW 34	NWNW 40	SWNW 40	
			SEnw 40	NESW 40	NWSW 40	
			SWSW 40	SESW 35		309
	29		NESE 40	NWSE 35	SWSE 35	
			SESE 40			150

Total number of acres irrigated: 459

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

RECORDED

OCT 06 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 22-07222

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 29th
day of September, 1989.

Acting for Norman C. Young
R. Keith Higginson, Director

RECEIVED

OCT 06 1989

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: A22-07222
Date Received: 8/18/1988
Receipt No: E001420
Received By:

COPY FOR YOUR FILES NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW COPY FOR YOUR FILES

1. Name: BRUCE J. ARNOLD 208-456-2537
Address: P.O. BOX 67
TETONIA ID 83452

2. Date of Priority: APR 1, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	43E	5		SW	NW		MADISON
07N	43E	29		SE	SE		MADISON

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.210		

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

8. Total consumptive use is 918.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	43E	5	NE	NE	1	IRR	31.0
			NW	NE	2	IRR	29.0
			SW	NE		IRR	38.0

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06N	43E	5	SE		NE		IRR	38.0
			NE		NW	3	IRR	31.0
			NW		NW	4	IRR	29.0
			SW		NW		IRR	36.0
			SE		NW		IRR	40.0
			NE		SW		IRR	30.0
			NW		SW		IRR	25.0
			SW		SW		IRR	35.0
			SE		SW		IRR	40.0
Section Acres								402.0
07N	43E	27	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
Section Acres								160.0
		28	NE		NE		IRR	40.0
			NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		NW		IRR	34.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	35.0
Section Acres								469.0
		29	NE		NE		IRR	40.0
			NW		NE		IRR	34.0
			SW		NE		IRR	34.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	35.0
			SW		SE		IRR	35.0
			SE		SE		IRR	40.0
Section Acres								298.0
Total Acres								1329.0

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11. Place of use in counties: MADISON

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

13. Other Water Rights Used:
22-07127, 22-07406

14. Remarks:

RIGHT NOS. 22-07127 AND 22-07406 ARE ALSO DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 459 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

*** RIGHT CHANGED PURSUANT TO TRANSFER NO. 4127, ESV 8/30/93 ***

15. Basis of Claim: LICENSE

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APR 11 1994

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: A22-07222
Date Received: 8/18/1988
Receipt No: E001420
Received By: KCW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUCE J. ARNOLD 208-456-2537
Address: P.O. BOX 67
TETONIA, ID 83452

2. Date of Priority: APR 01, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	43E	5	SW	SW	NW		MADISON

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.210		

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

8. Total consumptive use is 918.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	43E	28	NE	NW		IRR	34.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0

A22-07222 Page 1 Date: 08/18/88

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10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07N	43E	28	SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	35.0
Section Acres								309.0
		29	NE		SE		IRR	40.0
			NW		SE		IRR	35.0
			SW		SE		IRR	35.0
			SE		SE		IRR	40.0
Section Acres								150.0
Total Acres								459.0

11. Place of use in counties: TETON, MADISON

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

13. Other Water Rights Used:
NONE

14. Remarks:
P/D OF THIS RIGHT ALSO UNDER 22-7406 & 22-7127

15. Basis of Claim: PERMIT

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16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Bruce J. [unclear] Date: 8-18-88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of August 19 88

Betty J. Thompson
Notary Public



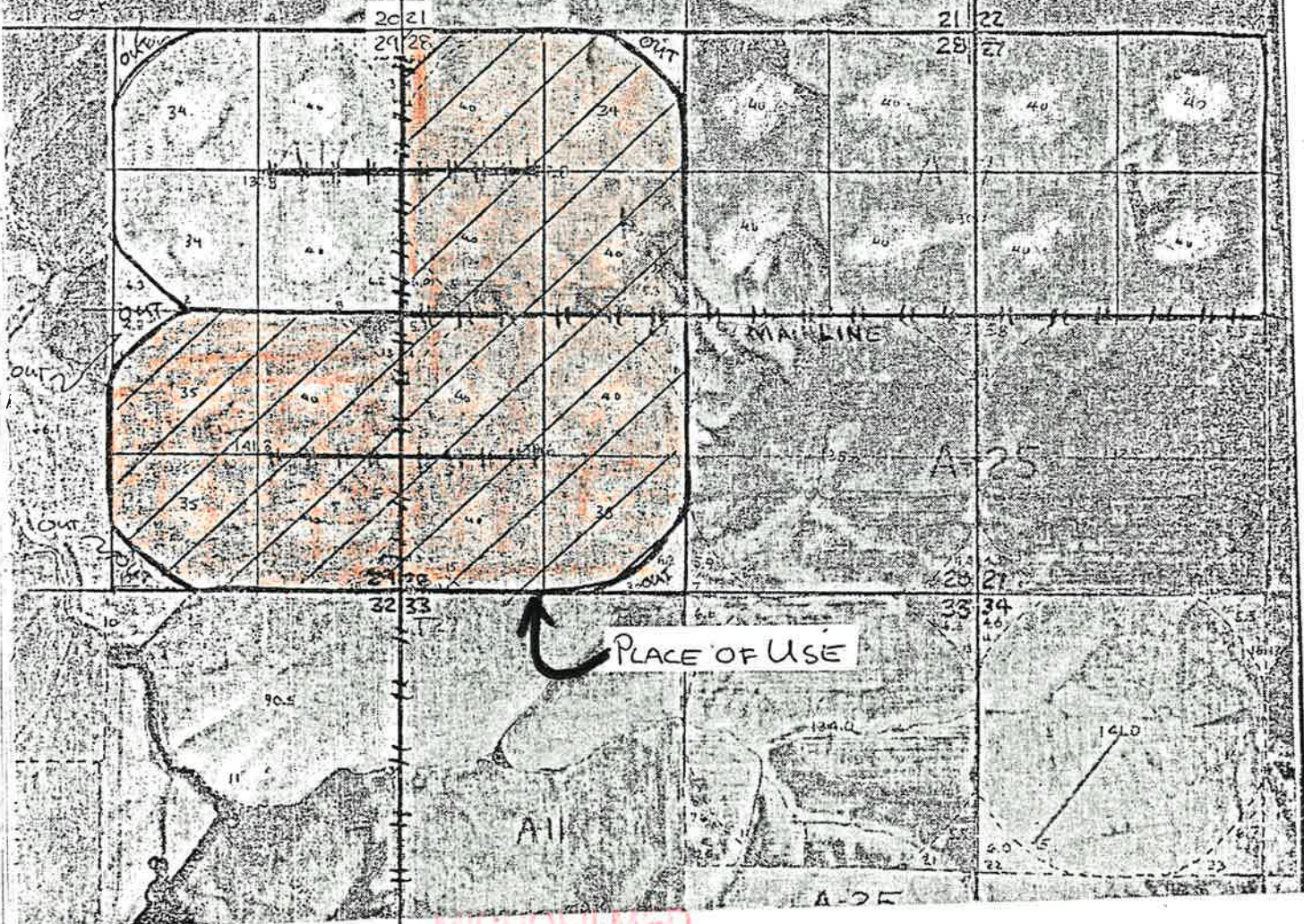
Residing at 9 Lake Falls
My Commission Expires 6-94

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OCT 29 1992

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