

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: **A63-03054**
Date Received: 12/ 7/1988
Receipt No: S004286
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: BERT DEWINKLE 209-529-6839
Address: 6613 WOODLAND AVE
MODESTO CA 95358
AND
Name: TRYNTJE DEWINKLE 209-529-6839
Address: 6613 WOODLAND AVE
MODESTO CA 95358

2. Date of Priority: JUN 24, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	16	SW	NW			CANYON
			NW	SW			CANYON

5. Description of diverting works:

TWO IRRIG. WELLS WITH PUMPS & 1 SMALLER DOMESTIC WELL WITH PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.300		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

2.300 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1400.0 Acre Feet Per Annum.

9. Non-irrigation uses:

D/ 1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	02W	16	SW		NE		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	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0

Section Acres 400.0

Total Acres 400.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-02824

14. Remarks:
P/D & P/U COMBINED W/63-2824 BY TRANS. 2021.
OWNERSHIP CHANGE BY MTS 07/05/95.

15. Basis of Claim: LICENSE

Water Right Number: 25789

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF ID
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: 3957

Ident. Number: A63-03054
Date Received: 12/07/1988
Receipt No: 5004286
Received By: ADM



Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES J. MARSHALL 208-733-0141
Address: 1892 ALTURAS DRIVE
TWIN FALLS, ID 83301

AND/OR

Name: SHIRLEY A. MARSHALL 208-733-0141
Address: 1892 ALTURAS DRIVE
TWIN FALLS, ID 83301

2. Date of Priority: JUN 24, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	02W	16	SW	NW			CANYON
			NW	SW			CANYON

5. Description of diverting works:
TWO IRRIG. WELLS WITH PUMPS & 1 SMALLER DOMESTIC WELL WITH PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.300		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 1400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSEHOLD

A63-03054

Page 1

Date: 12/07/88

MICROFILMED
AUG 18 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	02W	16	SW		NE		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	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
							Section Acres	400.0
							Total Acres	400.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-02824

14. Remarks:
P/D & P/U COMBINED W/63-2824 BY TRANS. 2021.

15. Basis of Claim: LICENSE
Water Right Number: 25789

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read understand the form entitled "How you will receive notice in the Snake Basin Adjudication." (b.) I/We do _____ do not X wish to receive 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): James J. Marshall Date: 12/7/88
Shirley A. Marshall Date: 12/7/88

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day
of Dec. 19 88 [Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

Marshall, James J

CLAIM IDENT. NO.

A63-03054

DATE RECEIVED

12-13-88

CK #

11241

AMOUNT \$

500.00

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) | ☐ | ☒ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be receipted and data entered? | ☒ | ☐ | |

Claim checked by:

Darren Knater

Date:

12-23-88Claim must be returned to claimant: ☐ (Yes) ☐ (No)Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☐ (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments:

MICROFILMED

AUG 18 1992

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED
NOV 02 2006
WATER RESOURCES
WESTERN REGION

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: October 31, 2006

Water right number: 63-3054

BERT DE WINKLE
DBA MOO RIAH DAIRY
3438 LYNWOOD
MELBA ID 83641
Telephone Number: (208)495-2992

TRYNTJE DE WINKLE
DBA MOO RIAH DAIRY
3438 LYNWOOD
MELBA ID 83641
Telephone Number: (208)495-2992

RECEIVED

NOV 03 2006

DEPARTMENT OF WATER RESOURCES

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

Point of Diversion

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

PD in NESW should be in NWSW. There are two wells in the NWSW. Condition #12 of transfer 5255 is correct. Explanation on recommendation should be removed.

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

The well is actually on the west side of the quarter-quarter line and is in the NWSW

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

DATE: 10-30-06

SIGNATURE:

Bert De Winkle

Please print your name:

Bert De Winkle

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190



SRBA Recommendation:

63-3054
(Irrigation)

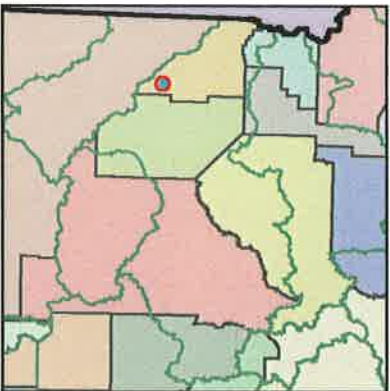
RECEIVED

NOV 03 2006

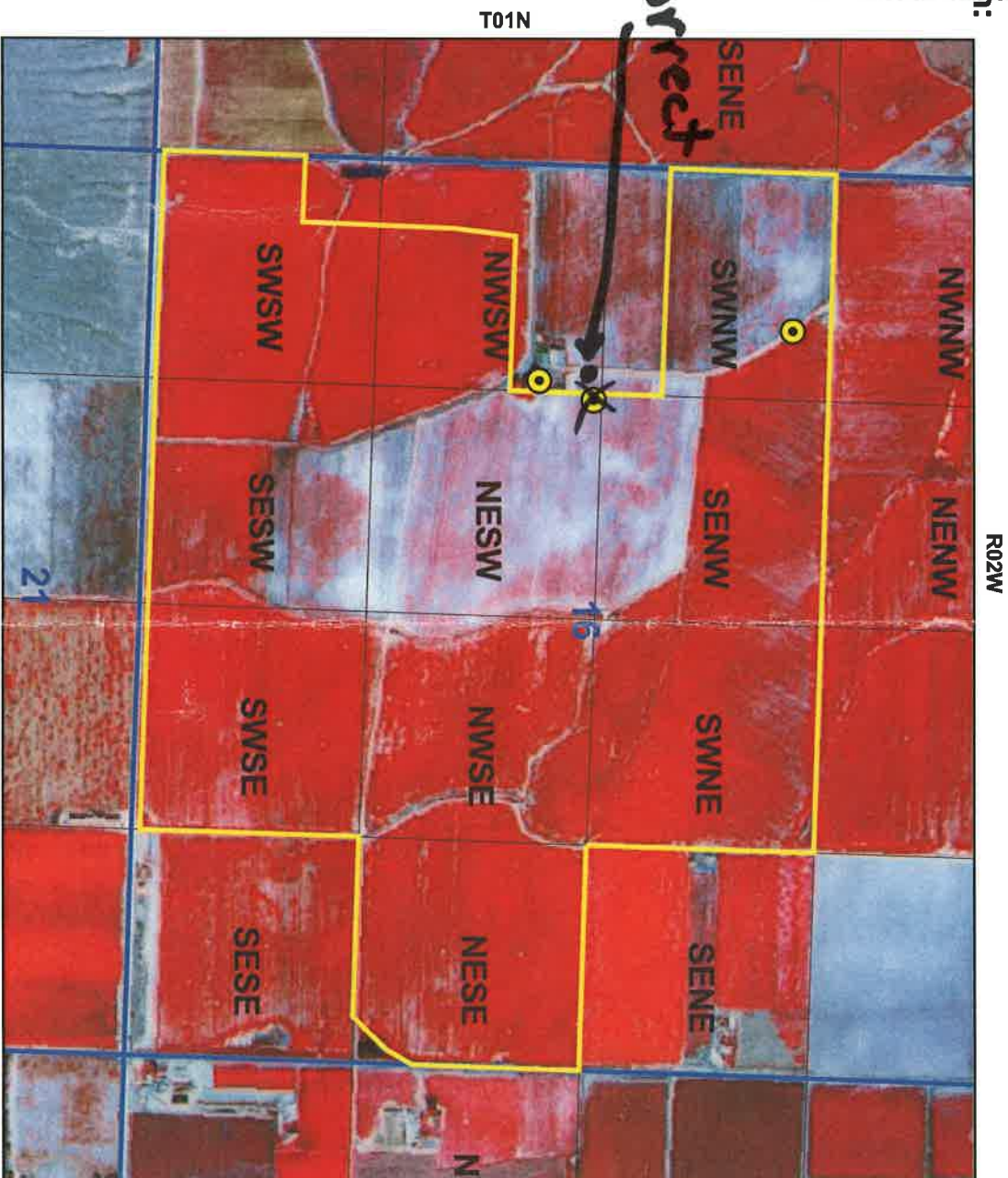
DEPARTMENT OF WATER RESOURCES

Legend

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



**Canyon County
IDWR Basin 63**



0.4

0.8 Miles

Prepared by M. Ciscell
On Friday, September 29, 2006
1987/88 Aerial Photography

10/17/2006

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

RIGHT NUMBER: 63-3054

NAME AND ADDRESS: BERT DE WINKLE
DBA MOO RIAH DAIRY
3438 LYNWOOD
MELBA ID 83641

TRYNTJE DE WINKLE
DBA MOO RIAH DAIRY
3438 LYNWOOD
MELBA ID 83641

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.300 CFS
1,071.50 AFY

Right Nos. 63-2824 and 63-3054 when combined shall not exceed a total annual maximum diversion volume of 1615.1 AF at the field headgate for the irrigation of 358.9 acres.

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.

Right Nos. 63-2824 and 63-3054 are limited to a total combined diversion rate of 6.09 cfs and to a total combined annual diversion volume of 1723.8 AF.

PRIORITY DATE: 06/24/1955

POINT OF DIVERSION:

T01N R02W S16 SWNW Within CANYON County
T01N R02W S16 NESW Within CANYON County
T01N R02W S16 NWSW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	2.120 CFS 1,030.20 AFY
COMMERCIAL	1/01 12/31	0.180 CFS 4.80 AFY
STOCKWATER	1/01 12/31	0.180 CFS 36.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 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.

PLACE OF USE:

IRRIGATION Within CANYON County

T01N R02W S16	SWNE	40.00	T01N R02W S16	SWNW	30.00
T01N R02W S16	SENE	40.00	T01N R02W S16	NESW	40.00
T01N R02W S16	NWSW	16.90	T01N R02W S16	SWSW	35.00
T01N R02W S16	SESW	39.00	T01N R02W S16	NESE	39.00
T01N R02W S16	NWSE	40.00	T01N R02W S16	SWSE	39.00

358.9 ACRES TOTAL

STOCKWATER Within CANYON County

T01N R02W S16 NWSW

COMMERCIAL Within CANYON County

T01N R02W S16	SWNE	T01N R02W S16	SWNW
T01N R02W S16	SENW	T01N R02W S16	NESW
T01N R02W S16	NWSW	T01N R02W S16	SWSW
T01N R02W S16	SESW	T01N R02W S16	NESE
T01N R02W S16	NWSE	T01N R02W S16	SWSE

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

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code. POD in S16 NWSW found in S16 NESW.

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

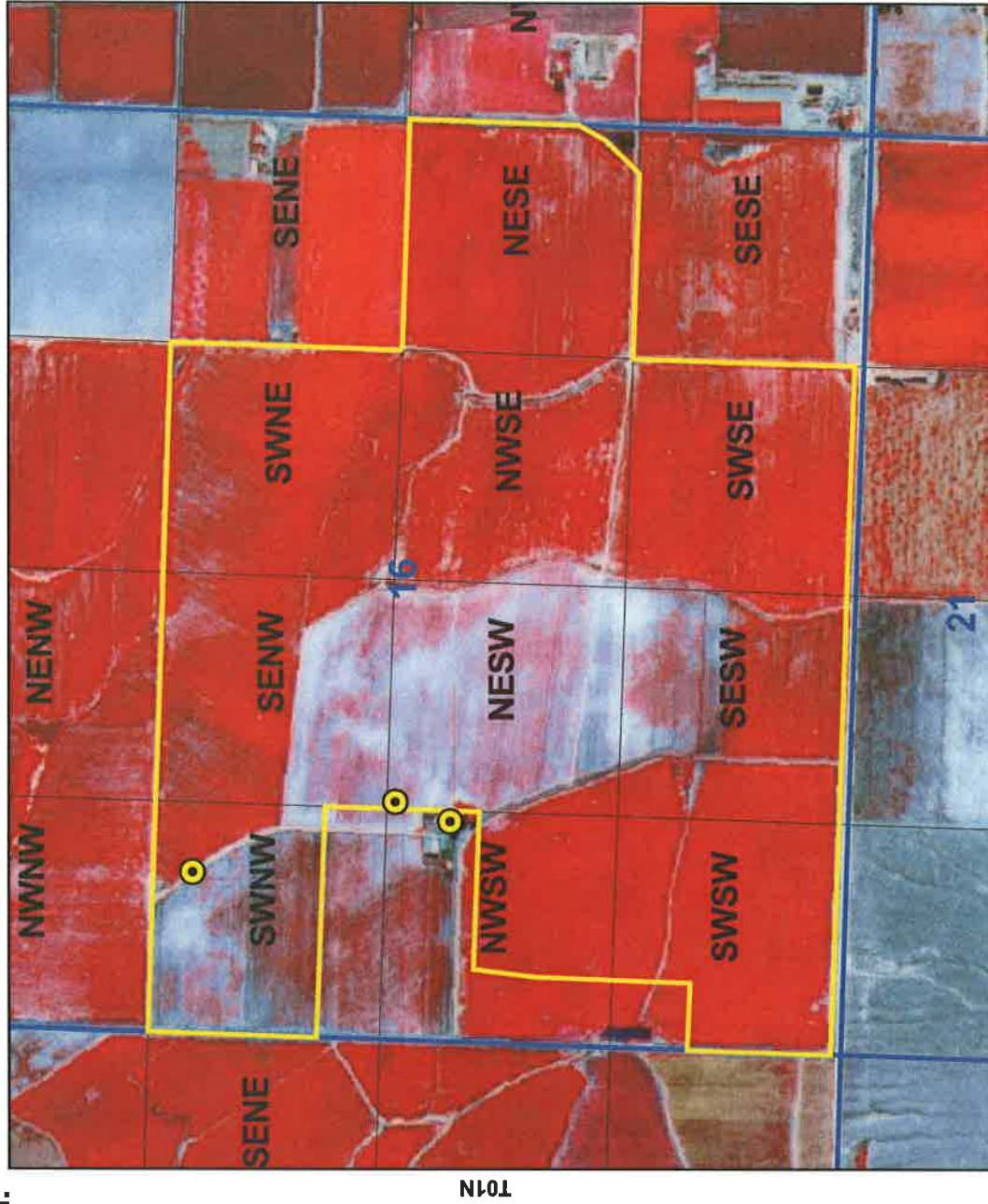
Failure of the right holder to comply with the conditions of transfer 5255 is cause for the Director to rescind approval of the transfer.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



63-3054

R02W



0.8 Miles

0.4

○



**Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography**

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BERT DE WINKLE	06/24/1955	IRRIGATION	03-15 11-15	2.120 CFS	1030.20 AFA
C	TRYNUE DE WINKLE		STOCKWATER	01-01 12-31	0.180 CFS	36.50 AFA
	DBA MOO RIAH DAIRY		COMMERCIAL	01-01 12-31	0.180 CFS	4.80 AFA
	3438 LYNNWOOD		DOMESTIC	01-01 12-31	0.040 CFS	
	MELBA ID 83641					

Stage: LICENSE

CANYON County

Place of use Legal Description for: IRRIGATION

[illegible]

Place of use Legal Description for: STOCKWATER

[illegible]

Place of use Legal Description for: COMMERCIAL

		NE				NW				SW				SE						
		NENE	NWNE	SNNE	SENE	:	NENW	NWNW	SNW	SEW	:	NESS	NWSW	SSW	SESW	:	NESE	NWSE	SSE	SESE
T	R	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
S	:	---				:	---				:	---				:	---			
01N	02W	16	:	C	:	:	C	:	C	:	:	C	:	C	:	:	C	:	C	:

Place of use Legal Description for: DOMESTIC

	NENE	MWNE	SWNE	SENE	:	NENW	MWNW	SWNW	SENW	:	NESW	MWSW	SWSW	SESW	:	NESE	MWESE	SWESE	SESE	:												
T R S :	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:												
01N 02W 16 :																																
	NE								NW								SW								SE							

POU County: CANYON

Non-Irrigation Uses: D/ 1 HOUSEHOLD

Other Rights: A63-02824

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-02824

Other Water Rights Listing Overlapping Place(s) of Use:

AJ5809NP
No. A63-03054

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 45

Other Water Rights Listing Overlapping Place(s) of Use:
A63-02824

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 63-02824 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 6.09 CFS.
USE OF THIS RIGHT WITH RIGHT NO. 63-02824 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1723.8 AF.

POD TWO POINTS OF DIVERSION LOCATED IN T01N, R02W, S16, NMSW.

USE COMMERCIAL USE IS FOR A DAIRY

POU1 USE OF THIS RIGHT WITH RIGHT NO. 63-02824 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 358.9 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN P/D & P/U COMBINED W/63-3054 BY TRANS. 2021.
CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 3/27/95.
CLAIM AMENDED PER TRANSFER 5255 APPROVED 9/22/1998.

EXP RIGHT NO. 63-02824 IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 12/07/88 MERRITT 03/30/95 POST-STD 07/05/95 MSCHULTE 01/07/99 MSCHULTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5255
WATER RIGHT NO(S). 63-02824/63-03054

This is to certify that: BERT DE WINKLE
TRYNTJE DE WINKLE
DBA MOO RIAH DAIRY
3438 LYNWOOD
MELBA ID 83641

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. 63-02824 :			
IRRIGATION	03/15 to 11/15	3.49 CFS	* 1615.1 AF
STOCKWATER	01/01 to 12/31	0.30 CFS	59.6 AF
COMMERCIAL	01/01 to 12/31	0.30 CFS	7.8 AF
Priority: 07/24/1950			
SUBTOTAL:		3.79 CFS	1682.5 AF
Right No. 63-03054 :			
IRRIGATION	03/15 to 11/15	2.12 CFS	* 1030.2 AF
STOCKWATER	01/01 to 12/31	0.18 CFS	36.5 AF
COMMERCIAL	01/01 to 12/31	0.18 CFS	4.8 AF
Priority: 06/24/1955			
SUBTOTAL:		2.30 CFS	1071.5 AF
TOTAL:		** 6.09 CFS	** 1723.8 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 16, Township 01N, Range 02W
NWSW , Sec. 16, Township 01N, Range 02W
CANYON County

MICROFILMED

OCT 27 1998

TRANSFER NO. 5255
WATER RIGHT NO(S). 63-02824/63-03054

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 02W 16	SWNE 40.0	SWNW 39.0	SENE 40.0	
	NESW 40.0	NWSW 5.9	SWSW 37.0	
	SESW 39.0	NESE 39.0	NWSE 40.0	
	SWSE 39.0			358.9
Total number of acres irrigated:				* 358.9

PLACE OF USE: STOCKWATER

<u>TWN RGE SEC</u>	
01N 02W 16	NWSW

PLACE OF USE: COMMERCIAL

<u>TWN RGE SEC</u>			
01N 02W 16	SWNE	SWNW	SENE
	NESW	NWSW	SWSW
	SESW	NESE	NWSE
	SWSE		

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 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.
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. 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 5255 shall not exceed 6.09 cfs, nor a total combined annual volume of 1723.8 af.
- * 9. Rights 63-02824 and 63-03054 when combined shall not exceed a total annual maximum diversion volume of 1615.1 af at the field headgate for the irrigation of 358.9 acres.

MICROFILMED

OCT 27 1998

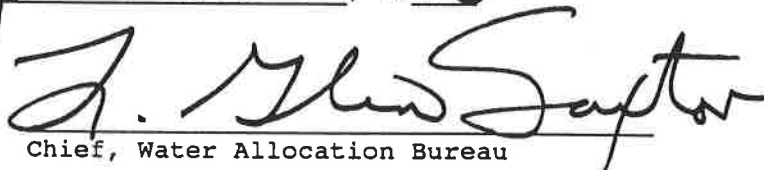
MICROFILMED

TRANSFER NO. 5255
WATER RIGHT NO(S). 63-02824/63-03054

CONDITIONS OF APPROVAL AND REMARKS

10. Commercial use under Rights 63-02824 and 63-03054 is for a dairy.
11. The water used for commercial use under this transfer approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used for dairy purposes as authorized by these water rights.
12. Two points of diversion are located within NWSW, S16, T01N, R02W.

Dated this 22nd day of September, 1998


Chief, Water Allocation Bureau

OCT 27 1998

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Opal L. Tiegs	2.3	2.3	63-3054
2021	Dale H. Tiegs	2.3	N/A	63-3054

T

R

A

N

S

F

E

R

Transfer No. 2021
App. No. 63-2824
63-3054

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Amended

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Dale H. Tiegs Phone of 466-2234
Post office address Route 1, Box 142, Melba, Idaho 83641 Western Regional Office

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(1) 63-2824 (Name of court)
(2) 63-3054
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

Purchased from mother, Opal L. Tiegs

3. Source of water ground water tributary to _____

4. Date of priority (1) July 24, 1950 (2) June 24, 1955

5. Water is used for the following purposes:

- (1) amount 3.79 cfs for Irrigation purposes from March 15 to Nov. 15
- (2) amount 2.30 cfs for Irrigation purposes from March 15 to Nov. 15
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 6.09 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is _____ ¼ of _____ ¼ of Section _____
Township _____ Range _____, B.M., in _____ County
Additional points of diversion, if any (1) NW¼SW¼, Sec. 16, Twp. 1 N, Rge. 2 W, B.M.
(2) SW¼NW¼, Sec. 16, Twp. 1 N, Rge. 2 W, B.M.

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 N	2 W	8																40	40
		16			40				40	40	40	40	40	40	40	40	40		400

Total number of acres to be irrigated 440

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second &/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
 - a. Amount of water to be diverted 6.09 cfs c.f.s. &/or _____ acre feet
 - b. Point(s) of diversion ~~SE~~ ¼ ~~SE~~ ¼, Section ~~8~~ Township ~~1 N~~
Range ~~2 W~~, B.M., Canyon County _____
Additional points NW¼SW¼ and SW¼NW¼, Sec. 16, Twp. 1 N, Rge. 2 W, B.M.

c. Description of diverting works _____

d. Describe the reasons for applying for a change in the point(s) of diversion The 400 acres in Sec. 16 are being sold; the new well in SE¼SE¼ of Sec. 8 will irrigate that 40 acres in Sec. 8. All of the water right will be used on the 400 acres being sold.

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
~~1 N~~	~~2 W~~	~~8~~																	~~40~~
1 N	2 W	16			40				40	40	40	40	40	40	40	40	40		400

Total number of acres to be irrigated

400

~~440~~

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

[Signature]
(Signature of applicant)

Subscribed and sworn to before me this 29th day of October, 19 76

[Signature]
(Notary public)

My commission expires 10-20-1980

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-2824/63-3054, and said application is hereby APPROVED.

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

2. Denial of said application is for the following reasons:

Witness my hand this 8 day of January, 19 77

[Signature]

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 10-29-76 Protest filed by _____

Prelim. check by BDF Fee 30.00

Received by [Signature] Date 10-29-76 #6099 #5928

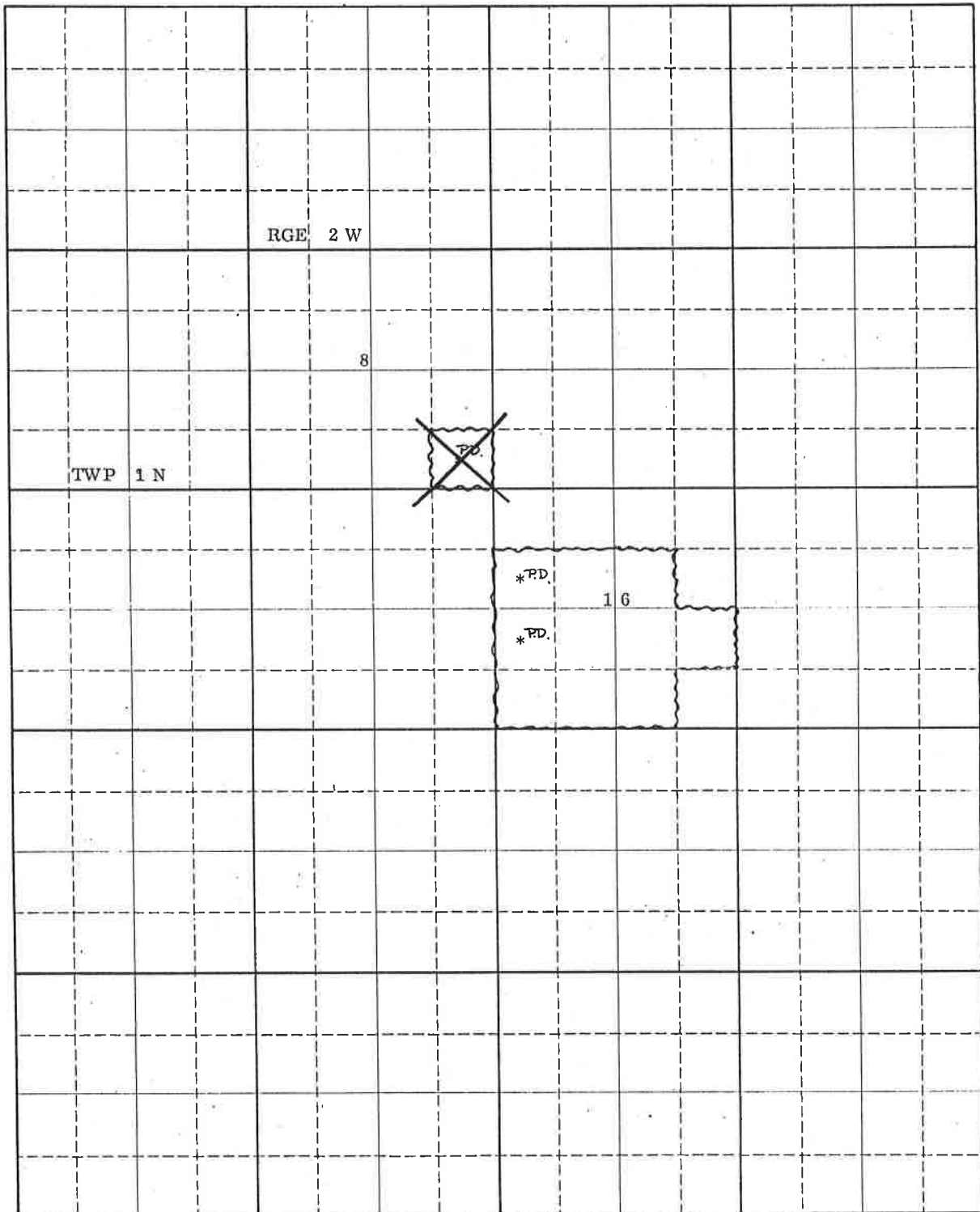
Published in Idaho Free Press Copies of protest forwarded by _____

Pub. dates November 11, 14, 16 + November 18, 1976 Hearing held by _____ Date _____

re-ad. December 9 + 16 Watermaster recommendation requested on _____ Recommended for approval denial

_____ rec'd. _____ by [Signature]

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

State of Idaho

License and Certificate of Water Right

Water License No. G-25789

Amount 2.3 c.f.s.

Water District No. _____

Priority June 24, 1955

THIS IS TO CERTIFY that HERBERT A. TIEGS & OPAL L. TIEGS - Assignee OPAL L. TIEGS, by Court Decree of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 24, 1955; that Permit No. G-25789 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.3 second feet, was issued thereunder on August 3, 1962, showing that said works were completed on the 6th day of July, 1960; and that on the 6th day of July, 1960,

HERBERT A. TIEGS - Assignee OPAL L. TIEGS, by Court Decree of Nampa, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation & domestic use, under Use Permit No. G-25789 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7376, on the 3 day of August, 1962; The right hereby confirmed dates from June 24, 1955;

The Point of Diversion is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, Tp. 1 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	2 W.	8 16	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	40 40 40 40 40 40 40 40 40 40 40 40	40 40 40 40 40 40 40 40 40 40 40 40
Total number of acres to be irrigated:					440

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 3rd day of August, 1962.

(SEAL)

RALPH W. THOMAS
Deputy State Reclamation Engineer.

63-3054

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 33654
Permit No. G- 25789
District No.

Assigned to Opal L. Tiegs

1. Name of Applicant: HERBERT A. TIEGS and OPAL L. TIEGS
Postoffice address: Rt. 2, Nampa County: Canyon State: Idaho
2. Quantity of water claimed: 5.00 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. 5.00 or Idaho
Miners' inches 250 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Flow (Well)
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16
Twp. 1 N., Rge. 2 W., B.M., County of Canyon
5. Water is to be used for: Irrigation and domestic purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, Pump and ditches
8. Estimated cost of works: \$12,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: This filing is supplemental to existing water rights, Permit No. 21621 for approximately 250 miner inches.
 - (a) 570 a/c, (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appl cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

Agent.

Corrected application received:

MARK R. KULP
State Reclamation Engineer.

By ROBERT E. SMYLIE
Governor

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 $\frac{1}{4}$	
1 N.	2 W.	16	40	40 40	40 40 40 40	40 40 40	400
			TO APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-25789 Comes now Herbert A. and Opal L. Tiegs, and represents to the State Reclamation Engineer of the State of Idaho that they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. G-25789, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: To include E$\frac{1}{2}$SE$\frac{1}{4}$, Sec. 8, T. 1 N., R. 2 W., B. M., making a total of 480 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change. Signed at Boise, Idaho, this 23rd day of May, 1960. s/ Herbert A. Tiegs Date of receipt at office of the Department of Reclamation: 5-23-60 APPROVAL OF STATE RECLAMATION ENGINEER I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-25789. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby. s/ GEO. N. CARTER State Reclamation Engineer				
Recorded: May 25, 1960							

ASSIGNMENT

SEE PROBATE COURT DECREE in file assigning Permit No. G-25789 to

OPAL L. TIEGS

Permit No. G-25789
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that HERBERT A. TIEGS and OPAL TIEGS - Assignee Opal L. Tiegs, of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-25789, issued upon Application No. G-33654, bearing date of priority of June 21, 1955 authorizing the diversion of 5.0 second feet of waters of a well, County of Canyon, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 2.3 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, T. 1 N., R. 2 W., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

440 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, T. 1 N., R. 2 W., B. M.

Witness my hand this 3rd day of August, 1962. A. D.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: July 6, 1960

LICENSE ISSUED FOR 2.3 SEC. FT.

page 7376

Demand
2.505

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 0-25789

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Herbert A. Tiegs & Oral L. Tiegs
2. Source of water supply: Subterranean Flow (Well)
3. Location of point of diversion: Is in the SW¹/₄ NW¹/₄ of Section 16
T. 1 N R. 2 W County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same:
US Motor - 12.5 HP - 1800 RPM - 440 V - Ser. # 1150497 - Layne-Bowler pump,
Vertiline, 1400 gpm - 315' - 1760 RPM - Model 12 K.H.M.M. Serial # 25060.
6'x6' Concrete base - 8" disch. pipe to 21" x 7' - tower NE of pump - Delta
switch panel with time relay - delay 5' NE of pump - Not sheltered - 600'
12" concrete pipe buried. Gravity system
5. Water is used for: Irrigation and domestic purposes
6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

E¹/₄ SE¹/₄ S. 8; SW¹/₄ NE¹/₄, SW¹/₄ NW¹/₄, SW¹/₄, NE¹/₄ SE¹/₄, SW¹/₄ SE¹/₄ Sec. 16, T. 1 N., R. 2 W., B.M.

There is another large pump as indicated
that is integral in this system.
Some water is by exchange.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

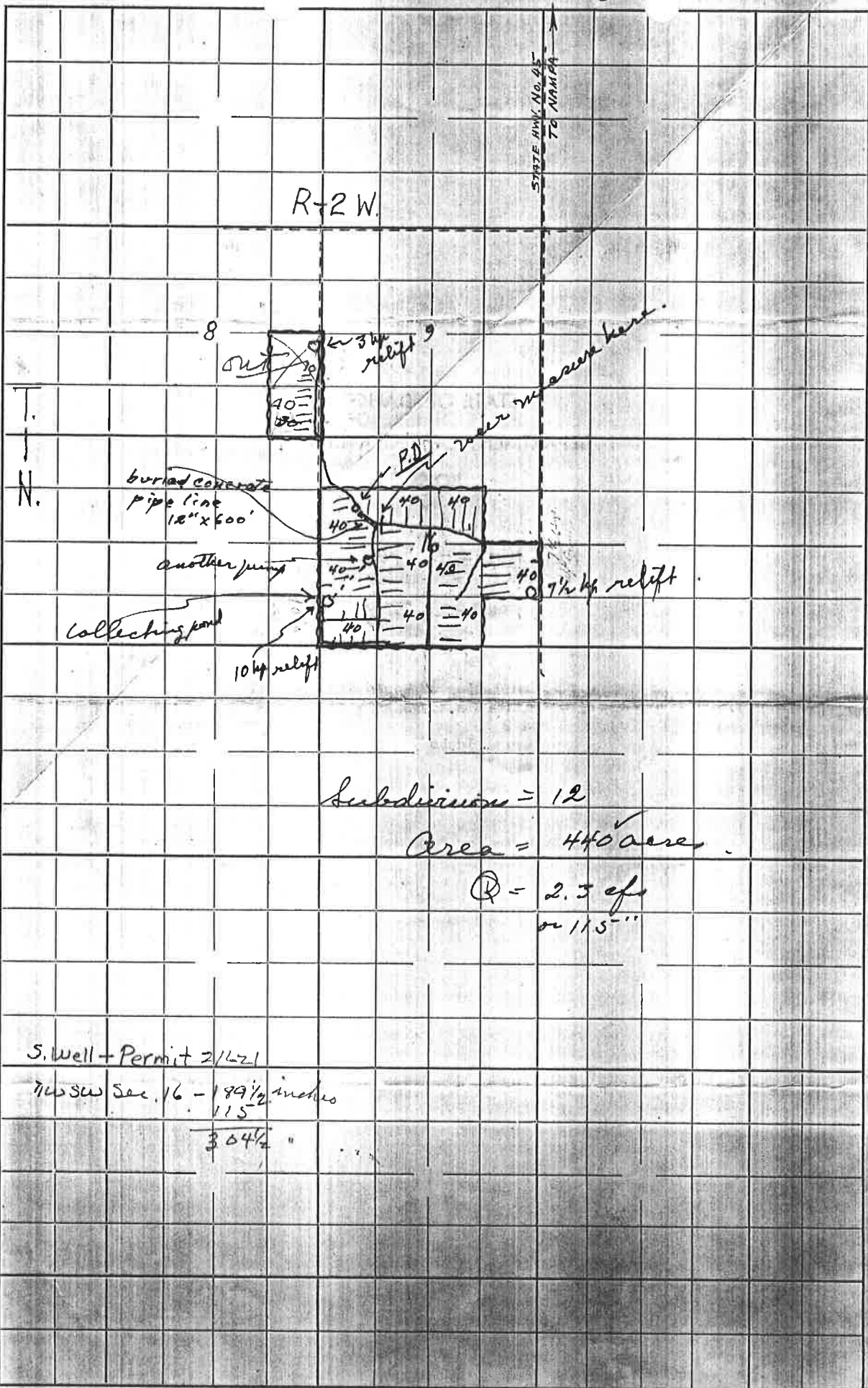
Remarks: Mr. Tiegs along

Water measured over 2' lip. Weir $h = .49'$
 $Q = 2.3 cfs$

This examination was made on the 16 day of Aug, 1960

(Signed) E. N. Humphrey
Examiner.

0-25789



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

25789

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: **A63-03054**
Date Received: 12/ 7/1988
Receipt No: S004286
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: BERT DE WINKLE
Address: DBA MOO RIAH DAIRY
3438 LYNWOOD
MELBA ID

83641

AND/OR

Name: TRYNTJE DE WINKLE
Address: DBA MOO RIAH DAIRY
3438 LYNWOOD
MELBA ID

83641

2. Date of Priority: JUN 24, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	02W	16		SW	NW		CANYON
				NW	SW		CANYON

5. Description of diverting works:
THREE WELLS WITH PUMPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.120		1030.20
STOCKWATER	01/01	12/31	0.180		36.50
COMMERCIAL	01/01	12/31	0.180		4.80
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
2.300 C.F.S. (and/or) 1071.50 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	02W	16	SW		NE		IRR	40.0
			SW		NE		COMMER	
			SW		NW		IRR	39.0
			SW		NW		COMMER	
			SE		NW		IRR	40.0
			SE		NW		COMMER	
			NE		SW		IRR	40.0
			NE		SW		COMMER	
			NW		SW		DOMEST	
			NW		SW		IRR	5.9
			NW		SW		STOCK	
			NW		SW		COMMER	
			SW		SW		IRR	37.0
			SW		SW		COMMER	
			SE		SW		IRR	39.0
			SE		SW		COMMER	
			NE		SE		IRR	39.0
			NE		SE		COMMER	
			NW		SE		IRR	40.0
			NW		SE		COMMER	
			SW		SE		IRR	39.0
			SW		SE		COMMER	

Section Acres 358.9

Total Acres 358.9

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-02824

14. Remarks:

USE OF THIS RIGHT WITH RIGHT NO. 63-02824 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.09 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 63-02824 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1723.8 AF.

TWO POINTS OF DIVERSION LOCATED IN T01N, R02W, S16, NWSW. COMMERCIAL USE IS FOR A DAIRY

USE OF THIS RIGHT WITH RIGHT NO. 63-02824 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 358.9 ACRES IN A SINGLE

14. Remarks: Continued

IRRIGATION SEASON.

P/D & P/U COMBINED W/63-3054 BY TRANS. 2021.

CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 3/27/95.

CLAIM AMENDED PER TRANSFER 5255 APPROVED 9/22/1998.

RIGHT NO. 63-02824 IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE.

15. Basis of Claim: LICENSE

Water Right Number: 25789

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5255
WATER RIGHT NO(S). 63-02824/63-03054

RECEIVED

SEP 24 1998

WATER RESOURCES
WESTERN REGION

This is to certify that: BERT DE WINKLE
TRYNTJE DE WINKLE
DBA MOO RIAH DAIRY
3438 LYNWOOD
MELBA ID 83641

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. 63-02824 :			
IRRIGATION	03/15 to 11/15	3.49 CFS	* 1615.1 AF
STOCKWATER	01/01 to 12/31	0.30 CFS	59.6 AF
COMMERCIAL	01/01 to 12/31	0.30 CFS	7.8 AF
Priority: 07/24/1950			
SUBTOTAL:		3.79 CFS	1682.5 AF
Right No. 63-03054 :			
IRRIGATION	03/15 to 11/15	2.12 CFS	* 1030.2 AF
STOCKWATER	01/01 to 12/31	0.18 CFS	36.5 AF
COMMERCIAL	01/01 to 12/31	0.18 CFS	4.8 AF
Priority: 06/24/1955			
SUBTOTAL:		2.30 CFS	1071.5 AF
TOTAL:		** 6.09 CFS	** 1723.8 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 16, Township 01N, Range 02W
NWSW , Sec. 16, Township 01N, Range 02W
CANYON County

TRANSFER NO. 5255
WATER RIGHT NO(S). 63-02824/63-03054

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
01N 02W 16	SWNE	40.0		SWNW	39.0	SENE	40.0
	NESW	40.0		NWSW	5.9	SWSW	37.0
	SESW	39.0		NESE	39.0	NWSE	40.0
	SWSE	39.0					

Total number of acres irrigated: * 358.9

PLACE OF USE: STOCKWATER

<u>TWN RGE SEC</u>	
01N 02W 16	NWSW

PLACE OF USE: COMMERCIAL

<u>TWN RGE SEC</u>			
01N 02W 16	SWNE	SWNW	SENE
	NESW	NWSW	SWSW
	SESW	NESE	NWSE
	SWSE		

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 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.
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. 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 5255 shall not exceed 6.09 cfs, nor a total combined annual volume of 1723.8 af.
- * 9. Rights 63-02824 and 63-03054 when combined shall not exceed a total annual maximum diversion volume of 1615.1 af at the field headgate for the irrigation of 358.9 acres.

DNT
E01DNT
E05POU
E11

TRANSFER NO. 5255
WATER RIGHT NO(S). 63-02824/63-03054

CONDITIONS OF APPROVAL AND REMARKS

- USE-10. Commercial use under Rights 63-02824 and 63-03054 is for a dairy.
11. The water used for commercial use under this transfer approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used for dairy purposes as authorized by these water rights.
✓ 12. Two points of diversion are located within NWSW, S16, T01N, R02W.

Dated this 22nd day of

September, 1998

J. Glen Saylor
Chief, Water Allocation Bureau

EXP
F05
P00
F02

MEMORANDUM

TO: Files 63-02824 & 63-03054
FROM: Pam Skaggs/State Office *CS*
SUBJECT: Transfer 5255
DATE: September 9, 1998

Transfer 5255 adds a point of diversion, and changes the nature and season of use under a portion of Rights 63-02824 and 63-03054. The applicant is adding a third well to the system and building a dairy on-site.

SRBA field investigation found a maximum of 390 irrigated acres under these rights instead of the licensed 400 acres. The dairy requires a reduction of 31.1 acres to provide water for commercial and stockwater uses, leaving 358.9 remaining irrigated acres. Commercial use includes the dairy barn site and all irrigated quarter-quarters for land application of wastewater from the dairy.

Season of use was adjusted to year round use at the dairy, and diversion volume was identified as current standards. Recommended conditions include drilling permit requirements, water quality, irrigation overlap, multiple points of diversion/measuring devices, combined right limits, land application limits and standard transfer conditions.

Change in Nature of Use Evaluation

				Div. Vol/C.U. Vol.
Licensed: 63-02824	3.79 cfs	IRR	400.0 acres	1800.0 afa/1400.0 afa
63-03054	<u>2.30 "</u>	IRR	<u>400.0 "</u>	<u>1117.7 " / 1117.7 "</u>
	6.09 cfs	IRR	400.0 acres	1800.0 afa/1400.0 afa
Confirmed:	6.09 cfs	IRR	390.0 acres	1755.0 afa/1365.0 afa
Transfer: 63-02824	3.49 cfs	IRR	358.9 acres	1615.1 afa/1256.2 afa
	0.30 "	COM	-----	7.8 " / 7.8 "
	<u>0.30 "</u>	<u>STOCK</u>	<u>-----</u>	<u>59.6 " / 59.6 "</u>
	3.79 cfs	IRR	358.9 acres	1682.5 afa/ 1323.6 afa
63-03054	2.12 cfs	IRR	358.9 acres	1030.2 afa/1030.2 afa
	0.18 "	COM	-----	4.8 " / 4.8 "
	<u>0.18 "</u>	<u>STOCK</u>	<u>-----</u>	<u>36.5 " / 36.5 "</u>
	2.30 cfs	IRR	358.9 acres	1071.5 afa/ 1071.5 afa
Combined	5.61 cfs	IRR	358.9 acres	1615.1 afa/1256.2 afa
	0.48 "	COM	-----	12.6 " / 12.6 "
	<u>0.48 "</u>	<u>STOCK</u>	<u>-----</u>	<u>96.1 " / 96.1 "</u>
	6.09 cfs	IRR	358.9 acres	1723.8 afa/1364.9 afa
			& DAIRY	

Form 222
Should questions arise during the processing of this application please contact: 5

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Transfer No. 5255

Name of Applicant Bert or Tryntje DeWinkle dba Moo-riah Dairy Phone 208-495-2992
Postal address 3438 Lynwood City Melba St ID Zip 83641

A. PURPOSE OF THE TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other
2. Describe reason for the proposed changes: To provide water for a 2,000 head dairy. Water will be converted from an existing irrigation water right to commercial and stockwater uses.

B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE (or ☐ see Attachment)

1.	Right No.	Priority	Amount (cfs, ac-ft)	Nature of use	Period of Use	
	<u>63-03054</u>	<u>6-24-55</u>	<u>1.86</u>	<u>Irrigation</u>	<u>3/15</u>	<u>to 11/15</u>
	<u>63-03054</u>	<u>6-24-55</u>	<u>.44</u>	<u>Commercial</u>	<u>1/1</u>	<u>to 12/31</u>
	<u>* 63-0284 02824</u>	<u>7-24-50</u>	<u>3.35</u>	<u>Stockwater</u>	<u>1/1</u>	<u>to 12/31</u>
	<u>63-0284 02824</u>	<u>7-24-50</u>	<u>.44</u>	<u>Irrigation</u>	<u>3/15</u>	<u>to 11/15</u>
	<u>63-0284 02824</u>	<u>7-24-50</u>	<u>.44</u>	<u>Commercial</u>	<u>1/1</u>	<u>to 12/31</u>
	<u>63-0284 02824</u>	<u>7-24-50</u>	<u>.44</u>	<u>Stockwater</u>	<u>1/1</u>	<u>to 12/31</u>
2.	Total diversion rate/volume being transferred: <u>6.09</u> cfs and/or <u>1400</u> ac-ft per annum					

3. Source of water: Groundwater, tributary to: N/A (or ☐ see Attachment)

4. Points of diversion (or ☐ see Attachment):

Twp.	Rge.	Sec.	1/4	1/4	1/4	Lot	County	Local diversion name / Local landmark
1N	2W	16		NW	SW		Canyon	Well #1 (existing)
1N	2W	16		SW	NW		Canyon	Well #2 (existing)
1N	2W	16		NW	SW		Canyon	Well #3 (New P/d)

5. Lands irrigated or place of use (or ☐ see Attachment):

Twp	Rge	Sec	NE				NW				SW				SE				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	2W	16			40				40	40	40	11	40	40	40	40	40		371
1N	2W	16			C				C	C	C	C/S	C	C	C	C	C		

☐ Permissible place of use, actual acreage irrigated not to exceed 371 acres per year
** Commercial use involved land application of dairy waste water on entire p.u. As per S. Chapman
+ water right number was not as per IDWR records. on 04/20/1998 4/23/1998.

Total acres 371

PART 1, CONTINUED

6. General information:

a. Description of new diversion system (or ☐ see Attachment _____): One new well will be drilled and equipped with a submersible turbine pump and piping to carry water to the dairy facilities.

b. Remarks (or ☐ see Attachment _____): The portion of the water right converted to stockwater and commercial use is the consumptive portion of the irrigation right. Historical crops on the 29 acres were 75% alfalfa hay and 25% sugarbeets. (Agrimet data - Attachment A.) Zoning for the dairy has been completed

PLEASE READ THIS SECTION CAREFULLY

Is there a current lien, mortgage or deed of trust on the property? XX Yes _____ No
If yes, please complete Part 2, item 6.

Has any portion of this right(s) undergone a period of 5 or more consecutive years of non-use? _____ Yes XXX No
If yes, please attach an explanation of circumstances and label it as noted in Part 2, item 9(g).

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the right(s), and that the information contained in this application is true to the best of my knowledge. I understand that I am responsible for the accuracy and completeness of the application even though I may have been assisted in the preparation of the application.] (NOT IDWR LANGUAGE IN LAST SENTENCE).

I understand that any willful misrepresentation made in this application may result in voiding the transfer approval.

Bethus Linker - Property Owner
(Signature and Title of Applicant)

Subscribed and sworn before me on this 30 day of March, 19 98.



Sherill L. Chapman
(Signature of Notary Public)

My commission expires: 6/14/2000

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 7 attachments A1-A5, B1-B7, C1, D1-D2, E1-E

Received by Ly Date 3/31/98 Fee 100 F1, G1

Received by Ly Date 3/31/98 # W023632

**APPLICATION FOR TRANSFER OF WATER RIGHT
ADDITIONAL DOCUMENTATION
PART 2**

ATTACHED (Required)

- XXX 1. Copy of each right as presently recorded with IDWR (printout of water right or other acceptable record must include Conditions/Remarks). *NOT ATTACHED. RECORD produced by IDWR REVIEWER*

Complete the following items: prior consultation with IDWR staff is encouraged to simplify preparation (see "IDWR Information Sheet - Filing An Application For Transfer") as necessary for your transfer application. Label each supporting document as an attachment (A, B, etc.). Place a check mark by each item completed.

ATTACHED (enter "✓" or "N/A" for each item as advised by IDWR staff)

- XXX 2. Describe any other water rights used for the same purposes described in Part 2, item 1.
- XXX 3. Written description of present system and changes required to accommodate the proposed transfer.
4. Map(s) identifying township, range, section and 1/4-1/4 locations of pertinent items as follows:
- XXX a) *proposed* water system showing the point of diversion, place of use, and any water conveyances such as ditches or pipelines; show irrigated acres per 1/4-1/4 if proposed; and
- XXX b) *unchanged portion* of water system showing point of diversion, place of use and any water conveyances such as ditches or pipelines.
- XXX c) include a system diagram of the items in 3a and 3b if this is not clear on the map(s).
- XXX 5. Evidence of water right ownership for entire right or portion of right being transferred. If transferring a portion of right, provide the name and address of the owner (if not the applicant) of the unchanged portion of the right.
- XXX 6. Notarized statement from holder of lien, mortgage, contract, deed of trust or any other encumbrance on the property agreeing to the transfer.
- N/A 7. Comments from county planning and zoning organization for county in which proposed water use will occur.
- XXX 8. Comparison between water right as recorded, Snake River Basin Adjudication (SRBA) claim as recorded or current water use practices if any differences exist between any of these three categories. Explain any differences and submit supporting evidence and/or affidavits to substantiate your explanation.

- continued on reverse side -

PART 2, CONTINUED

9. Verification of diversion and beneficial use of water within the previous five year period. Some or all of the following items might apply:

- XXX a) most recent agricultural program crop map or aerial photo showing irrigated land before the proposed change Attachment C
- _____ b) pump power records
- _____ c) water master records and/or comments if use is within a water district
- _____ d) irrigation crop reports
- _____ e) reports from other government agencies and/or qualified consultants
- _____ f) affidavits from knowledgeable third parties familiar with the history of water use for the water right being transferred
- _____ g) describe any defenses to forfeiture - CRP, extension of time, etc
- _____ h) other....list other verification documentation for the water right below:

XXX 10. For a change in nature of use of part or all of the water right, complete and attach Part 3 of the transfer application.

_____ 11. Identify any other documentation that clarifies the transfer application:

**APPLICATION FOR TRANSFER OF WATER RIGHT
CHANGE IN NATURE OF USE DESCRIPTION
PART 3**

A. CHANGE IN NATURE OF USE

1. New Nature of Use	Period of Use	Diversion Rate (cfs)	Annual Diversion Volume (acre-feet)	Annual Consumptive Use Volume (acre-feet)
<u>Commercial</u>	<u>1/1</u> to <u>12/31</u>	<u>0.44</u>	<u>11.5</u>	<u>11.5</u>
<u>Stockwater</u>	<u>1/1</u> to <u>12/31</u>	<u>0.44</u>	<u>76.5</u>	<u>76.5</u>
	to			

2. ☐ If present water use is other than irrigation, attach an estimate of the annual volume of water that has been consumptively used. Also, provide justification for the estimate.

3. ☒ Attach copy of design report or system design supporting required water flow rates and volumes for the new use. Describe attachment(s):

4. If water or waste will be discharged from project, describe quantity, quality and location of the discharge:

See Attachment B

5. Describe measures that will be taken to prevent impacts to other water uses and water users:

The annual consumptive use will not be changed. All waste water will be contained pursuant
to State regulations and the system design (Attachment D).

Attachment B
121

Landowner/Operator- Bert and Tina DeWinkle
 Location- Melba, ID
 Assisted by- Jenifer Beddoes

Date- 01-22-1998

VOLUME OF WASH WATER

REF: IAWMG page 63

DESCRIPTION	RANGE	SELECTED	
		GAL/DAY	CF/DAY
Cow Preparation-			
Manual.....	(.5-7Gal or 0.06-1CF /Cow-Day)	0.5	0.067
Automatic- Stall Wash...	(5-15Gal or 1-2CF /Cow-Day)		
Sprinkler Wash.....	(25-40Gal or 3-5.5CF /Cow-Day)		
Total Daily Volume = 2000 Cows X Total Selected Amount=		1,000	134.00
Bulk Tank- Automatic.....	(60-110Gal or 8-15CF /Wash)	125	16.711
Manual.....	(30-50Gal or 4-7CF /Wash)		
Miscellaneous Equipment.....	(25-35Gal or 3-5CF /Wash)	100	13.369
Pipelines.....	(75-150Gal or 10-20CF /Wash)	400	53.476
Milkhouse and Parlor.....	(300-700Gal or 40-90CF /Wash)	1500	200.53
Holding Area.....	(500-1200Gal or 70-160CF /Wash)	3000	401.07
Total Daily Volume= 2 Washes X Total Selected Amount=		10,250	1,370.31

RAINFALL RUNOFF AREA CONTRIBUTING TO STORAGE

DESCRIPTION	AREA IN SQUARE FEET
Roof.....	
Concrete Slab, Scraped Daily, (Y/N)- YES	
Unsurfaced Lot.....	657986
Total-	657,986 SF

CLIMATIC AND HYDROLOGIC DATA

REF: IAWMG Pages 64 & 66-67

CLIMATIC STATION- KUNA 25YR-24HR STORM RAINFALL- 2.00 Inches

Month	Average Monthly in Inches		% Lot Runoff Factors	
	Precipitation	Evaporation	Concrete	Unpaved
JAN	1.56	0.20	100	17
FEB	1.08	0.30	100	17
MAR	1.26	0.50	100	16
APR	1.03	2.10	100	10
MAY	1.04	4.60	100	10
JUN	0.79	6.20	100	10
JUL	0.27	8.20	100	10
AUG	0.46	6.50	100	10
SEP	0.63	3.80	100	10
OCT	0.66	1.20	100	10
NOV	1.28	0.40	100	10
DEC	1.49	0.30	100	17
ANNUAL	11.55	34.30		

For Dec thru March the 1 in 5 year Precip values are used
 Average Precip Values used for other months.

**Moo-Riah Dairy
Reviewer's Memo**

Proposal

The applicants propose to change the nature and season of use for portions of two licensed rights from irrigation to year-round commercial and stockwater for a dairy. They also propose to add a well to both rights.

Volume requirements

The required volume for the proposed use was calculated based on information provided by the applicants which was in turn provided to them by the Idaho Department of Agriculture, and on IDWR standards for stock water for dairy and non-milking cows.

The proposed dairy use is assumed to be wholly consumptive. Irrigation reduction is based on the consumptive use of the original right. Consequently, the applicants must remove 34 acres from irrigation to meet the volume requirement of 117 AF/year for the new uses. This will require a reduction in flow of .32 cfs of right no. 63-02824 and .20 cfs of right no. 63-03054. Calculations are attached (M1).

Verification of use

The ASCS found irrigation of 377.8 acres based on a 1987 aerial photo. 1994 scanned airphoto (IDWR No. K-04) confirms irrigation of the place of use. An SRBA field exam was conducted on 8/31/1995. The resulting acreage calculation, based on the field exam and the ASCS photo, found 390 acres (POU review sheet attached). The acreage will be determined using GIS technology before the final SRBA recommendation is prepared.

The discrepancy between the license and the ASCS acres is 5.5%, and between the license and the SRBA exam is 2.5%. These percentages are within acceptable limits for the SRBA. However, it is clear that some QQs are not full 40 acre tracts because of roads, ponds, ditches, and buildings.

Additional well

An additional well is proposed to be utilized at the dairy. Specific well construction standards may be appropriate.

RECOMMENDATION

The acreage reduction should be based on the number of irrigated acres confirmed by the SRBA field exam (390).

Approve transfer as follows:

POD: T1N R2W S16 SWNW NWSW (2 wells)

POU: Irrigation & commercial:

T1N R2W S16 SWNE 40

SWNW 39 SENW 40

NESW 40 NWSW 3 SWSW 37 SESW 39

NESE 39 NWSE 40 SWSE 39

Stockwater: NWSW

63-02824:

Irrigation:	356 acres	3.47 cfs
Commercial:		.32 cfs
Stockwater:		.32 cfs

Total:		3.79 cfs
--------	--	----------

63-03054:

Irrigation:	356 acres	2.10 cfs
Commercial:		.20 cfs
Stockwater:		.20 cfs

Total:		2.30
--------	--	------

Total diversion volume for all uses not to exceed 1,119 AF/year.

Commercial use is a dairy with 2,000 milking cows and 1,820 non-milkers located in NWSW.

Commercial use includes land application of dairy waste.

Stockwater is for 2,000 milking cows and 1,820 non-milkers.

M. Minicucci
05/14/1998

PD

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT,
TRANSFER NO. 5255**

Notice is given that **BERT OR TRYNTJE DEWINKLE, DBA MOO-RIAH DAIRY**, of 3438 Lynwood, Melba, ID 83641 have applied to the Department of Water Resources to change the Nature of Use, Period of Use, and Point of Diversion pursuant to I.C. § 42-222 for the following ground water irrigation rights in T1N R2W S16, both diverted from two wells in SWNW and NWSW, Canyon County:

License 63-02824, priority 07/24/1950, 3.79 cfs.

License 63-03054, priority 06/24/1955, 2.30 cfs.

Total of 400 acres and 6.09 cfs. 63-03054 includes domestic use.

PROPOSED CHANGE

Add a well and change portion of rights to year round commercial and stock water use in NWSW. 29 acres of irrigation will be retired in NWSW. Commercial use is a dairy and land application of dairy waste water on remaining 371 acres. Stock water is for 2000 milking cows and 1820 dry cows.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before May 26, 1998. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

May 7, 14, 1998

7034

RECEIVED

MAY 15 1998

WATER RESOURCES
WESTERN REGION

Moo-Riah Dairy

COMMERCIAL*

GPD

Cow Prep	1,000
Tanks, parlor, etc.	<u>10,250</u>
Total	11,250

STOCKWATER**

GPD

Milking Cows (2,000)	70,000
Feeders (1,820)	<u>21,840</u>
Total	91,840

TOTAL DAIRY VOLUME: 103,090 GPD

Acreage reduction based on volume

$103,090 \text{ GPD} \div 646,315 \text{ GPD/cfs} \times 1.98 \text{ AF/cfs} = .32 \text{ AF/day}$

$.32 \text{ AF/day} \times 365 \text{ days} = 116.8 \text{ AF/year}$

$116.8 \text{ AF/year} \div 3.5 \text{ AF/year/acre} = 33.4 \text{ acres}$

Acreage reduction based on diversion rate:

$103,090 \text{ GPD} \div 646,315 \text{ GPD/cfs} = .16 \text{ cfs}$

63-02824: $.16 \text{ cfs} \div .009475 \text{ cfs/acre} = 17 \text{ acres}$

63-03054: $.16 \text{ cfs} \div .005750 \text{ cfs/acre} = 28 \text{ acres}$

The volume of the proposed use requires the greatest number of acres to be retired. 34 acres must be retired to offset the consumptive volume of the new use. However, land application of waste from the dairy can occur anywhere on the farm.

Reduction in cfs of existing rights

63-02824: $34 \text{ acres} \times .009475 \text{ cfs/acre} = .32 \text{ cfs}$

63-03054: $34 \text{ acres} \times .005750 \text{ cfs/acre} = .20 \text{ cfs}$

*Based on information supplied by applicants

**Based on current IDWR standards

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO.

403-03054

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
---	---	---	------------------------	------------------------------------	----------------------------------	------------

PRIORITY*

PT. OF DIV.

SOURCE

PL. OF USE

DIV. AMOUNT
CFS/AF

CONSUMPTIVE
USE

NATURE OF
USE

PERIOD OF
USE

BASIS OF
CLAIM

REMARKS

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS:

Land not for reduced area due to roads, power lines, etc.

VERIFICATION CODES
TOPO MAP/ORTHO PHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

DATA ENTRY COMPLETE

BY _____ DATE _____

FINAL RECOMMENDATION

BY _____ DATE _____

LAST: MARSHALL
ADDRESS: 1892 ALTURAS DRIVE
CITY: TWIN FALLS
PHONE NUMBER: 208-733-0141
OWNER CODE: 0

LAST: MARSHALL
ADDRESS: 1892 ALTURAS DRIVE
CITY: TWIN FALLS
PHONE NUMBER: 208-733-0141
OWNER CODE: 0

LAST: DEWINKLE
ADDRESS: 6613 WOODLAND AVE
CITY: MODESTO
PHONE NUMBER: 209-529-6839
OWNER CODE: C

LAST: DEWINKLE
ADDRESS: 6613 WOODLAND AVE
CITY: MODESTO
PHONE NUMBER: 209-529-6839
OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: P/D & P/U COMBINED W/63-2824 BY TRANS. 2021.
OWNERSHIP CHANGE BY MTS 07/05/95.

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
CLAIM REMARKS: P/D & P/U COMBINED W/63-2824 BY TRANS. 2021.
OWNERSHIP CHANGE BY MTS 07/05/95.

FIELD EXAMINER
Y() N()

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A63-03054	PRIORITY DATE: 06-24-1955	STAGE: L
B. WR RECORD: # 63-03054	PRIORITY DATE: 06-24-1955	STAGE: L
C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?		Y() N()
D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?		Y() N()
E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)		Y() N()
F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?		
PROOF OF BENEFICIAL USE SUBMITTED		N/A() Y() N()
FIELD EXAM COMPLETED		N/A() Y() N()
FIELD EXAM SENT TO STATE OFFICE		N/A() Y() N()
LICENSE ISSUED		N/A() Y() N()
* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.		
G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?		N/A() Y() N()
* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.		
H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?		Y() N()

NOTES:

RECOMMENDED PRIORITY DATE:

06-24-1955

REVIEWED BY _____ DATE _____

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A63-03054	01N	02W	16								
A63-03054	01N	02W	16								

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A63-02824 NONE

MR RECORDS IN SAME 40 ACRE TRACT

63-02824

SOURCE: GROUNDWATER

TRIB:

B. MR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
63-03054	01N	02W	16								
63-03054	01N	02W	16								

OTHER MR RECORDS WITH SAME MR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

63-02824

A63-02824

NONE

SOURCE: GROUNDWATER

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N()

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N()

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
01N	02W	16		SH	NH				CANYON		
01N	02W	16		NH	SH				CANYON		

SOURCE: GROUNDWATER		TRIB:			
1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
7	7	7	7	7	7
8	8	8	8	8	8
9	9	9	9	9	9
10	10	10	10	10	10
11	11	11	11	11	11
12	12	12	12	12	12
13	13	13	13	13	13
14	14	14	14	14	14
15	15	15	15	15	15
16	16	16	16	16	16
17	17	17	17	17	17
18	18	18	18	18	18
19	19	19	19	19	19
20	20	20	20	20	20
21	21	21	21	21	21
22	22	22	22	22	22
23	23	23	23	23	23
24	24	24	24	24	24
25	25	25	25	25	25
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DATE:

SYSTEM DESCRIPTION: DESCRIBED BELOW (____), SEE LICENSE FILE (____), OR SEE ATTACHMENT (____)

A. ROOT WATER RIGHT NUMBERS: A63-03054

B. POU LISTING											
TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	UR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
01N	02W	16	SW	NE		DEWINKLE, TRYNTJE DEWINKLE, BERT	A63-03054 / 40.0 A63-02824 / 40.0	63-03054 / 40.0 63-02824 / 40.0	40.0	40	40.0
01N	02W	16	SW	NW		DEWINKLE, TRYNTJE DEWINKLE, BERT	A63-03054 / 40.0 A63-02824 / 40.0	63-03054 / 40.0 63-02824 / 40.0	42.0	39	
01N	02W	16	SE	NW		DEWINKLE, TRYNTJE DEWINKLE, BERT	A63-03054 / 40.0 A63-02824 / 40.0	63-03054 / 40.0 63-02824 / 40.0	39.0	40	
01N	02W	16	NE	SW		DEWINKLE, TRYNTJE DEWINKLE, BERT	A63-03054 / 40.0 A63-02824 / 40.0	63-03054 / 40.0 63-02824 / 40.0	39.0	40	
01N	02W	16	NW	SW		DEWINKLE, TRYNTJE DEWINKLE, BERT	A63-03054 / 40.0 A63-02824 / 40.0	63-03054 / 40.0 63-02824 / 40.0	41.0	37	
01N	02W	16	SW	SW		DEWINKLE, TRYNTJE DEWINKLE, BERT	A63-03054 / 40.0 A63-02824 / 40.0	63-03054 / 40.0 63-02824 / 40.0	40.0	37	40.0
01N	02W	16	SE	SW		DEWINKLE, TRYNTJE DEWINKLE, BERT	A63-03054 / 40.0 A63-02824 / 40.0	63-03054 / 40.0 63-02824 / 40.0	40.0	39	40.0
01N	02W	16	NE	SE		DEWINKLE, TRYNTJE DEWINKLE, BERT	A63-03054 / 40.0 A63-02824 / 40.0	63-03054 / 40.0 63-02824 / 40.0	39.0	39	
01N	02W	16	NW	SE		DEWINKLE, TRYNTJE DEWINKLE, BERT	A63-03054 / 40.0 A63-02824 / 40.0	63-03054 / 40.0 63-02824 / 40.0	42.0	40	
01N	02W	16	SW	SE		DEWINKLE, TRYNTJE DEWINKLE, BERT	A63-03054 / 40.0 A63-02824 / 40.0	63-03054 / 40.0 63-02824 / 40.0	40.0	39	40.0

ADDITIONAL POU FOUND

TOTAL ACRES A63-03054 400.00 400.00 402.00

POU COUNTY: CANYON

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A63-03054	GROUNDWATER	DEWINKLE, TRYNTJE	2.300	0.005		
A63-02824	GROUNDWATER	DEWINKLE, BERT	3.790	0.009		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A63-02824

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES:

TOTAL ACRES: _____ N/A ()

REVIEWED BY: _____

DATE: _____

[illegible]

A. ALL CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A63-03054 IRRIGATION	FROM 03-15 TO 11-15	2.300 CFS	
A63-03054 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	
TOTAL DIVERSION RATE/VOLUME		2.300 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
63-03054 IRRIGATION	FROM 03-15 TO 11-15	2.300 CFS	
63-03054 DOMESTIC	FROM TO		
TOTAL DIVERSION RATE/VOLUME		2.300 CFS	

- C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y() N()
- D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- * IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.
- E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y() N()
- F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y() N()
- G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y() N()
- * IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.
- H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- * IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.
- I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()
- J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
- * IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.
- K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A() Y() N()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 2.300 CFS
WR RIGHT TOTAL DIVERSION RATE: 2.300 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS 1b. CALCULATIONS
(Taken from pou review)

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1400.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE 2.300	DATABASE EXAMINER	DATABASE 1400.0
DOMESTIC	01-01 12-31	0.040		1400.0
TOTAL FOR THIS RIGHT		2.300		1400.0

NON-IRRIGATION USES CLAIMED: D/ 1 HOUSEHOLD

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 63-03054
TOTAL DIVERSION RATE OF HR SPLITS

DATABASE
2.300

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	HR RIGHT NUMBERS	DIVERSION RATE
-	-	-	-	-	63-03054	2.300
TOTAL CFS						2.300

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
N

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT		COPY INCLUDED IN FILE?	
TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION		
☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDMR ID NO. _____	Y()	N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDMR ID NO. _____	Y()	N()
☐ NAPP	DATE OF PHOTO _____ IDMR ID NO. _____	Y()	N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y()	N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y()	N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y()	N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y()	N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y()	N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y()	N()
☐ OTHER _____	DATE _____	Y()	N()
☐ OTHER _____	DATE _____	Y()	N()
☐ OTHER _____	DATE _____	Y()	N()

=====

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:26:28
08/18/95
33
CLAIM NUMBER: A63-03054

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

BARCODE UPDATED
WHOM/DATE

Dry Lake
2682

PERMIT A63-03054INIT C.S
T. R. S. Q/Q
P/D 1N 2W 16 NW SW
SCALE 7.5 min
PHOTO ID. 46

Well
2731

P/D

P/D

H A T U T

ROAD

AVENUE

HAT

BLT

BUTTE

H/NW

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H/NW

T3970

H/NW

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7.6

16 H/NW

H/NW

H/NW

H/NW

T3971

H/NW

A63-02824 + 03054

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T3915

T3815

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:36:13
08/18/95
34

CLAIM NUMBER: A63-03054

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TRYNTJE DEWINKLE	06/24/1955	IRRIGATION	03-15 11-15	2.30 CFS	
C	BERT DEWINKLE		DOMESTIC	01-01 12-31	0.04 CFS	

TOTAL DIVERSION: 2.30 CFS
CONSUMPTIVE USE: 1400.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

TOTN R02W S16

SHNW

NWSW

CANYON County

Place of use Legal Description for: IRRIGATION

Place of use Legal Description for: IRRIGATION											
NENE			SENE			NENW			SENW		
T R S			Lt Ac			Lt Ac			Lt Ac		
01N 02W 16 :			40			40			40		
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A63-03054

Photos 8-31-95



#1

P/Q #1



#2

P/Q #2

Photos 8-31-95

A63-03054



#3

P/U looking
South from
PID #2



#4

P/U looking
East from PID #2

Photos 8-31-95

A63-03054



#5

Wheel line
and P/U near
P/D #2



#6

P/U looking
NE from SW
corner

A63-03054

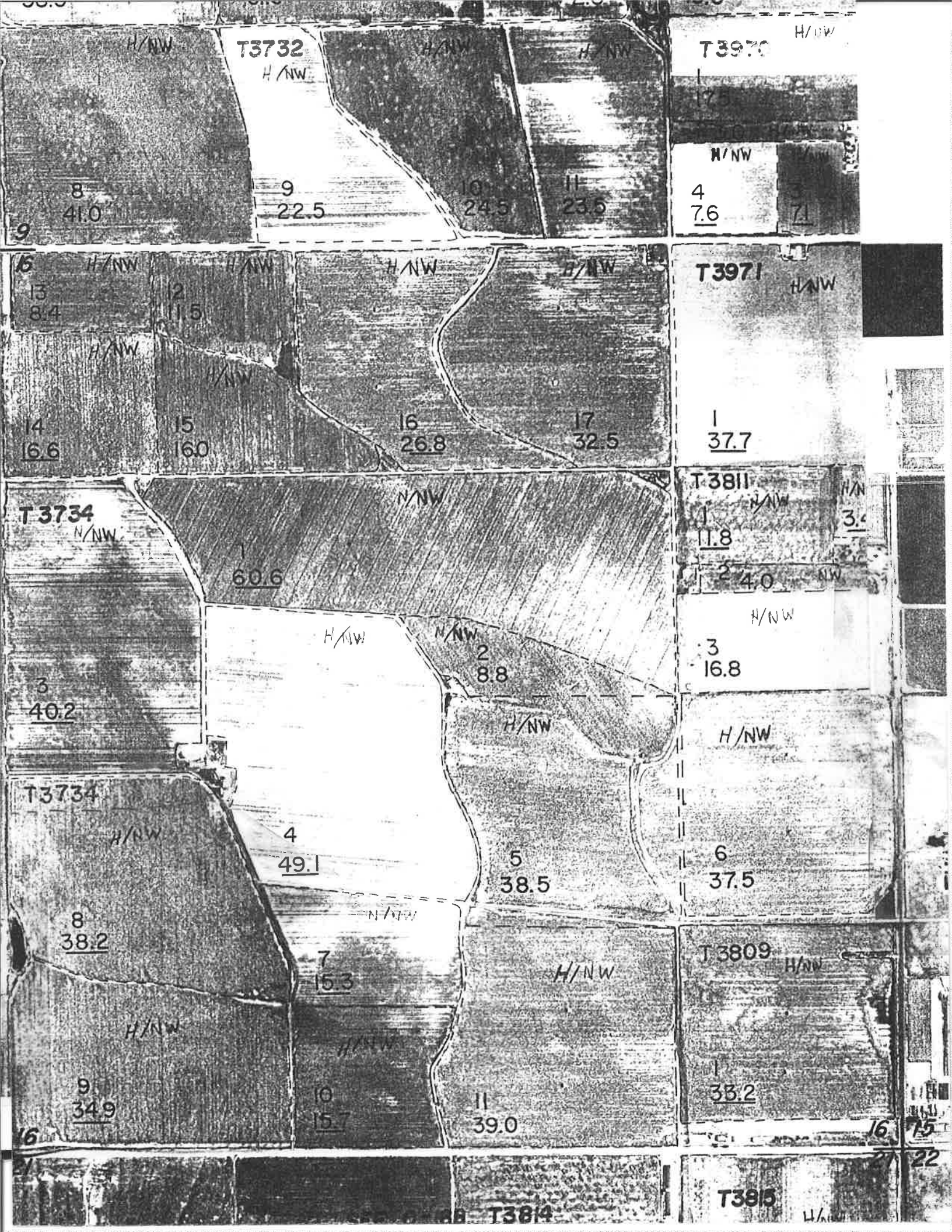
Photos 8-31-95



#7
Wheel line
and P/U
south of P/D #1
looking SE
from site
of P/D #1



#8
P/U looking
NE from
county road
on south
border of
property



SEE 0-15

R 2 W

734

H/NW

8
38.2

N/NW

7
15.3

H/NW

T3809

H/NW

H/NW

9
34.9

10
15.7

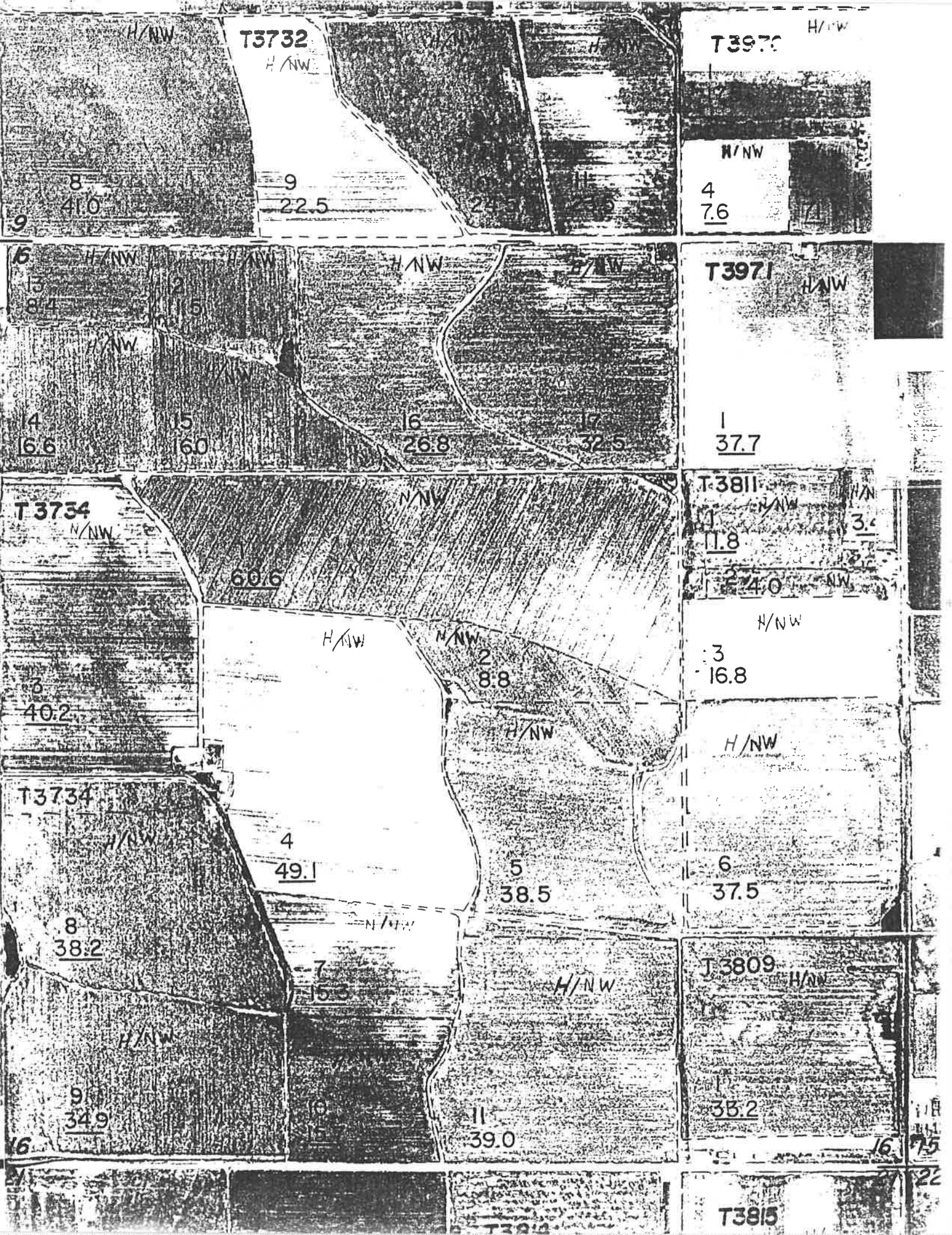
11
39.0

33.2

T3814

T3815

H/NW



WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

08/16/95 09:28:32
Page 1

Water Right Number - 63-03054

Prefix Translation:

WATER RIGHT

Old (D) Number - 25789

*** C - CURRENT OWNER ***
TIEGS
Last Name - + - - - - + First Name - - - + - - - - - Address - - - - - +
DALE H.
1 - RT. 1 BOX 142
2 -
3 -
City- MELBA
Phone -
State- ID Zip- 83641

*** O - ORIGINAL OWNER ***
TIEGS
HERBERT A.
1 -
2 -
3 -
City-
Phone -
State- Zip-
1 -
2 -
3 -
City-
Phone -
State- Zip-

TIEGS
OPAL L.

Priority Date - - +
06/24/1995
+ - - - - Region - - - +
14 WESTERN
+ - - - - Stage - - - +
L - LICENSE
+ - - - - Status - - - +

Source - - - - -
GROUNDWATER
+ - - - - Tributary - - - - -
+ - - - -
Tm Rng Sec Tract Lot RFlg County Point of Diversion - - - - -
01N 02W 16 SW NW (27) CANYON
NW SW (27) CANYON
Diversion Name Diversion Rate Diversion No.

Code Description Period From Period To Water Use - - - - -
01 - IRRIGATION 03/45 11/15
43 - DOMESTIC
Diversion Rate Diversion Volume
2.300

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - +
2.300

Tm	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
01N	02W	16	SW NE		40.0	IRRIGATION	01	IRRIGATION	(27) CANYON
01N	02W	16	SW NW		40.0	IRRIGATION	01	IRRIGATION	(27) CANYON
01N	02W	16	SE NW		40.0	IRRIGATION	01	IRRIGATION	(27) CANYON
01N	02W	16	NE SW		40.0	IRRIGATION	01	IRRIGATION	(27) CANYON
01N	02W	16	NW SW		40.0	IRRIGATION	01	IRRIGATION	(27) CANYON
01N	02W	16	SW SW		40.0	IRRIGATION	01	IRRIGATION	(27) CANYON
01N	02W	16	SE SW		40.0	IRRIGATION	01	IRRIGATION	(27) CANYON
01N	02W	16	NE SE		40.0	IRRIGATION	01	IRRIGATION	(27) CANYON

Water right number - 63-03054

Prefix Translation:

WATER RIGHT

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
01N	02W	16	~~SW-SE~~ NW-SE		40.0		01	IRRIGATION	(27) CANYON
01N	02W	16			40.0		01	IRRIGATION	(27) CANYON
Total Acres:					400.0				

- - - Diversion Means -

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

P/D & P/U COMBINED W/63-2824 BY TRANS. 2021.

No Old Water Right Numbers found.

No Conditions of Approval found.

- - - Decree Plaintiff

- - - Decree Defendant

- - - Decree Date

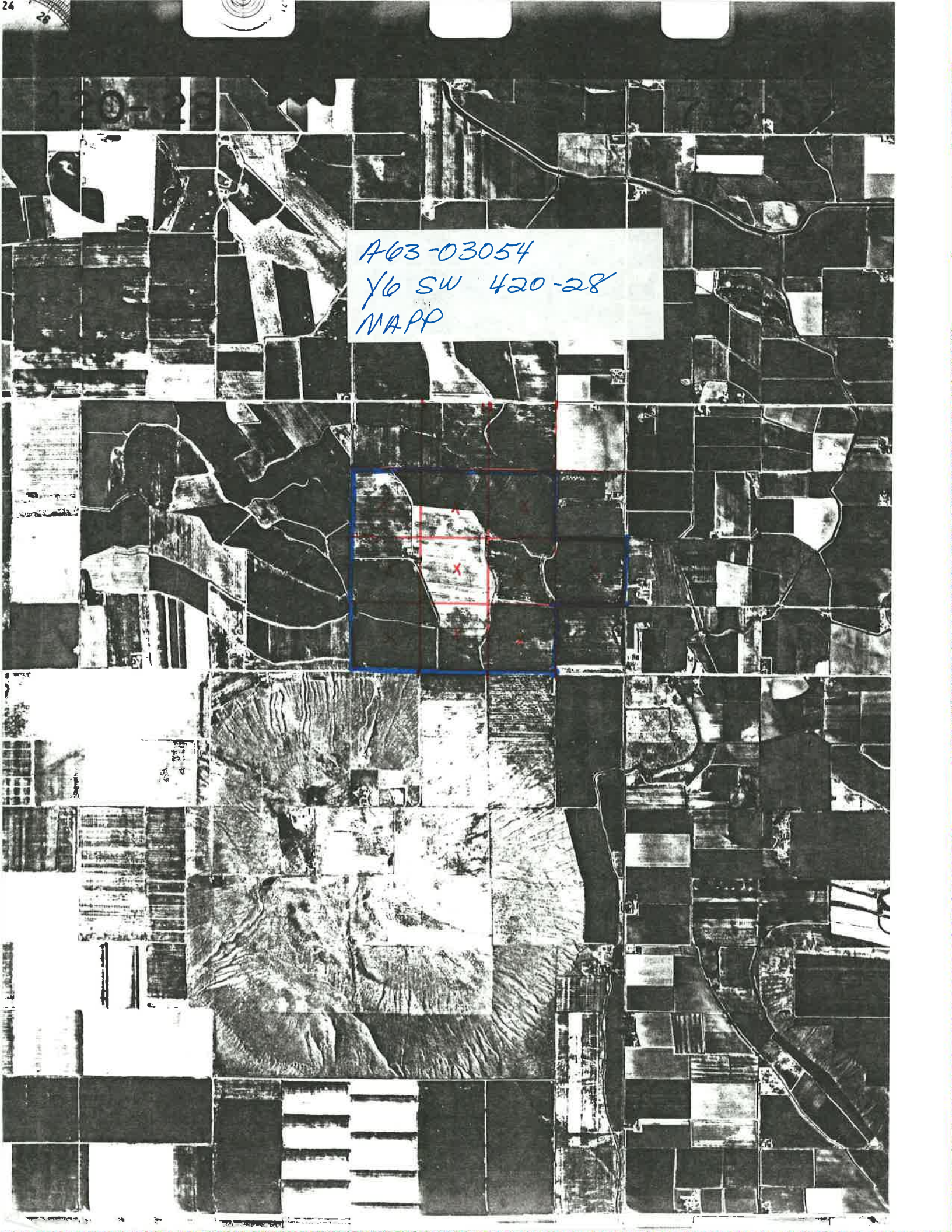
00/00/0000

No Comments Found

- - - Audit Fields - 05/06/85 05/01/88 CONVERT

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	Shan 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	- 05/06/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 08/28/1979	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				



Aerial photograph mosaic showing a grid of land parcels. A central area is highlighted with a blue border and a red crosshair. Several red 'X' marks are visible within the grid, particularly in the central and lower-right sections. The mosaic is composed of numerous small, rectangular aerial photos.

A63-03054
Y6 SW 420-28
NAPP



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

August 16, 1995

PHILIP E. BATT
GOVERNOR

Bert & Tryntje DeWinkle
6613 Woodland Ave
Modesto, CA 95358

KARL J. DREHER
DIRECTOR

Re: A63-02824 & A63-03054

Dear Mr & Mrs DeWinkle:

We are currently conducting field exams in the area of Canyon County where your 400 acre farm is located. I need to complete an exam for the two water right claims referenced above that were filed by the previous owners, James & Shirley Marshall.

The purpose of my field exam is to verify the major components of the rights such as the source of water, type of usage, amount of water used and the legal description of the point of diversion and places of use. It is not mandatory that you accompany me during my field work but it would be helpful to have you or someone assist me that knows the property and water delivery system. Please call me at 208-334-2190 so that we can discuss an appointment date and who can assist me during my exam.

Sincerely,

Mel Schulte
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

CONTACTA6302824



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

Date MARCH 27, 1995

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[BERT OR TRYNTJE DEWINKLE
6613 WOODLAND AVE
[MODESTO CA 95358]

Notice of Claim No.(s) A63-02824

Dear Claimant:

Enclosed is **your** copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

9504215

attn. Linde

RECEIVED

MAR 10 1995

PC12045

REQUEST FOR NAME CHANGE ON COUNTY TAX RECORDS

WATER RESOURCES
WESTERN REGION

Canyon County Assessor/Treasurer
P. O. Box 1010
Caldwell, ID 83606

Gentlemen:

The undersigned is the current owner of the following real property:

THE NORTH HALF OF THE SOUTHEAST QUARTER; THE SOUTH HALF OF THE NORTHWEST QUARTER; THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THE SOUTHWEST QUARTER; AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 16, TOWNSHIP 1 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO.

This property has been sold under contract to:

Bert DeWinkle and Tryntje DeWinkle

6613 Woodland Ave., Modesto, CA 95358

I/we hereby authorize and request that the above named contract purchaser(s) be designated as my/our agent on the County tax records to receive the tax statements and notices relating to the taxation that are required by law to be sent to the owner of the real property.

James J. Marshall
James J. Marshall

Shirley A. Marshall
Shirley A. Marshall

I/We certify that I/we am/are the buyer(s) of the above property, and wish the records to be changed so I/we will receive the tax statement for this property.

Bert DeWinkle
Bert DeWinkle

Tryntje DeWinkle
Tryntje DeWinkle

STATE OF IDAHO

COUNTY OF CANYON

On this 17th day of February in the year 1995, before me, a Notary Public, personally appeared James J. Marshall & Shirley A. Marshall known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Carrie Evans

Notary Public

Residing at Parma

My commission expires 8/17/96



STATE OF IDAHO

COUNTY OF CANYON

On this 20th day of February in the year 1995, before me, a Notary Public, personally appeared Bert DeWinkle & Tryntje DeWinkle known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Carrie Evans

Notary Public

Residing at Parma

My commission expires 8/17/96



9504215

RECORDED

'95 FEB 21 AM 10 07

NEO J. ENR

CANYON CNTY RECORDER

BY

U. Chaves

REQUEST PIONEER - CALDWELL

TYPE *Price* FEE *6 00*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

[FEBRUARY 28, 1995]

BERT DEWINKLE
TRYNTJE DEWINKLE
6613 WOODLAND AVE
MODESTO CA 95358

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

[Dear Wateruser(s):]

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).

_____ There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.

_____ Legal description of property. Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

_____ It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

_____ Name and address of former owner (seller). This will clarify the original owner of the water right.

_____ Name, address and phone number of new owner (purchaser).

_____ This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion.
Enclosed is a computer copy of this right for your review.

X _____ Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range.

Signature of new owner (purchaser) is needed on this form.

X Other: There was not a copy of the deed attached
as stated on the Ownership Change form.

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed(if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosures

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

FEB 27 1995

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 2/20/95

LEGAL DESCRIPTION OF PROPERTY: Township 1N Range 2W
Section 16, 1/4 of 1/4 of 1/4, Govt. Lot , BM.
Lot , Block , Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet. See Deed.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s) Assigned by IDWR: A63-02824

[] Name and Address of Former Owner/Claimant(s)(Seller): JAMES & SHIRLEY MARSHALL
1892 ALTURAS DR.
TWIN FALLS ID 83301

[] New Owner/Claimant (Purchaser): BERT & TRYNTJE DEWINKLE

[] New Mailing Address: 6613 WOODLAND AVE.
MODESTO CA 95358

[] New Telephone Number: (209) 529-6839

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

N/A

[] Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s): Bert Dewinkle Date 2-20-95

[] Signature of Former Owner/Claimant(s): [Signature] Date 2-20-95

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/29/95 11:22:36
Page 1

Water Right Number - A63-03054

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 25789

*** C - CURRENT OWNER ***
MARSHALL
JAMES J
1 - 1892 ALTURAS DRIVE
2 -
3 -
City- TWIN FALLS
Phone - 208-733-0141
1 - 1892 ALTURAS DRIVE
2 -
3 -
City- TWIN FALLS
Phone - 208-733-0141
State- ID Zip- 83301

MARSHALL

SHIRLEY A

State- ID Zip- 83301

Priority Date - - + 06/24/1995 + - - - Region - - + 14 WESTERN + - - - Stage - - + L - LICENSE + - - - Status - - - +

Source - - - - - +
GROUNDWATER + - - - - - +
Tributary - - - - - +

Trn Rng Sec Tract Lot Rflg County Point of Diversion - - - - - +
01N 02W 16 SW NW (27) CANYON
NW SW (27) CANYON

Code Description Period from Period to Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15
43 - DOMESTIC 01/01 12/31 0.040 2.300

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KM Usage - +
2.300 1400.0

Trn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01N	02W	16	SW NE	✓	40.0	01	IRRIGATION	(27) CANYON
01N	02W	16	SW NW	✓	40.0	01	IRRIGATION	(27) CANYON
01N	02W	16	SE NW	✓	40.0	01	IRRIGATION	(27) CANYON
01N	02W	16	NE SW	✓	40.0	01	IRRIGATION	(27) CANYON
01N	02W	16	SW SW	✓	40.0	01	IRRIGATION	(27) CANYON
01N	02W	16	NW SW	✓	40.0	01	IRRIGATION	(27) CANYON
01N	02W	16	SE SW	✓	40.0	01	IRRIGATION	(27) CANYON
01N	02W	16	NE SE	✓	40.0	01	IRRIGATION	(27) CANYON
01N	02W	16	NW SE	✓	40.0	01	IRRIGATION	(27) CANYON
01N	02W	16	SW SE	✓	40.0	01	IRRIGATION	(27) CANYON

Total Acres: 400.0

+ - - Diversion Means - TWO IRRIG. WELLS WITH PUMPS & 1 SMALLER DOMESTIC WELL WITH PUMP

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - A63-02824

Remarks	P/D & P/U COMBINED W/63-2824 BY TRANS. 2021.

Old Water Right Numbers
No Old Water Right Numbers found

- - Conditions of Approval - -
No Conditions of Approval found.

+

88 MERRITT 03/30/95 POST-STD

•

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 35976
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 05/06/1985	Old Judicial District	-
Claim Received Date	- 12/07/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Receipt Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Proof Number	- S00426	Federal/State Indicator	- S
Claims Tape Error Flag	-	POU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR	Notice of Error Flag	-

2697

2674

2674

Dry Lake
2682

PERMIT A63-03054 INIT C-5
T. R. S. Q/Q
P/D 1N 2W 16 SWNW
SCALE 2.5 mm
PHOTO ID. 46

9

2663

Well
2731

15

ROAD

2732

2777

WELLS

2668

19

20

H A T U T

3050

NORTH

2655

2987

2776

HAT
AVENUE

THREE

28

2649

20

29

H21 BUTTE

21