

03/04/2005

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

RIGHT NUMBER: 27-7006

NAME AND ADDRESS: STEVEN MILLINGTON
3821 N 1500 E
BUHL ID 83316

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.900 CFS
161.000 AFY

This right when combined with all other rights shall provide no more than 3.5
afa per acre for irrigation of the lands above.

PRIORITY DATE: 03/20/1969

POINT OF DIVERSION:

T03S R35E S18 NWNENW Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 10/15

0.900 CFS

161.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R35E S18

NENW

22.0

T03S R35E S18 Lot 1 NWNW

24.0

46 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: License

**PROPERTY IS ALSO KNOWN AS TOVEYWOOD ESTATES WITH 19 LOTS
THAT ARE IRRIGATED FROM THIS WELL.**



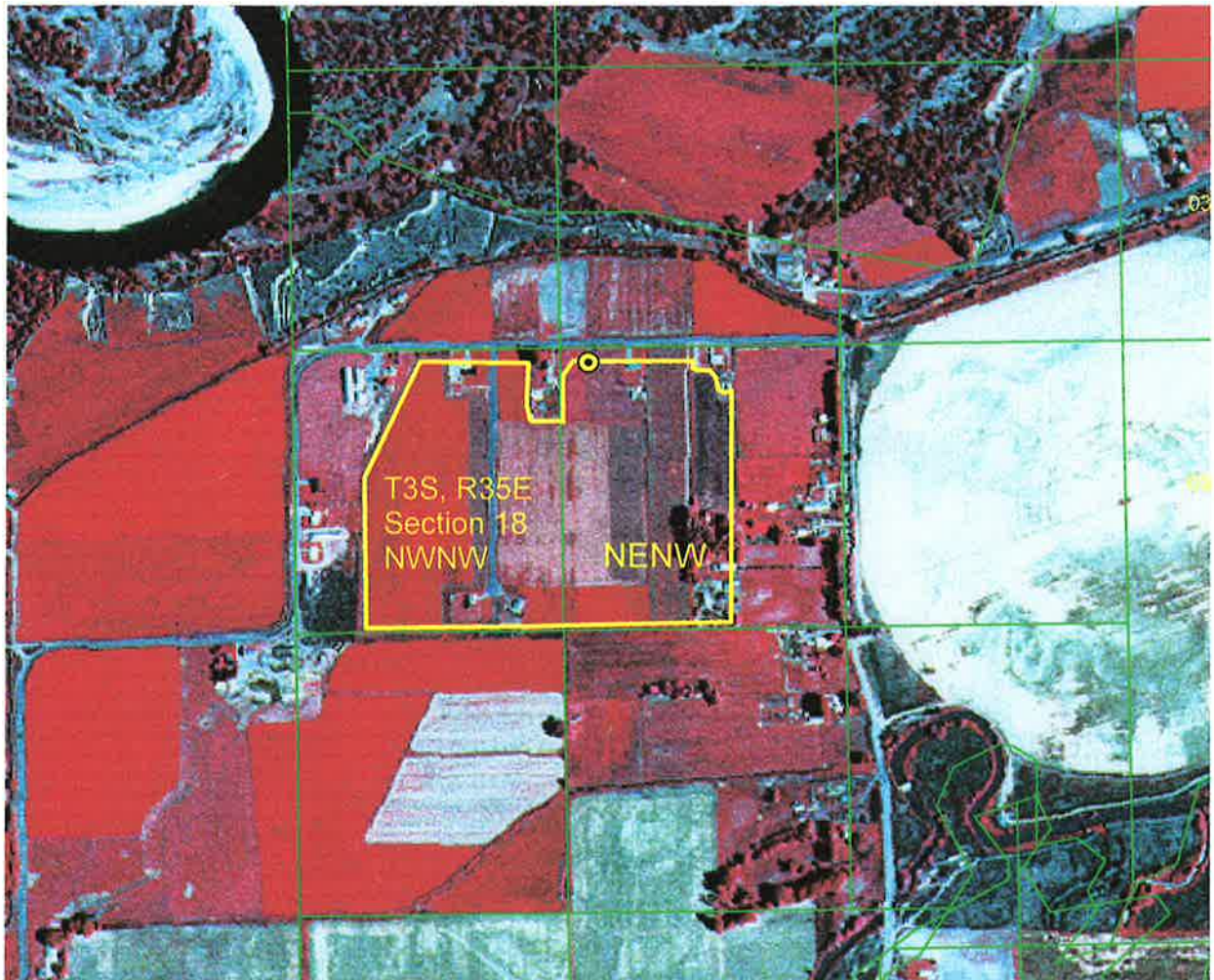
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7006



800 0 800 1600 Feet

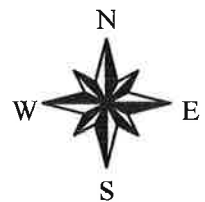
IRRIGATED ACRES 46

LEGEND

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

Place of Use: T3S, R35E:
(part of) Sec. 18, NENW, NWNW

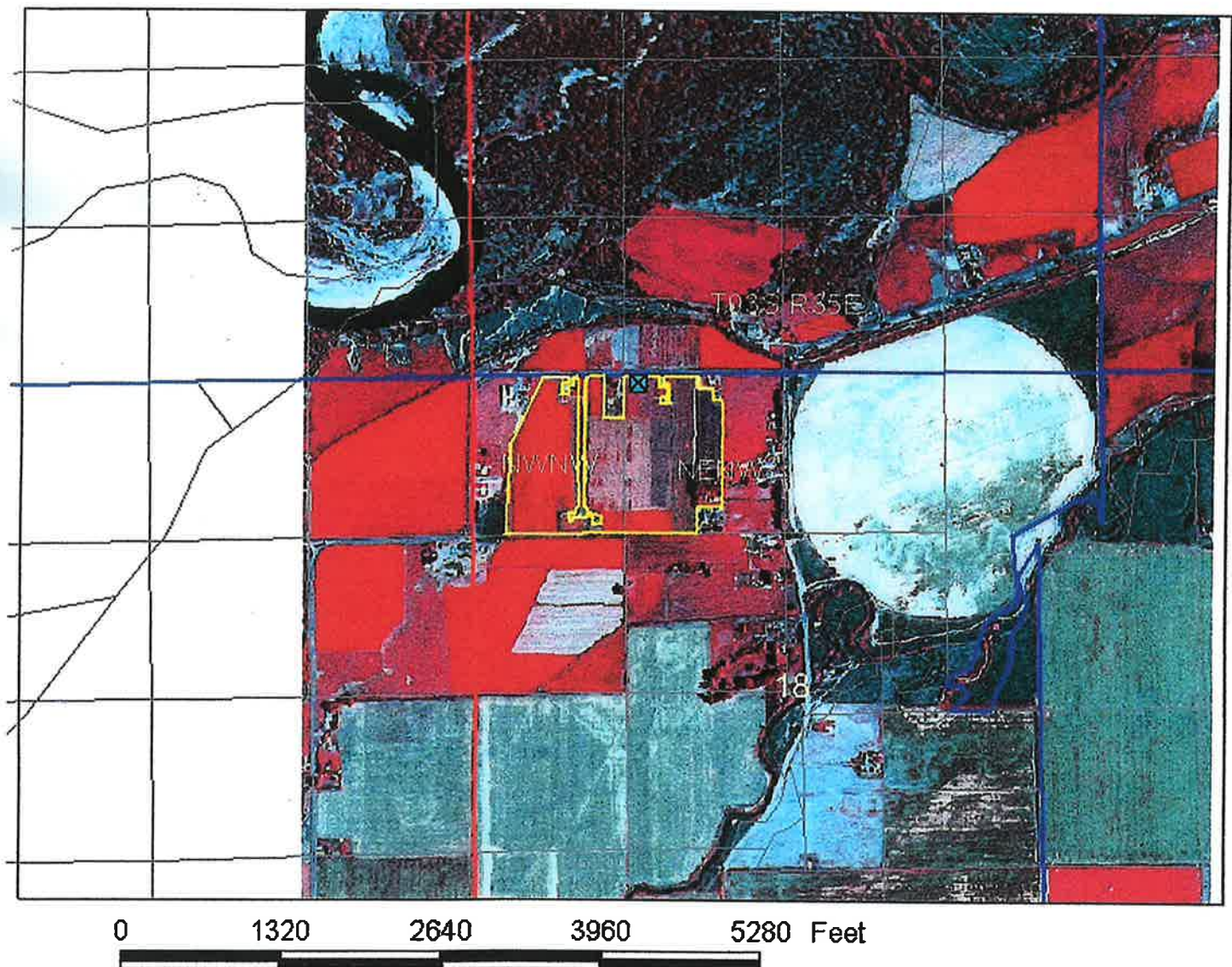
Point(s) of Diversion: T3S, R35E:
Sec. 18, NENW



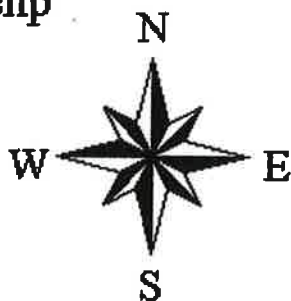
GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: May 2004

Idaho Department of Water Resources

Claim No.: 27-7006



- ☒ Point of diversion.shp
- Place of use.shp
- Township/Range
- Sections
- QQ



1987-88 NAPP Photography
Prepared by: Ernest Carlsen
Date Prepared: June 2005

RECEIVED

MAR 08 2007

Department of Water Resources
Eastern Region

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

In Re SRBA

Case No. 39576

)
)
)
)
)
)
)

Subcase No. 27-7006

STANDARD FORM 5

**STIPULATED ELEMENTS OF
A WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Steven Millington

Date

OBJECTOR(s):

Winona Wissert 3-7-07
Winona Wissert Date

William Wissert 3-7-07
William Wissert Date

IDWR Concurrence:

Ernest Carlsen 3-8-07
Ernest Carlsen Date
Water Resources Program Manager

ABt 1-30-07
Garrik L. Baxter Date
Deputy Attorney General
Attorney for IDWR

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

RIGHT NUMBER: 27-7006

NAME AND ADDRESS:

STEVEN MILLINGTON
3821 N 1500 E
BUHL ID 83316

SOURCE: Source:
GROUND WATER

Tributary:

QUANTITY: 0.900 CFS
161.000 AFY

This right when combined with all other rights shall provide no more than
3.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 03/20/1969

POINT OF DIVERSION:

T03S R35E S18 NWNENW
Within BINGHAM County

EMC *W. W.*
W. W.

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

4/01 10/15

0.900 CFS

161.00 AFY

PLACE OF USE:

IRRIGATION

within BINGHAM County

T03S R35E S18 NENW 20.0

~~T03S R35E S18 NENW 22.0~~

T03S R35E S18 Lot 1 NWNW 26.0
24.0

~~T03S R35E S18 Lot 1 NWNW~~

AB

46 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

PROPERTY IS ALSO KNOWN AS TOVEYWOOD ESTATES WITH 19 LOTS THAT
ARE IRRIGATED FROM THIS WELL.

CERTIFICATE OF MAILING

I certify that on _____, 2007, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P. O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

2. Copies to:

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

STEVEN MILLINGTON
3821 N 1500 E
BUHL, ID 83316
Phone: 208-543-4248

WINONA & WILLIAM WISSERT
579 W 200 S
BLACKFOOT, ID 83221

Signature of person or attorney mailing form



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. HARRIS

February

William & Winona Wissert
579 W 200 S
Blackfoot, ID 83221

Ernie,
I did not send
copies to the list
of names, because
you needed to sign
it. Please let me
know if I need to
do any thing else
Winona
Wissert

RE: Subcase 27-7006 (Millington)

Dear Mr. & Ms. Wissert:

I am enclosing a Standard Form 5 ("SF5") for your review and signature. The SF5 is the form required by the Snake River Basin Adjudication ("SRBA") Court to resolve water right disputes. The revisions to the revised recommendation contained within the SF5 are based on Ms. Wissert's recent discussions with Ernie Carlsen at IDWR's Eastern Regional office. If the SF5 is acceptable, please sign on the indicated signature lines and initial the revised recommendation.

I am also enclosing *Notice of Change in Water Right Ownership* for your completion.

After signing the SF5 and completing the *Notice of Change in Water Right Ownership*, please forward the original documents to Ernie Carlsen at the Eastern Regional office in Idaho Falls. The address can be found on page 2 of the instructions for the change of ownership form.

If you should have any questions or comments, please feel free to contact me at 287-4815.

Very Truly Yours,

Ray Williams
Paralegal

Enclosures

cc: Ernie Calrsen

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
27-1192	040162-9337-6490-yes				

2. The following **REQUIRED** information ~~must be submitted~~ with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) Steve Millington

4. New Owner/Claimant(s) 3821 N 1500E, Buhl ID 83316
Winona Wissant and Bill Wissant
Winona Wissant Bill Wissant

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address 579 W 200 S

City, State and ZIP Code Blackfoot ID. 83221

New Telephone Number (208) 785-5725

5. Date you acquired the property

May 3, 1977

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

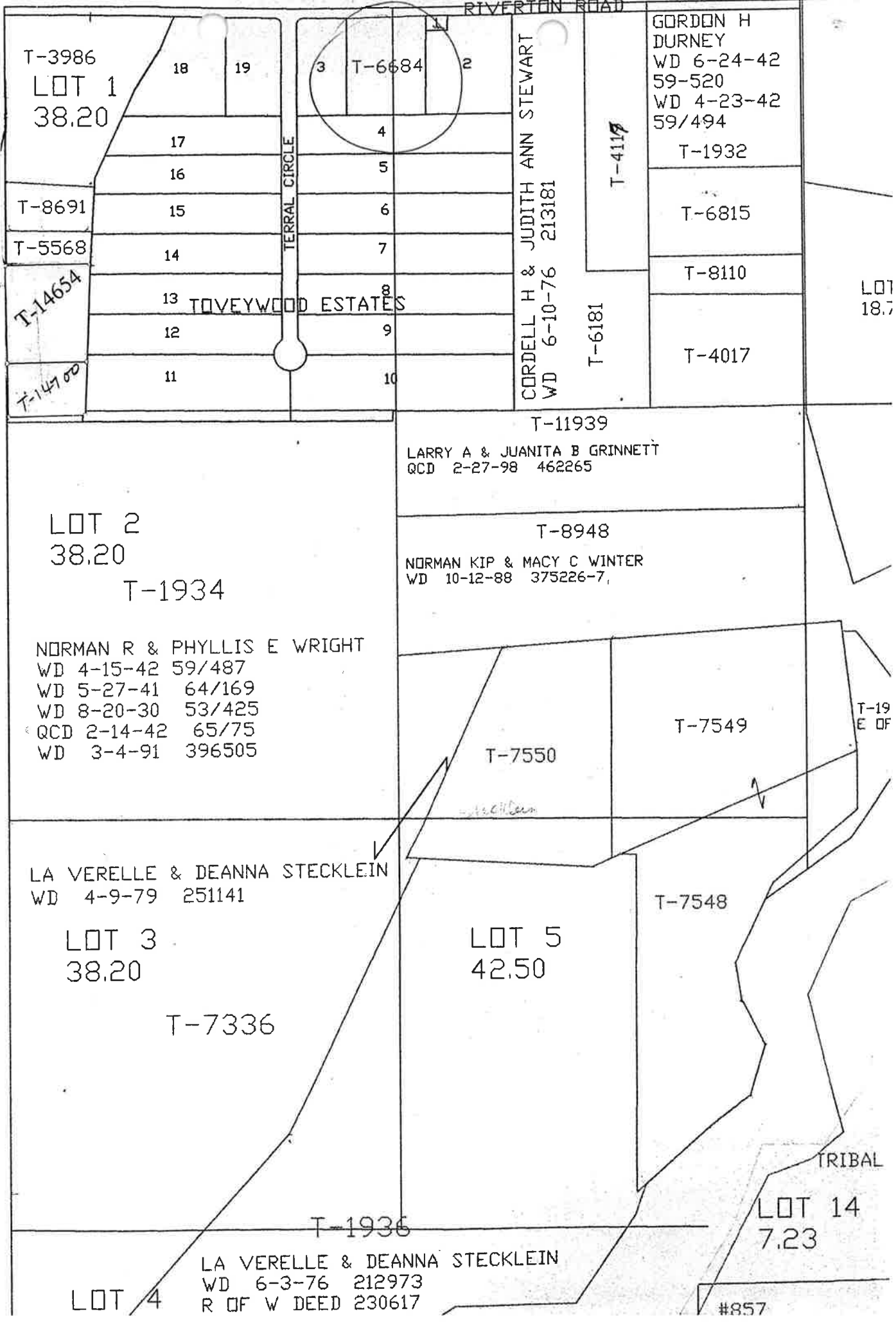
7. **Signature(s) of New Owner(s) or Claimant(s)** _____
 _____ (title if applicable)
 _____ (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____



T-3986
LOT 1
38.20

T-8691

T-5568

T-14654

T-14700

T-6684

TOVEYWOOD ESTATES

CORDELL H & JUDITH ANN STEWART
WD 6-10-76 213181

GORDON H DURNEY
WD 6-24-42 59-520
WD 4-23-42 59/494

T-1932

T-6815

T-8110

T-4017

LOT 2
38.20
T-1934

NORMAN R & PHYLLIS E WRIGHT
WD 4-15-42 59/487
WD 5-27-41 64/169
WD 8-20-30 53/425
QCD 2-14-42 65/75
WD 3-4-91 396505

T-11939
LARRY A & JUANITA B GRINNETT
QCD 2-27-98 462265

T-8948
NORMAN KIP & MACY C WINTER
WD 10-12-88 375226-7,

LA VERELLE & DEANNA STECKLEIN
WD 4-9-79 251141

LOT 3
38.20
T-7336

LOT 5
42.50

T-7550

T-7549

T-7548

T-1936

LA VERELLE & DEANNA STECKLEIN
WD 6-3-76 212973
R OF W DEED 230617

LOT 4

LOT 14
7.23

TRIBAL

#857



Notes

4-14-05 Called Craig's home at 785-1431. (left message)
about the ownership change form Skip
sent him in Nov. of 2003 and another
form in March of 2005. Told him we
needed them faxed back to our office
by Monday, 4-18-05. PB

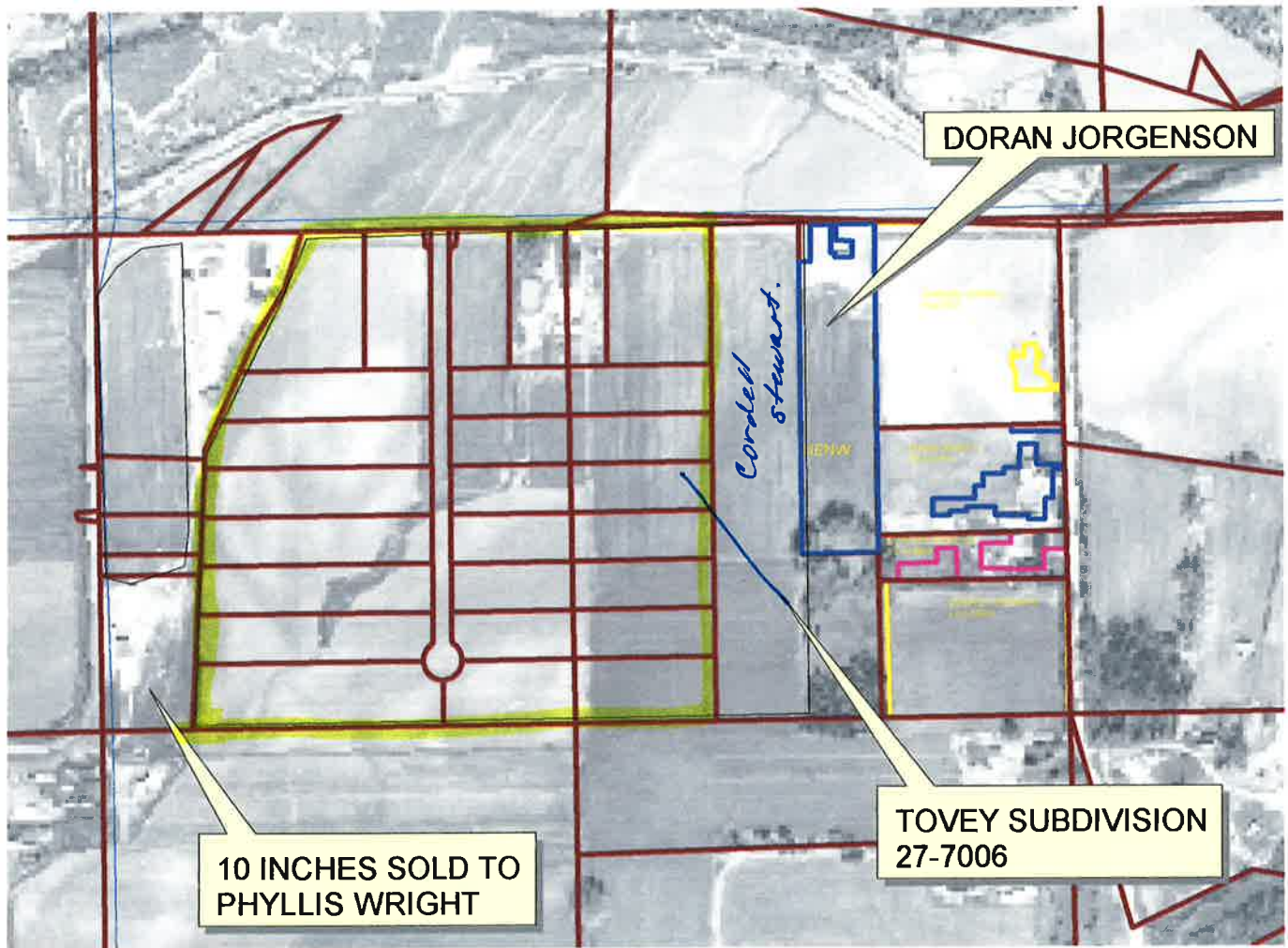
4-19-05 Received ownership change, warranty
deed and map from Craig Rowland. The
warranty deed is only for Lot 16, Block
1 of Tovey Subdivision. The warranty deed
is from John Arch Fairchild. Mr.
Fairchild didn't file the claim. We
have no connection for Fairchild
other than he may be the previous owner
of the individual lot.

Does the State page have the subdivision
listed?

We need the association paper!

6/8/05 27- 11/92 uses the subdivision
well. About 3 years ago he drilled
a new well to irrigate their Port.

TOVEY SUBDIVISION



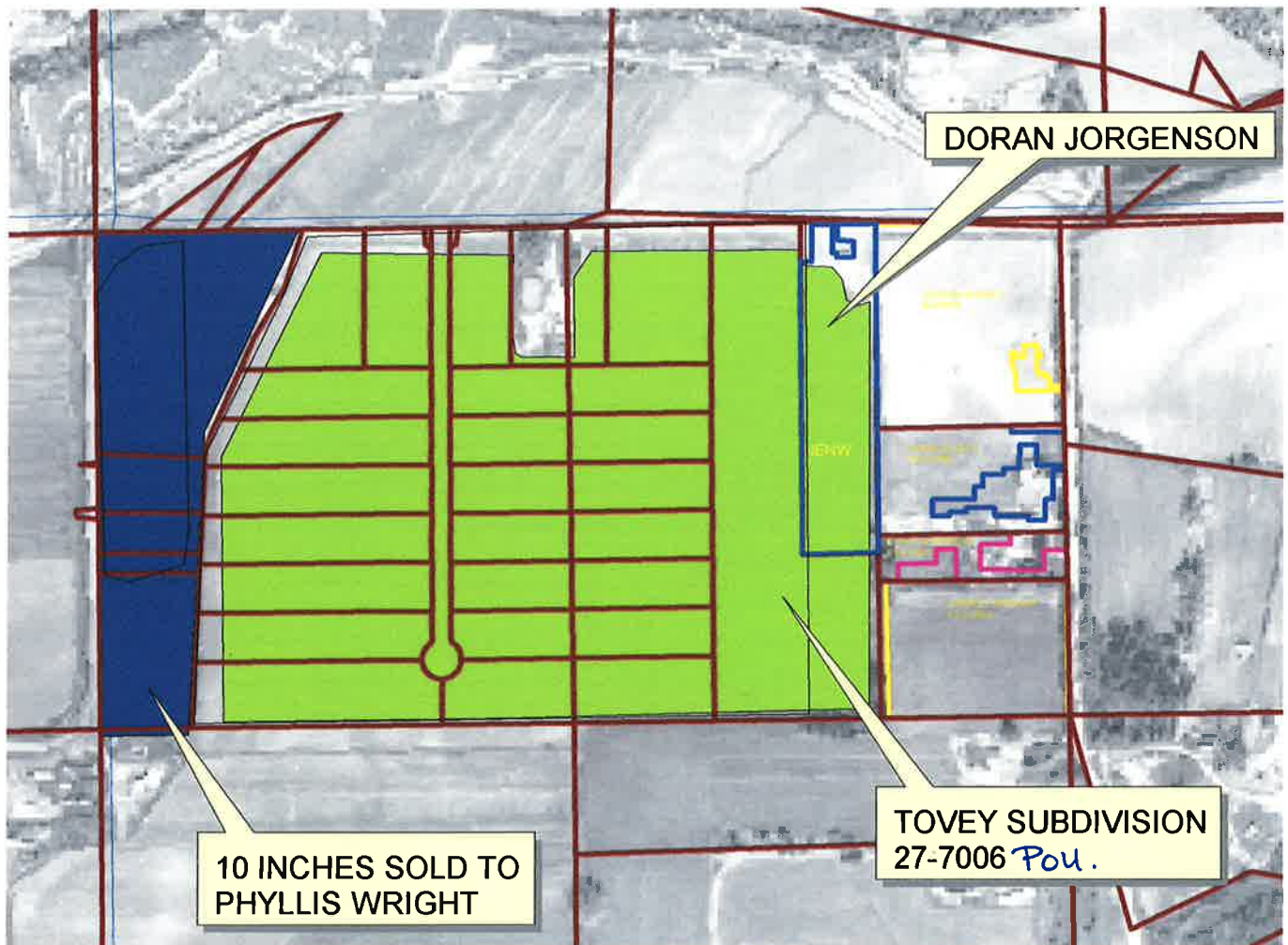
- 27-11199.shp
- Bingham.shp
- 27-10358.shp
- 27-10370.shp
- 27-10357.shp
- 27-10847pod.shp
- 27-10847.shp
- PLSS Section LinesSections.shp
- T03s35e.shp

Terrell Tovey sold the 45 inches of surface water to Theodore Stecklein in 1969 when he drilled the well.



1963 IMAGERY
Illustrated by: C. Bird
March, 2005

TOVEY SUBDIVISION



0.1 0 0.1 0.2 Miles

- 27-11199.shp
- Bingham.shp
- 27-7006.shp
- 27-10358.shp
- 27-10370.shp
- 27-10357.shp
- Dreher 1963.shp
- 27-10847pod.shp
- 27-10847.shp
- PLSS Section LinesSections.shp
- T03s35e.shp

Terrell Tovey sold the 45 inches of surface water to Theodore Stecklein in 1969 when he drilled the well.



1963 IMAGERY
Illustrated by: C. Bird
March, 2005

Notes

5/17/04 No ownership change received by new owners.

Recommend to claimant CB
Link POD, Create a layout base on the
Examiner's Map. CB

* 3/4/05 left a message for Craig Rowlands
at 785-1431 that we need the ownership
change form returned to our office.

Subdivision: add Remark.
Toveywood Estates with 19 lots irrigated
with this well.

3-7-05 Sent claimant out another ownership
change form. PB

3/14/05 The original 46 acres is now
the Toveywood Subdivision plus 2
pieces to the east. One owned by
Cordell Stewart & Doran Jorgensen.
According to Doran there is a pipe
that he can hook a hose to only gets
about 500 gals. from it. So this is also
the place owned by Cordell Stewart &
Doran Jorgensen is under the original POD.
Does Cordell Stewart & Doran Jorgensen need to
file a split?

Does the well still service the 2 places?

Notes

A27-07006

1/ Exam done 11-14-2003

2/ GPS data - 0629293

File # 7006

0230913

GPS Tag A0009077

3/ This area is now occupied by the Toveywood
Estate subdivision. There are 19 lots.

I contacted Craig Rowland + sent him a Change
of Ownership (see 11-17-2003 letter)

All houses have domestic wells but use this
well for irrigation.

Contacts Data Entry Form

Owner Type Full Name Address City State Zip Phone

Current Owner: Steven Millington

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 11-14-2003 Time: _____ done by ship CB

Directions to Property (if different from above) and/or update owner information:

Please verify - new owners were
given ownership change by ship 11-17-03
no response
Recommend to claimants.

Reviewer: CB

Date: 10/2/03

Priority Date Data Entry FormClaim Number: A27-7006

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

License

Reviewer: CBDate: 10/9/03

Priority Date

Claim No. _____

1. Should this water use have been included in a later court decree of the water rights from this source? Yes () No (X)
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes () No ()
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes () No ()
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes () No ()
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes (X) No ()
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes (X) No ()
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes (X) No ()
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes () No ()
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes () No ()
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes () No ()
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes () No ()
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes () No ()
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes () No ()
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes () No ()
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes (X) No ()
If Yes, go to 16
If No, Enter the appropriate basis of claim. *license*
16. Is a Priority Date remark and/or condition required? Yes () No (X)
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Point of Diversion and Source Data Entry FormClaim Number: A27-7006

Water Right Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____,____,____,____. County:_____

Source:_____ Tributary:_____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

licenselink file 7006 for PODTransfers Changing POD noReviewer: CBDate: 10/9/03

Point of Diversion

Claim No. _____

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the POD as shown on the Permit. Go to 10

Yes (☐) No (☐)

4. Does the parent right have a POD?

If Yes, go to 5

If No, go to 6

Yes (☒) No (☐)

5. Can the claimed POD be verified using the water right file?

If Yes, recommend the POD as shown in the water right file. Go to 10

If No, go to 6

Yes (☒) No (☐)

6. Is there evidence that there has been a change in the POD?

If Yes, go to 7

If No, go to 9

Yes (☐) No (☐)

7. Can the change be verified as an accomplished transfer?

If Yes, add condition C03, go to 9

If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8

Yes (☐) No (☐)

8. Was a transfer filed?

If Yes, recommend the POD as shown on the approved transfer. Go to 10

If No, go to 9

Yes (☐) No (☐)

9. Does the file contain all of the necessary information to verify the POD?

If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10

If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10

Yes (☐) No (☐)

10. Is a POD remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. POD review is complete

If No, POD review is complete.

Yes (☐) No (☒)

Source**Claim No.** -

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Source as shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a Source?

If Yes, go to 5

If No, go to 7

Yes (☒) No (☐)

5. Can the claimed Source be verified using the water right file?

If Yes, recommend the Source as shown in the water right file. Go to 11

If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a Posted Notice?

If Yes, consult the attorney assigned to the basin. Go to 7

If No, go to 7

Yes (☐) No (☐)

7. Is there evidence that there has been a change in the Source?

If Yes, go to 8

If No, go to 10

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C02, go to 10

If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9

Yes (☐) No (☐)

9. Did the claimant file a transfer?

If Yes, recommend the Source as shown in the transfer. Go to 11

If No, go to 10

Yes (☐) No (☐)

10. Does the file contain all of the necessary information to verify the Source?

If Yes, recommend the Source as it existed on 11-19-1987. Go to 11

If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11

Yes (☐) No (☐)

11. Is a Source remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Source review is complete.

If No, Source review is complete.

Yes (☐) No (☒)

Place Of Use Data Entry Form

Claim Number: A27-7006☒ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

license, 1987/88 Napp photographyTransfers Changing POU noReviewer: CBDate: 10/9/03

Place of Use**Claim No.** _____

1. Is the basis of claim a Decree or License?

If Yes, go to 2a

If No, go to 2b

Yes (☒) No (☐)

2a. Is a POU required?

If Yes, go to 5

If No, go to 14

Yes (☒) No (☐)

2b. Is a POU required?

If Yes, go to 3

If No, go to 14

Yes (☐) No (☐)

3. Is the basis of claim a Permit or Application?

If Yes, go to 4

If No, go to 7

Yes (☐) No (☐)

4. Has the License been issued?

If Yes, go to 6

If No, recommend the POU as shown on the Permit. Go to 14

Yes (☐) No (☐)

5. Does the parent right have a POU?

If Yes, go to 6

If No, go to 7

Yes (☒) No (☐)

6. Can the claimed POU be verified using the water right file?

If Yes, recommend the POU as shown in the water right file. Go to 14

If No, go to 7

Yes (☒) No (☐)

7. Is there evidence that there has been a change in the POU?

If Yes, go to 8

If No, go to 13

Yes (☐) No (☐)

8. Can the change be verified as an accomplished transfer?

If Yes, add condition C05, go to 13

If No, go to 9

Yes (☐) No (☐)

9. Does the change include an enlargement of the POU?

If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10

If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12

Yes (☐) No (☐)

10. Was an enlargement claim filed?

If Yes, go to 13

If No, notify claimant that an enlargement claim is necessary. Go to 11

Yes (☐) No (☐)

11. Did the claimant file an enlargement claim?

If Yes, go to 13

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

12. Was a transfer filed?

If Yes, recommend the POU as shown on the approved transfer. Go to 14

If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13

Yes (☐) No (☐)

13. Does the file contain all of the necessary information to verify the POU?

If Yes, go to 14

If No, collect the necessary information. Conduct field exam if necessary. Go to 14

Yes (☐) No (☐)

14. Is a POU remark and/or condition required?

If Yes, enter the appropriate remark and/ or condition. POU review is complete.

If No, POU review is complete.

Yes (☐) No (☒)

Purpose of Use Data Entry Form

Claim Number: A27-7006☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

License

Transfers Changing Purpose of Use noReviewer: CBDate: 10/9/03

Purpose of Use

Claim No. _____

1. Is the basis of claim a Decree or License?

Yes (☒) No (☐)

If Yes, go to 4

If No, go to 2

2. Is the basis of claim a Permit or Application?

Yes (☐) No (☐)

If Yes, go to 3

If No, go to 6

3. Has the License been issued?

Yes (☐) No (☐)

If Yes, go to 5

If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13

4. Does the parent right have a Purpose of Use?

Yes (☒) No (☐)

If Yes, go to 5

If No, go to 6

5. Can the claimed Purpose of Use be verified using the water right file?

Yes (☒) No (☐)

If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13

If No, go to 6

6. Is there evidence that there has been a change in the Purpose of Use?

Yes (☐) No (☐)

If Yes, go to 7

If No, go to 11

7. Can the change be verified as an accomplished transfer?

Yes (☐) No (☐)

If Yes, add condition C04, go to 11

If No, go to 8

8. Does the change include an enlargement of the Purpose of Use?

Yes (☐) No (☐)

If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9

If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12

9. Was an enlargement claim filed?

Yes (☐) No (☐)

If Yes, go to 11

If No, Notify claimant that an enlargement claim is necessary. Go to 10

10. Did the claimant file an enlargement claim?

Yes (☐) No (☐)

If Yes, go to 11

If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13

11. Does the file contain all of the necessary information to verify the Water Use?

Yes (☐) No (☐)

If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13

12. Did the claimant file a transfer?

Yes (☐) No (☐)

If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13

If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13

13. Is a Purpose of Use remark and/or condition required?

Yes (☐) No (☒)

If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.

If No, purpose of Use review is complete.

Period of Use and Quantity Data Entry FormClaim Number: A27-7006☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

license

Reviewer: CPDate: 10/9/03

Period of Use

Claim No. _____ - _____

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☒ No ☐
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☐
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18
Yes ☐ No ☐
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6
Yes ☒ No ☐
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6
Yes ☒ No ☐
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12
Yes ☐ No ☐
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8
Yes ☐ No ☐
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11
Yes ☐ No ☐
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10
Yes ☐ No ☐
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes ☐ No ☐
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12
Yes ☐ No ☐
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13
Yes ☐ No ☐
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15
Yes ☐ No ☐
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18
Yes ☒ No ☐
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18
Yes ☒ No ☐
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18
Yes ☐ No ☐
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18
Yes ☐ No ☒
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete.
Yes ☐ No ☒

QuantityClaim No. -

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes (☒) No (☐)

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Quantity shown on the Permit. Go to 11

Yes (☐) No (☐)

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5

If No, go to 7

Yes (☒) No (☐)

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8

If No, go to 7

Yes (☒) No (☐)

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7

If No, go to 7

Yes (☐) No (☐)

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9

If No, describe why a flow measurement is not required. Go to 9

Yes (☐) No (☐)

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10

If No, go to 9

Yes (☒) No (☐)

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10

If No, go to 11

Yes (☐) No (☐)

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes (☒) No (☐)

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, go to 12

Yes (☐) No (☐)

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.

If No, quantity review is complete.

Yes (☒) No (☒)

Summary

Claim No. -

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?

If Yes, go to 2

If No, go to 3

Yes (☒) No (☐)

2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?

If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4

If No, status will be set as Active. Go to 5

Yes (☐) No (☒)

3. Is the water being used for all of the purposes claimed and to the extent claimed?

If Yes, status will be set as Active. Go to 5

If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4

Yes (☐) No (☐)

4. Is any portion of the claim being recommended?

If Yes, status will be set as Active. Go to 5

If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5

Yes (☐) No (☐)

5. Is an additional remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Go to 6

If No, go to 6

Yes (☒) No (☐)

6. Would you like to view the recommended right?

If Yes, go to 7

If No, the review is incomplete. The recommendation must be viewed to complete the review.

Yes (☒) No (☐)

7. Is this a "split" or "combined" right?

If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8

If No, go to 8

Yes (☐) No (☒)

8. Do you have documents you would like to attach or link to the file?

If Yes, go to PowerDOCS and profile the documents. Go to 9

If No, go to 9

Yes (☐) No (☒)

9. Would you like to set the verification date?

If Yes, the review is complete.

If No, the review is incomplete. The recommendation must be verified to complete the review.

Yes (☒) No (☐)

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18
~~DOT Qty Cond~~
R62 Qty Cond

Split or Combined Right Analysis:

no

Attached Field Notes or Other Documents:

none.

Claim No.:

27-7006

Reviewer

CB

Date

10/9/03



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

30 June 2005

William Wissert
579 West 200 South
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Amended Preliminary Recommendation 27-11192

Subject: AMENDED NOTICE OF ERROR

Response Date: 29 JULY 2005

Dear Claimant (s):

Enclosed herein is the Amended Notice of Error for the above referenced claim. Our recommendations to the SRBA Court are based on the status as of the commencement of the adjudication on November 19, 1987. The property located in the NENW of Section 18 was licensed under 27-7006, with a March 20, 1969 priority date. The Point of Diversion (POD) for that license is located in the NWNENW of Section 18. Therefore, the 0.9 acres and the POD located within the NENW claimed by you is being recommended to the Court under license 27-7006.

The above referenced claim number is limited to the irrigation of 0.3 acres of land located in the NWNW of Section 18 with the POD being in the NWNW and not in the NENW. Upon further investigation, the priority date that IDWR is recommending to the Court for your claim is January 1, 1910. This date was also confirmed by the County's Assessor's Office as being when the house was originally built.

After the Director's Report is submitted to the Court later this year, you will have to go to our Idaho Falls office and file a transfer to split 27-7006 and add your well in the NWNW as a POD to irrigate the 0.9 acres in the NENW of Section 18.

I am enclosing IDWR's Preliminary Recommendation and the Notice of Error. Please sign and return the Notice of Error by the above response date. If you have any questions, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp
Enclosure:

Notice of Error
Preliminary Recommendation
Claim 27-11192 layout
Claim 27-7006 layout

Cc: Roger Warner, IDWR, Idaho Falls
Claim No.: 27-7006

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
27-7006					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Steven Millington
 3821 North 1500 East, Buhl

4. New Owner/Claimant(s)

TOVEY WOOD ESTATES

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

211 S. 585 W

City, State and ZIP Code

BLAINE, ID 83421

New Telephone Number

(208) 285-1431

5. Date you acquired the property

JUNE 1990



6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Togeyway ESTATES
by & hold

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

32089

WARRANTY DEED

419301

For Value Received JOHN M. FAIRCHILD and TAMI FAIRCHILD, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto CRAIG T. ROWLAND and LISA ANN ROWLAND, husband and wife whose address is: 211 SOUTH 888 WEST, BLACKFOOT, ID. 83221

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

Lot 16 in Block 1 of Toveywood Estates, Division No. 1, Bingham County, Idaho, according to the recorded plat thereof, recorded as Instrument No. 252521.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: OCTOBER 1, 1993

John M. Fairchild
JOHN M. FAIRCHILD

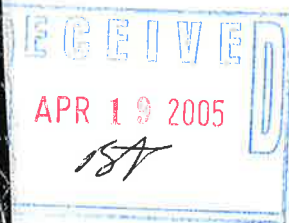
Tami Fairchild
TAMI FAIRCHILD

STATE OF IDAHO)
COUNTY OF BINGHAM) ss.

On this 1ST day of OCTOBER, 1993, before me the undersigned, a Notary Public in and for the said county and state, personally appeared JOHN M. FAIRCHILD and TAMI FAIRCHILD, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.



Anna M. [Signature]
Notary Public for Idaho
Residing at: BLACKFOOT ID
My Commission Expires: 05-20-94



419301

1218250

32089

THIS DEED
CRAIG T ROWLAND

("Borrower")

("Trustee").

which is original
address is M

EIGHTY FIVE

This debt is
monthly pay
This Security
extensions to
protect the
Security Ins
sale, the fo
LOT 16 I
COUNTY,
AS INSTR

THIS IS
TAX STATE
P.O. BOX

which has
Idaho

IDAHO-SI
WMP-6RI



APR 10 2005

By

W 200 S

S 565 W

S 600 W



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Craig Rowland
Toveywood Estates
211 South 585 West
Blackfoot, ID 83221

March 7, 2005

Re: Snake River Basin Adjudication (SRBA)
Claim: 27-7006

Subject: Ownership Change

Response Date: March 21, 2005

Dear Claimant(s):

Please find enclosed the change in ownership form for a water right on 46 acres. Before IDWR can modify their records to reflect your ownership of the property, they need form 42-248/42-1409(6) completed, signed and returned.

In the adjudication review process there is no filing fee. However, we will need a copy of the plat, survey map or aerial photo with the appropriate area marked and a copy of your warranty deed.

Respectfully,

Pauline Bassett

enclosure: form 42-248/42-1409(6) "Change in Water Right Ownership"

COPY

Nov. 17, 2003

Craig Rowland
211 S. 585 W.
Blackfoot, ID 83221

Mr. Rowland:

I had called your home about the ownership change for Adjudication Claim A27-07006 for a water right on 46 acres. Mrs. Rowland asked me to send you the paper work and indicated your subdivision group would meet to discuss this situation.

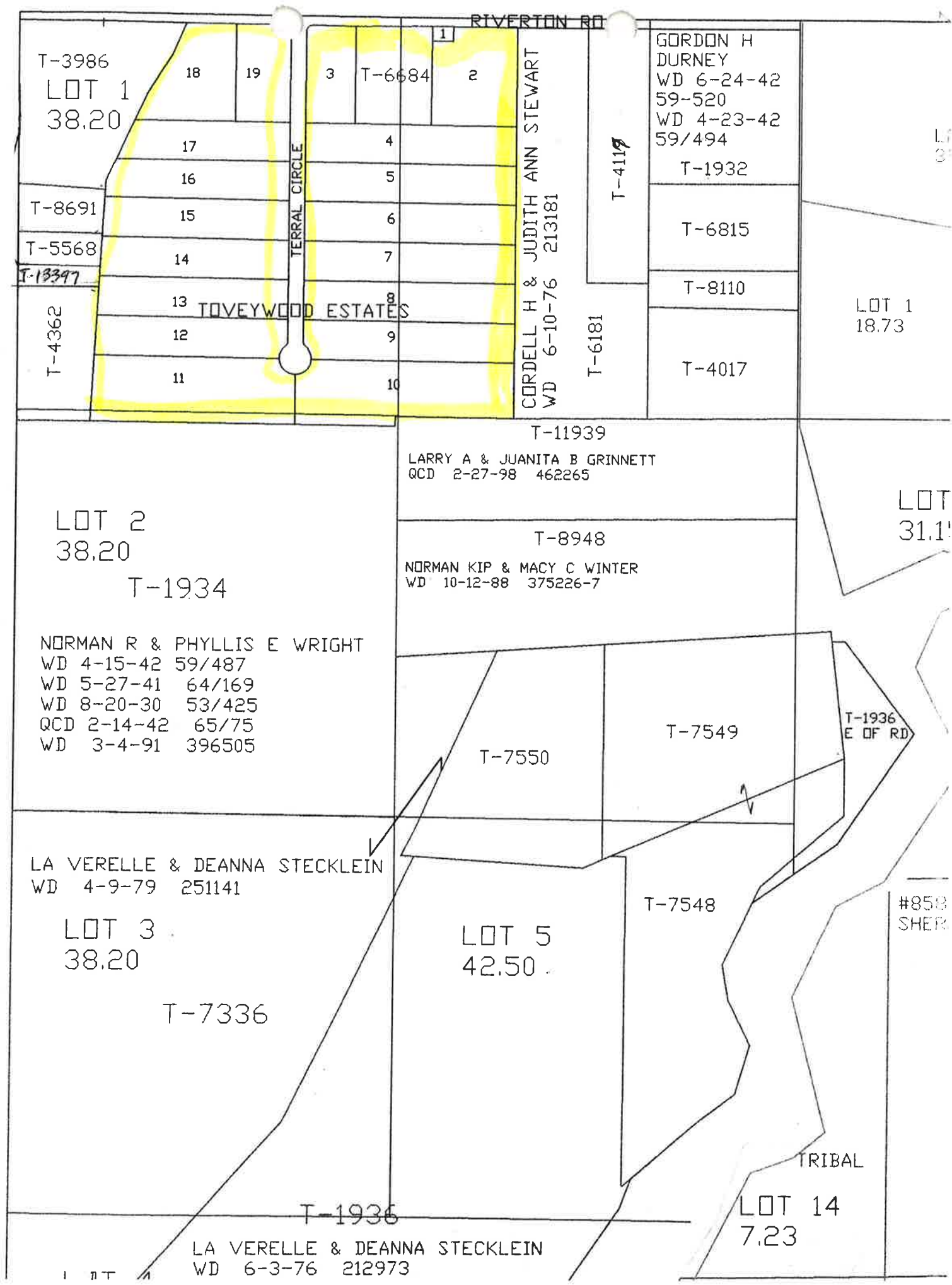
I have included a Change of Ownership form, an air photo (circa 1987) and a copy of the original water right license. I will need you folks to complete the requirements listed on the Change of Ownership form and outline on the map what acres the subdivision occupies.

An officer of the water users group will have to sign the form and send all paperwork to the IDWR Soda Springs office. Please see the return address on the envelope.

It might be helpful if you gave me a call and I can explain the details a bit better. My home phone is 523-7240 and my cell is 589-6145.

Sincerely,

Harold W. Jones



RIVERTON RD

T-3986
LOT 1
38.20

18

19

3

T-6684

2

1

GORDON H DURNEY
WD 6-24-42 59-520
WD 4-23-42 59/494

T-1932

T-6815

T-8110

T-4017

LOT 1
18.73

LOT
31.1

T-1936
E OF RD

#858
SHER

TRIBAL

LOT 14
7.23

TERRAL CIRCLE

CORDELL H & JUDITH ANN STEWART
WD 6-10-76 213181

T-4119

T-6181

T-11939

LARRY A & JUANITA B GRINNETT
QCD 2-27-98 462265

T-8948

NORMAN KIP & MACY C WINTER
WD 10-12-88 375226-7

LOT 2
38.20

T-1934

NORMAN R & PHYLLIS E WRIGHT
WD 4-15-42 59/487
WD 5-27-41 64/169
WD 8-20-30 53/425
QCD 2-14-42 65/75
WD 3-4-91 396505

LA VERELLE & DEANNA STECKLEIN
WD 4-9-79 251141

LOT 3
38.20

T-7336

LOT 5
42.50

T-7550

T-7549

T-7548

T-1936

LA VERELLE & DEANNA STECKLEIN
WD 6-3-76 212973

LOT 16
15.64

PELL

JANE
GE

NORTH BANK OF THE SNAKE RIVER AS PER MAY 1879 SURVEY

PLACEMENT OF RESERVATION PORTION OF THE SECTION

785-1431

TOVEYWOOD ESTATES					
LOT 1 (WELL)	Paul S & Margaret Thompson 1/2 Steve & Margaret Thompson	WD	1-30-75	197784	
2	Kerry M & Denise C Thurst	WD	1-5-90	386458	
3	Shane C / Shelle D Kerner	W	3-9-01	499193-94	
4	Kurt S & Louise Jean Thompson	WD	3-28-90	388505	
5	~~DA~~	~~DA~~			
6	Wade & Shirley Virginia 7857153	WD	12-30-96	450429	
7	Bart & Pam Nilsen	WD	1-4-98	4111333	
8	Scott & Denise Stecklein	WD	11-14-01	506006	
9	Diana & Tad Stoker 785-7972	WD	10-5-01	504879	
10	Monte R & Kim Peterson	WD	1-8-93	412683	
11	Douglas W & Janet W Edington	WD	10-3-81	286224	
12	~~DA~~ 785-4810	WD	9-4-91	401078	
13	Janet Whitman Edington	WD	12-29-97	460443	
14	Tad & Diana Stoker	WD	6-14-94	436545	
15	~~DA~~	~~DA~~			
16	Craig T & Lisa Ann Kendall 785-1431	WD	16-1-93	419301	
17	Steven Gary & Myrnette W Ellis	WD	7-29-94	427868	
18	John C & Margaret A Connor	WD	7-6-93	416930	
19	~~DA~~	~~WD~~	1-4-85	329452	

Toussard Estates
Water Association
c/o Craig Rowland

211 S. 585 W.
Blackfoot, ID

A27-07006 - looking South



GPS
Tag

A27-0700C



A 27-07006



A27-07006



TO: Skip

SUBJECT: 27-7006./P04

FROM: Cindy

DATE: 10/9/03

Please verify the owner and find out what is being irrigated. It looks like there is a piece in the NENW that now has a house. Was that piece sold?

~~May~~ Need to get an ownership change,
w/ Terrell Tovey

() For your information

☒ Response required

CB
signature

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 27-7006 Priority March 20, 1969 Amount 0.90 cfs

THIS IS TO CERTIFY, that TERREL R. TOVEY
of Hermiston, Oregon, has complied with the terms and conditions of Permit
No. 27-7006 issued pursuant to Application for Permit dated March 20, 1969,
and has submitted proof to the Department of Water Resources on April 29, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.56 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 15</u>	at <u>0.90</u> cfs and	<u>161 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>3.5 af per acre</u>
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.90 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

161 acre feet per year, said waters to be diverted within the NE 1/4 NW 1/4 of Sec. 18,

Twp. 3 S, Rge. 35 E, B.M. in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.																	Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3 S	35 E	18					22	24											46

Total number of acres irrigated 46

A measuring device of a type approved by the Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 5 day of
February, 19 75.

Director

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

04/24/2003

WATER RIGHT NO. 27-7006

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TERREL R TOVEY RT 1 BOX 80 HERMISTON, OR 97838

Priority Date: 03/20/1969

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	10/15	0.9 CFS	161 AFA
Total Diversion			0.9 CFS	161 AFA

Location of Point(s) of Diversion:

GROUND WATER	NENW	Sec. 18	Township 03S	Range 35E	BINGHAM County
--------------	------	---------	--------------	-----------	----------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
03S	35E	18		NENW	22		NWNW	24						

Total Acres: 46

Conditions of Approval:

1.	R01	A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
----	-----	--

Dates:

Licensed Date: 08/01/1979

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

SCANNED

JUL 18 2001

Log for claim 27-07006

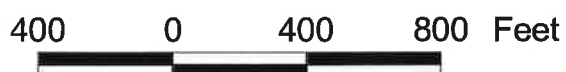
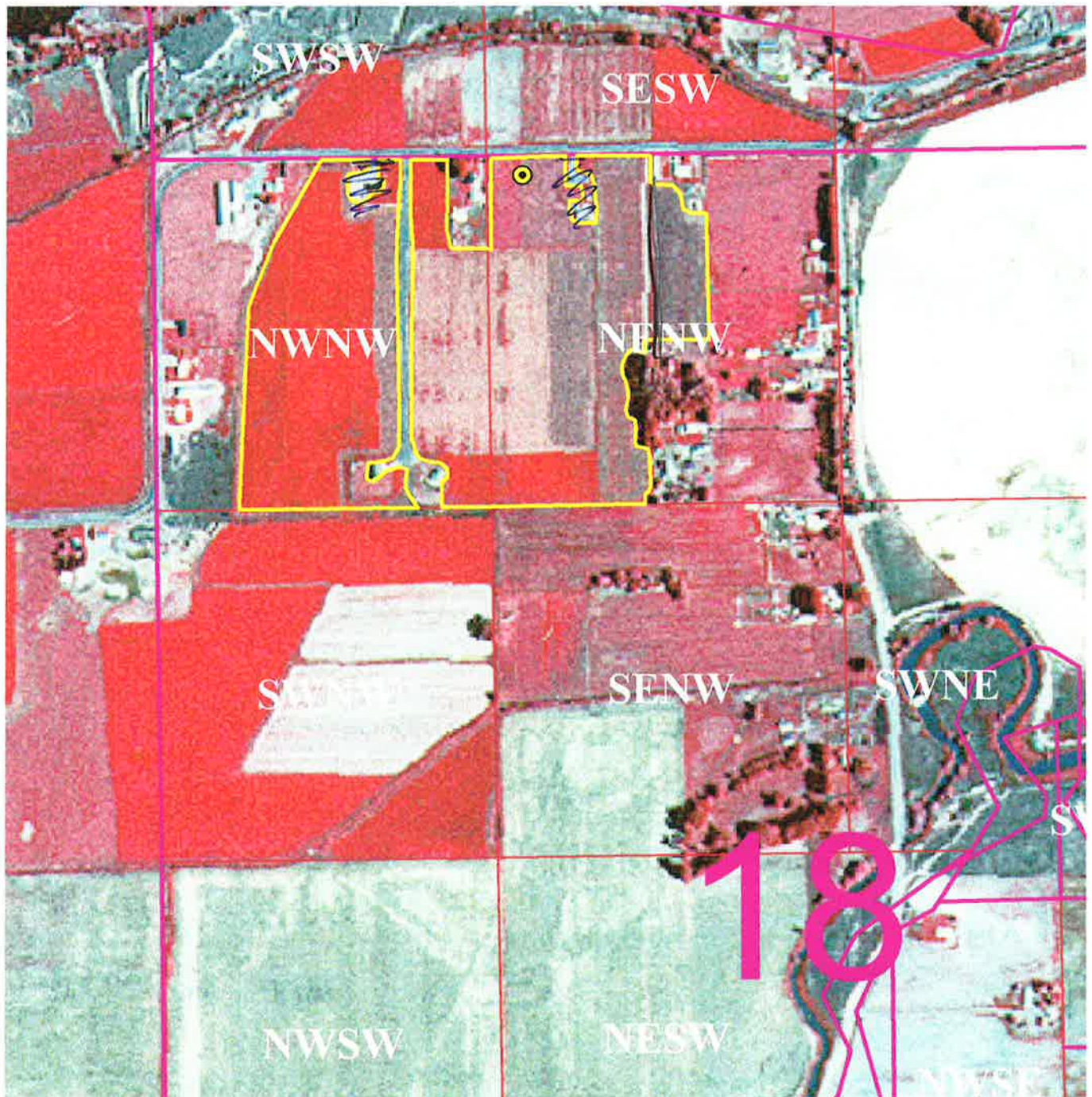
Spatial Dynamics LTD

12/27/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03s35e	18	NENW	22	20	
03s35e	18	NWNW	24	23	
Totals:			46	43	

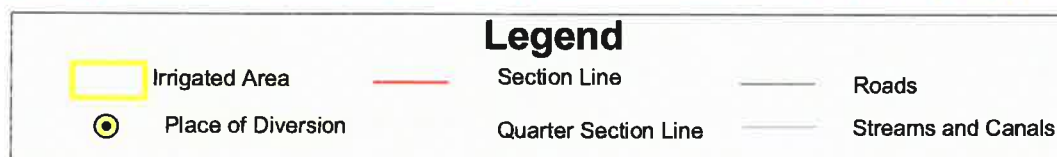
Water Right Claim Number 27-07006
Township , 3S35E

12/27/2000



Water Right Claim Number 27-07006
Township , 3S35E

12/27/2000



400 0 400 800 Feet



Identification No. 27-7006

Application No. _____

NO. 11
LICENSING

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant TERREL R. TOVEY
post office address Route 3, Box 63, Blackfoot, Idaho
2. Source of water supply Underground Water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18 Township 35
Range 35E B.M. Bingham County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.90^{cfs} for irrigation purpose from April 1 to Oct 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.90^{cfs} 45 inches cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, (pumps) headgates, etc. Pump will Sprinkle 45 Acres.
20 HP Layne Turbine pump
with 60 ft 5" x 3" x 1 1/4" Column + shaft, 4 stage 10"
RVC Boots, 5' pipe + strainer
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 10 inches; proposed depth of well is 80 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years ^{Draw}
b. Estimated construction cost is \$ 3000 - well, pump + motor
4000 - Spr. System
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

27-7006

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3-S	35E	18					16	30											46

Total number of acres to be irrigated 46

c. Describe any other water rights used for the same purposes _____

9. a. Who owns the property at the point of diversion TERREL R. TOVEY (Mtn. to Utah Mtn. + Laramie)

b. Who owns the land to be irrigated or place of use TERREL R. TOVEY

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks I have a sale for my present water right out of the Blackfoot River (1884 Stevens Decree) and want to drill a well to sprinkle ^{this} 46 Acres.

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Terrel R. Tovey

Post office address Route #1, Box 80, Hermiston, Oregon 97838

Person to contact

Phone

Phone

2. Source of water supply: Groundwater ☒ Surface water ☐

Tributary to

3. Water will be used for the following purposes:

Amount 0.90 c.f.s. for irrigation
 AF/Annum ()

Period of Use: from Apr. 1 to Oct. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum _____ (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 0.90 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3S N/S, Range 35E E/W, B.M., Section 18, Subdivision NE $\frac{1}{4}$ NW $\frac{1}{4}$, **Bingham**
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Other Points of Diversions:

Description of diverting works: Well, pump, motor & sprinkler system.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

46

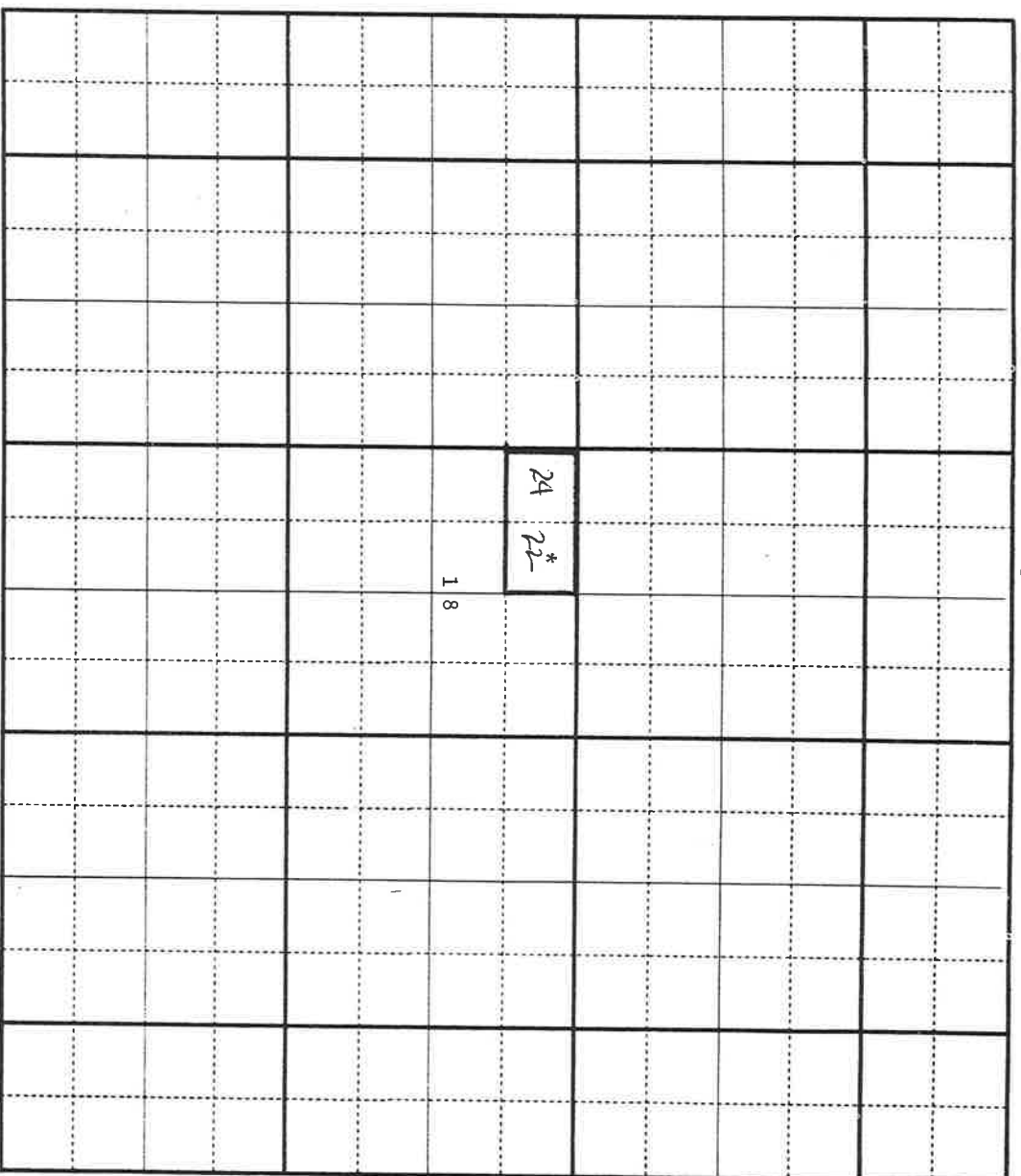
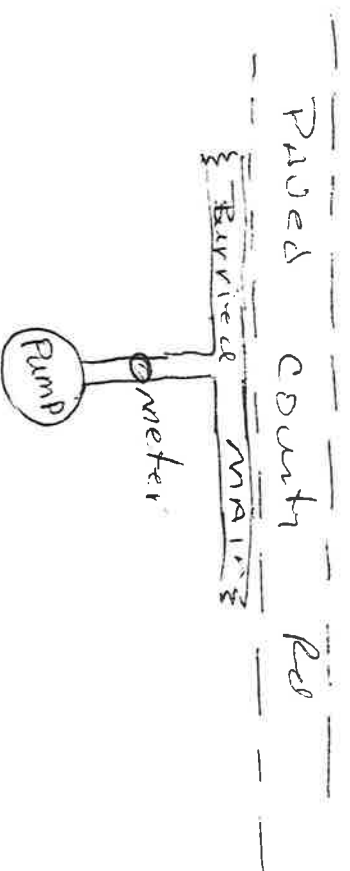
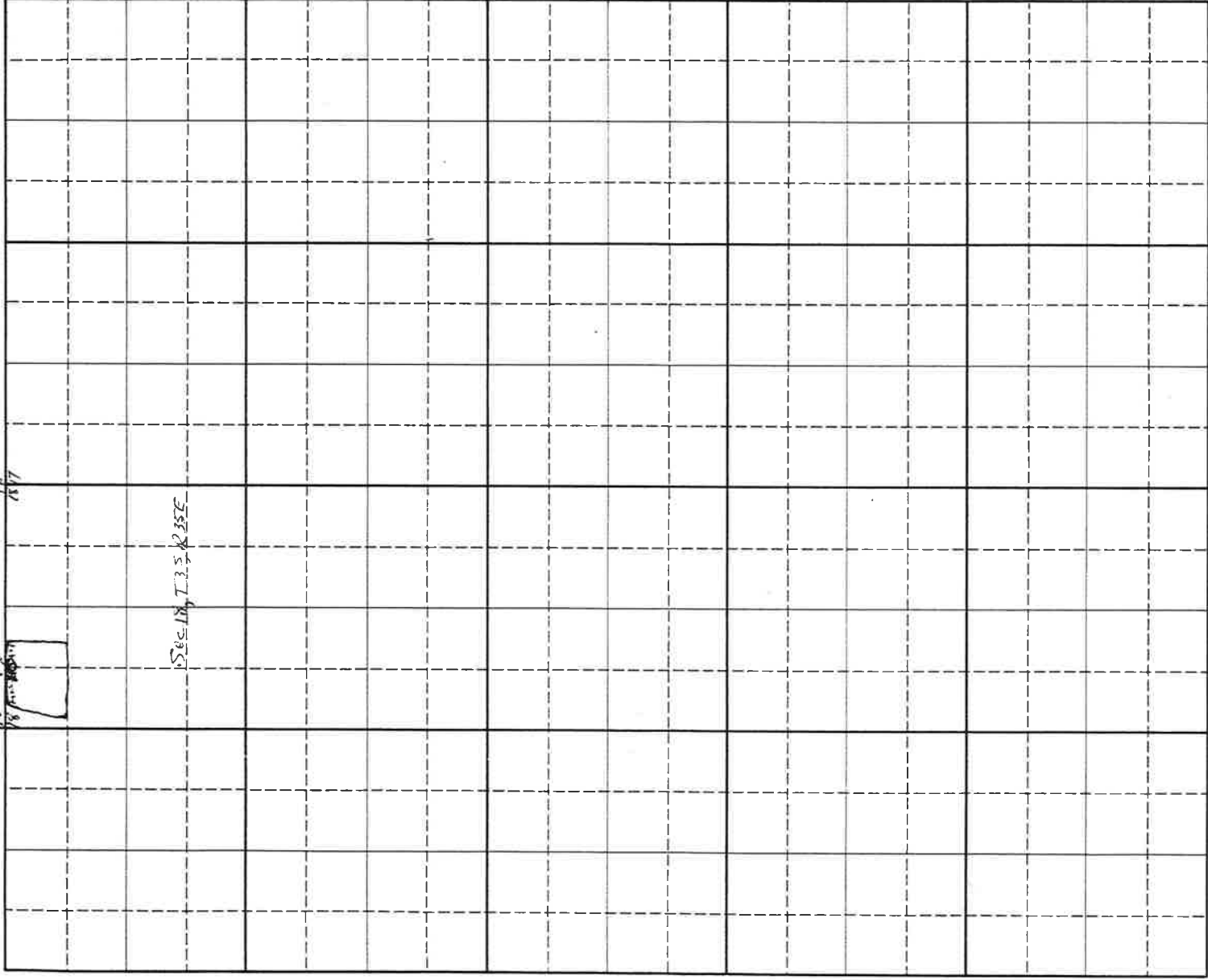


Diagram of System

TOP
N



11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Terrell R. Tracy
(Applicant)

27-7006

Received by AS Date 3-20-69 Time 10:00 AM
Preliminary check by DeW Fee \$ 20.00 3-20-69
Receipted by ef Date 3-20-69
Publication prepared by ho Date 4-4-69
Published in Blackfoot News
Publication dates 4-10-4-17-69
Publication approved to Date 4-8-69
Priority reduced to _____ Reason _____

Protests filed by: None 5-7-69

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by R.H.

PMC

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7006, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 74.
- c. Other: The applicant shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. This permit is supplemental to all prior rights.

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

Witness my hand this 12th day of May, 19 69.

P. Kirk Higgins
State Reclamation Engineer

DATE OF EXAM Aug 12, 1979

ACREAGE
Found 46
Recommended 46

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 190 c.f.s. V = 161 AF/Ann. from Apr 1 to Oct 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: N.A.
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1.56 cfs Method of measurement In line Meter

Total Q recommended 190 cfs Meter No 10553 Type Rockwell Condition Good

Total V recommended 161 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

$43.56 \text{ cu ft H}_2\text{O} / 28 \text{ sec} = 1.56 \text{ cfs}$
 $46 \text{ Ac} \times 3.5 \text{ AF/Ac} = 161 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

G.E. 20 Hp ser # PRJ226057
CAYNE & BOWLER Pump. No Serial Number
6" Steel main 10' north then Buried main E-West
3 laterals with 11/2" galv. 96' total

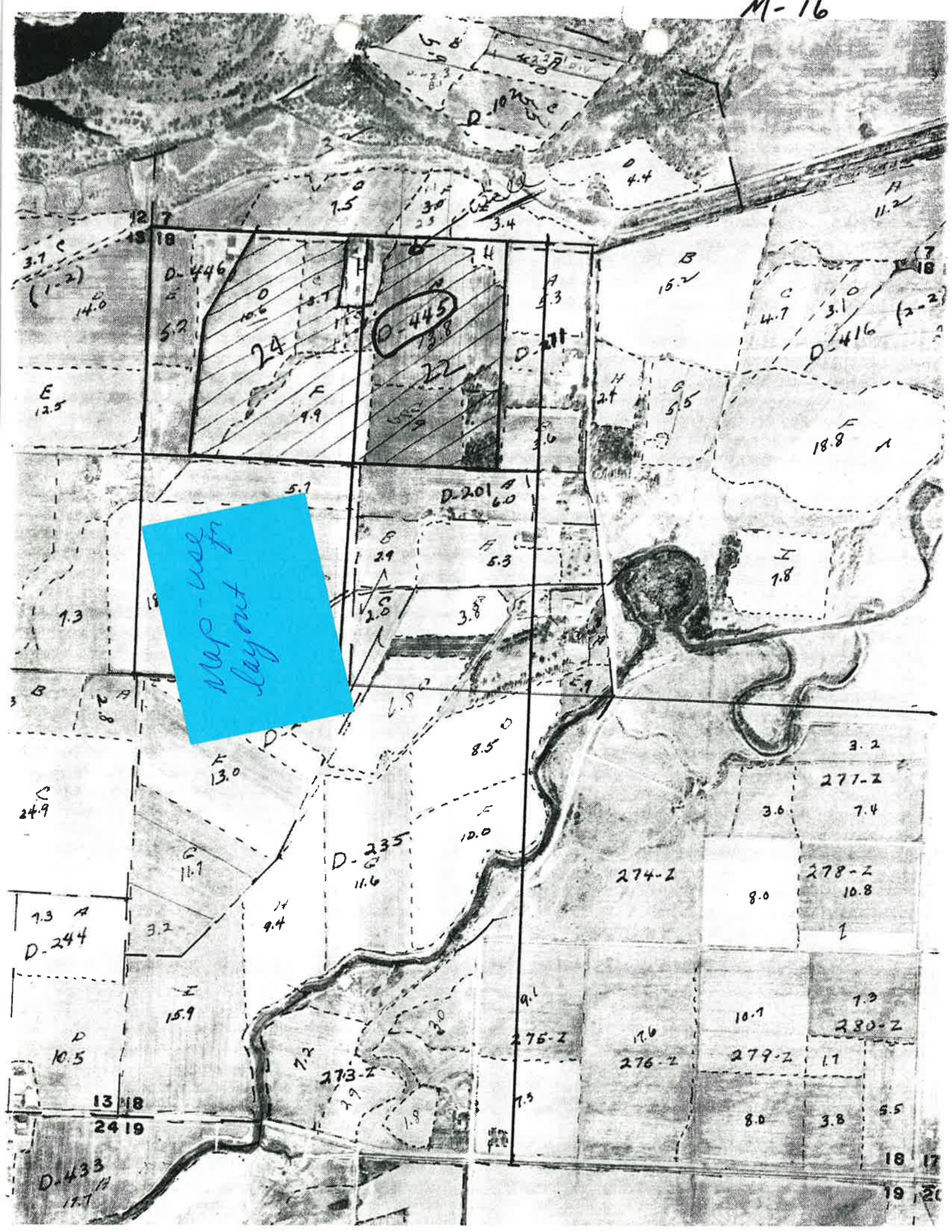
REMARKS:

No one present during time of Exam

Examiner's Signature Bill Rhoads Date Aug 12, 1979

Checked by Loren C. Halmer Date Oct 8, 1979

Approved by _____ Date _____



10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME MILLINGTONCLAIM I. NO. A27-07006DATE RECEIVED 2/9/89CK # 3248AMOUNT \$ 96⁰⁰

1. Is the name and address complete with zip code?

YES

NO

2. Is a priority date entered?

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered?

(b) Is a tributary to entered? (if required)

N/A

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?

N/A

Is the consumptive use correct?

N/A

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.

N/A

10. Is (are) the place(s) of use entered?

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.)

N/A

15. Is the basis of the claim checked?

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)

Has the claim been signed, sealed, and dated by a notary?

Was this claim filed on time, or was an extension granted?

Is the fee enclosed correct?

Exempt

If this claim is based on an existing water right, has the identification number been entered?

N/A

Should this claim be receipted and data entered?

Claim checked by:

TO MICROFILMED

NOV 12 1992

E005732

Comments:

JUL 18 2001

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: A27-07006
Date Received: 2/09/1989
Receipt No: E005732
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVEN MILLINGTON
Address: 3821 N. 1500 E.
BUHL, ID

208-543-4248

83316

2. Date of Priority: MAR 20, 1969

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	35E	18		NE	NW		BINGHAM

5. Description of diverting works:
WELL, 12" CSG, 125' DEEP, PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.900		161.00

7. Total Quantity Appropriated is:
0.900 C.F.S. (and/or) 161.00 A.F.A.

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

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	35E	18		NE	NW	IRR	22.0
				NW	NW	IRR	24.0
						Section Acres	46.0

A27-07006

Page

1

Date: 02/10/89

A2707006



MICROFILMED
NOV 12 1992

10. Place of Use: Continued

Total Acres 46.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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 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 A27-07006
Date Received 2/9/89
Receipt Number E005732

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB - 9 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) STEVEN MILLINGTON Phone (208) 543-4248

Mailing Address 3821 No. 1500 E. Buhl ID Zip 83316

2. Date of Priority (Only one (1) per claim) 3/20/1969

3. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 3S Range 35E Section 18,
NW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of BINGHAM

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

WELL 12" CSG 125' DEEP
PUMP TO SPRINKLERS

MICROFILMED
NOV 12 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 10/15 amount 0.9 or 161

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.9 (cfs) and/or (b) 161 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3S	35E	18					22	24											46

Total number of acres irrigated 46

11. In which county (ies) are lands listed above as place of use located? BINGHAM

12. Do you own the property listed above as place of use? Yes / No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (/)

14. Remarks:

MICROFILMED

NOV 12 1992

Last Name MILLINGTON Ident No. A27-07006

Copies: White -State, Yellow-Claimant

MILLING

A 27-07006

NOV 12 1992

MICROFILMED

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) [Signature] Date FEB 7, 1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 7th day of February 19 89

SEAL

Notary Public Connie F. Foker

Residing at Twin Falls

My Commission Expires Lifetime

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
NOV 12 1992

Last Name MILLINGTON Ident. Number A27-07006

Copies White-State, Yellow-Claimant