

02/13/2004

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

**RIGHT NUMBER: 27-7073**

NAME AND ADDRESS: LEWIS BROTHERS INC  
C/O DIGGS LEWIS  
PO BOX 3301  
ALPINE WY 83128

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.790 CFS  
1,107.00 AFY

PRIORITY DATE: 02/11/1977

POINT OF DIVERSION:  
T06S R42E S15 NESWNW Within CARIBOU County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>           |
|-----------------------|----------------------|---------------------------|
| IRRIGATION            | 04/01 11/01          | 3.790 CFS<br>1,107.00 AFY |

PLACE OF USE: IRRIGATION Within CARIBOU County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T06S R42E S15 | SWNE | 15.0 | T06S R42E S15 | NENW | 9.0  |
| T06S R42E S15 | NWNW | 36.0 | T06S R42E S15 | SWNW | 32.0 |
| T06S R42E S15 | SESW | 25.0 | T06S R42E S15 | NESW | 26.0 |
| T06S R42E S15 | NWSW | 31.0 | T06S R42E S15 | SWSW | 25.0 |
| T06S R42E S15 | SESW | 31.0 | T06S R42E S15 | NESE | 25.0 |
| T06S R42E S15 | NWSE | 39.0 | T06S R42E S15 | SWSE | 37.0 |
| T06S R42E S15 | SESE | 38.0 |               |      |      |

369 ACRES TOTAL

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

This right is subject to all prior water rights and may be forfeited by five years of non-use.

Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - **License**



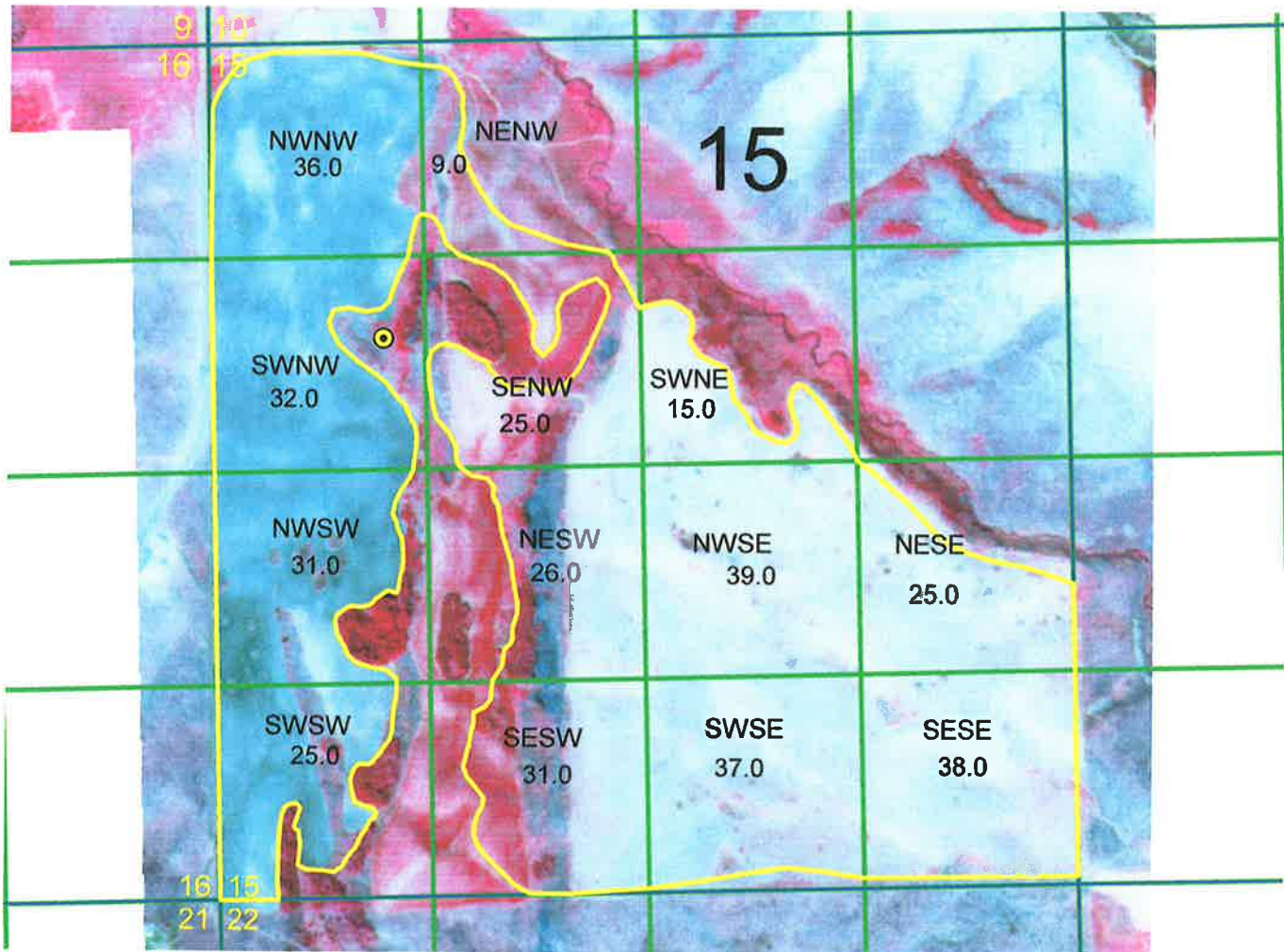
# STATE OF IDAHO

Department of Water Resources

Eastern Region



## Water Right(s) 27-7073



800 0 800 1600 Feet

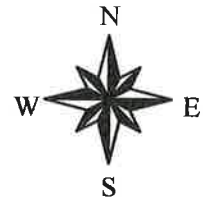
IRRIGATED ACRES 369.0

### LEGEND

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

Place of Use: T6S, R42E:  
(part of) Sec. 15, SWNE, NENW,  
NWNW, SWNE, SENW, NESW,  
NWSW, SWSW, SESW, NESE,  
NWSE, SWSE, SESE.

Point(s) of Diversion: T6S, R42E:  
Sec. 15, SWNW.



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

15 West Center  
Soda Springs, ID 83276  
Phone (208) 547-3993  
FAX (208) 547-3939

**Idaho Department of  
Water Resources**

# Fax

**To:** Katy Jackson

**From:** Barbara Payne

**Fax:** 525-7177

**Pages:** 5

**Phone:**

**Date:** 7/18/2005

**Re:** Basin 27 NOEs

**CC:**

Hi Katy,

This FAX contains a copy of the following NOEs:

|          |                      |       |
|----------|----------------------|-------|
| 27-7073  | Lewis Brothers, Inc. | Agree |
| 27-7071  | Lewis Brothers, Inc. | Agree |
| 27-7072  | Lewis Brothers, Inc. | Agree |
| 27-11906 | Larry C. Lewis       | Agree |

Barbara

**FAXED**  
7-18-05

**NOTICE OF ERROR  
REPLY**

---

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

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

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:**

**Water right number: 27-7073**

LEWIS BROTHERS INC  
C/O DIGGS LEWIS  
PO BOX 3301  
ALPINE WY 83128  
Telephone Number: (307) 654-7645

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
  
  
  
2. Describe the changes you wish to make in the proposed recommendation:
  
  
  
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

7/10/05

SIGNATURE:

[Signature]

Please print your name:

Diggs Lewis - Lewis Bros

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

02/13/2004

**NOTICE OF ERROR  
REPLY**

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

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

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:**

**Water right number: 27-7073**

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C/O DIGGS LEWIS  
PO BOX 3301  
ALPINE WY 83128  
Telephone Number: (307) 654-7645

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
  
2. Describe the changes you wish to make in the proposed recommendation:
  
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

7/18/05

SIGNATURE:

[Signature]

Please print your name:

DIGGS LEWIS - LEWIS BROS

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



LEWIS  
7/18

## Notes

10/3/03 Transfer protest drawer.

2:46pm emailed Rogers Warner to find out the status of the protest.

01/22/03 There is no action by the claimant to resolve the protests. Recommending as licensed.

2/6/04 Correct the POD to N/ESWNW.  
per D1995 Lewis.  
in CRP 1987-1997; Not currently in CRP.

2-11-04 POD moved on drawing. Reprinted. BP

file 27-7073

Lewis Bros.

**Bird, Cindy**

---

**From:** Skaggs, Pam  
**Sent:** Friday, October 03, 2003 1:05 PM  
**To:** Bird, Cindy  
**Subject:** Transfer 5838/68521

Cindy,

This transfer is still Active (pending) and the bar code shows the file is still located in the transfer protest drawer. You may want to check with the region office to find out the status of the protest.

Pam

-----Original Message-----

**From:** Bird, Cindy  
**Sent:** Friday, October 03, 2003 12:38 PM  
**To:** Skaggs, Pam  
**Subject:** T5838

hi Pam,  
Is Transfer 5838 on 27-7073 still pending?

Cindy

http://wenet.apps/appsWorkflow/Framebuild.asp - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print

Address http://wenet/apps/appsWorkflow/Framebuild.asp Go

Links Customize Links IDWR Home Page Idaho State Controller's Office Home IDWR Workflow WEnet Home Page Idaho Transportation Department - Idaho Road Report

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Sho

Screen ID 424

# Information Search (WR/AJ)

| Basin | Seque... | Suffix | Version | Source Table        | Basis   | Status           | Priority Date | DI... | Source List  | Water Use List | Owner |
|-------|----------|--------|---------|---------------------|---------|------------------|---------------|-------|--------------|----------------|-------|
| 27    | 7073     |        |         | wwAdjudicationClaim | License | Active           | 1977-02-11    | 3.79  | GROUND WA... | IRRIGATION     | LEWIS |
| 27    | 7073     | A      |         | wwAdjudicationClaim |         | Pending Transfer | 1977-02-11    | 3.33  | GROUND WA... | IRRIGATION     | LEWIS |
| 27    | 7073     | B      |         | wwAdjudicationClaim |         | Pending Transfer | 1977-02-11    | 0.46  | GROUND WA... | COMMERCIAL     | LEWIS |
| 27    | 7073     |        |         | wwWaterApplication  |         | Closed           | 1977-02-11    | 3.79  | GROUND WA... | IRRIGATION     | LEWIS |
| 27    | 7073     |        |         | wwWaterRight        | License | Active           | 1977-02-11    | 3.79  | GROUND WA... | IRRIGATION     | LEWIS |
| 27    | 7073     |        |         | wwWaterPermit       |         | Closed           | 1977-02-11    | 3.79  | GROUND WA... | IRRIGATION     | LEWIS |
| 27    | 7073     |        |         | xxFromAdjClaimList  |         | Active           | 1977-02-11    | 3.79  | GROUND WA... | IRRIGATION     |       |
| 27    | 7073     | A      |         | xxToAdjClaimList    |         | Active           | 1977-02-11    | 3.33  | GROUND WA... | IRRIGATION     |       |
| 27    | 7073     | B      |         | xxToAdjClaimList    |         | Active           | 1977-02-11    | 0.46  | GROUND WA... | COMMERCIAL     |       |

The number of records is 9

[View Documents](#) [Print Proof Report](#) [Print Transfer Part 2](#)

[Hide References](#) [Next Step](#) [Previous Steps](#) Screen ID 424

Done Local Intranet

Start Microsoft Excel... Convert ArcView GIS 3.2a Inbox - Microso... http://wenet... 3:30 PM

## Contacts Data Entry Form

| Owner Type | Full Name | Address | City | State | Zip | Phone |
|------------|-----------|---------|------|-------|-----|-------|
|------------|-----------|---------|------|-------|-----|-------|

Current Owner: See claim - address correction (27-7071 file)

Name connector: and \_\_\_\_\_, or \_\_\_\_\_, and/or \_\_\_\_\_

Current Owner F.O. Box 3301

Current Owner Alphine, WY 83218.

Representing Attorney: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Accompanied By: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_

Date of Field Exam: \_\_\_\_\_ Time: \_\_\_\_\_

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

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Reviewer: CB

Date: 11/13/03

**Priority Date Data Entry Form**Claim Number: A27-7073

Water Right Priority Date: \_\_\_\_\_ Water Right Basis: \_\_\_\_\_

Claimed Priority Date: \_\_\_\_\_ Claimed Basis: \_\_\_\_\_

Recommended Priority Date: \_\_\_\_\_ Recommended Basis: \_\_\_\_\_

X 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: 11/13/03

**Priority Date**

Claim No.

27-7073

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 Form

Claim Number: A27-7073

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     |
|------------------------|-----|-----|---------|----------------|----------------|------------|
|                        |     |     |         | <u>NE SWNW</u> | <u>Bingham</u> | <u>G-W</u> |
| GPS Coordinates: _____ |     |     |         |                |                |            |
| _____                  |     |     |         |                |                |            |
| GPS Coordinates: _____ |     |     |         |                |                |            |
| _____                  |     |     |         |                |                |            |
| GPS Coordinates: _____ |     |     |         |                |                |            |
| _____                  |     |     |         |                |                |            |
| GPS Coordinates: _____ |     |     |         |                |                |            |
| _____                  |     |     |         |                |                |            |
| GPS Coordinates: _____ |     |     |         |                |                |            |
| _____                  |     |     |         |                |                |            |
| GPS Coordinates: _____ |     |     |         |                |                |            |
| _____                  |     |     |         |                |                |            |

Other rights from this POD? no

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

Review

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Transfers Changing POD noReviewer: CBDate: 11/13/03

## 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. 27-7075

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: A27-7073☒ 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 367

Document how the POU was verified:

License

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Transfers Changing POU

no - filed but protestedReviewer: CBDate: 11/13/03

**Place of Use**

Claim No. \_\_\_\_\_

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

If Yes, go to 2a  
If No, go to 2bYes (☒) No (☐)

2a. Is a POU required?

If Yes, go to 5  
If No, go to 14Yes (☒) No (☐)

2b. Is a POU required?

If Yes, go to 3  
If No, go to 14Yes (☐) No (☐)

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

If Yes, go to 4  
If No, go to 7Yes (☐) No (☐)

4. Has the License been issued?

If Yes, go to 6  
If No, recommend the POU as shown on the Permit. Go to 14Yes (☒) No (☐)

5. Does the parent right have a POU?

If Yes, go to 6  
If No, go to 7Yes (☒) 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 7Yes (☒) No (☐)

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

If Yes, go to 8  
If No, go to 13Yes (☐) No (☐)

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

If Yes, add condition C05, go to 13  
If No, go to 9Yes (☐) 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 12Yes (☐) No (☐)

10. Was an enlargement claim filed?

If Yes, go to 13  
If No, notify claimant that an enlargement claim is necessary. Go to 11Yes (☐) 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 13Yes (☐) 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 13Yes (☐) 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 14Yes (☐) 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: A27-7073☒ 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:

LicenseTransfers Changing Purpose of Use NOReviewer: CBDate: 11/13/03

## 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 Form

Claim Number: A27-7073☐ 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 |
|------------|-------|------|------|--------|
| Irrigation | 4/1   | 11/1 | 3.79 | 1107   |
|            |       |      |      |        |
|            |       |      |      |        |

Overall Diversion Rate 3.79 Overall Diversion Volume 1107

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

License

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Reviewer: CBDate: 11/13/03

## 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 ☒

**Quantity**Claim No.           

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

If Yes, go to 4  
If No, go to 2Yes (☒) No (☐)

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

If Yes, go to 3  
If No, go to 6Yes (☐) No (☐)

3. Has the License been issued?

If Yes, go to 5  
If No, recommend the Quantity shown on the Permit. Go to 11Yes (☐) No (☐)

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

If Yes, go to 5  
If No, go to 7Yes (☒) 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 7Yes (☒) 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 7Yes (☐) 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 9Yes (☐) No (☐)

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

If Yes, go to 10  
If No, go to 9Yes (☒) 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 11Yes (☐) 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 12Yes (☒) 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 12Yes (☐) 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?

Yes (☒) No (☐)

If Yes, go to 2

If No, go to 3

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

Yes (☐) No (☒)

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

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

Yes (☐) No (☐)

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

4. Is any portion of the claim being recommended?

Yes (☐) No (☐)

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

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

Yes (☒) No (☐)

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

If No, go to 6

6. Would you like to view the recommended right?

Yes (☒) No (☐)

If Yes, go to 7

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

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

Yes (☐) No (☒)

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

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

Yes (☐) No (☒)

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

If No, go to 9

9. Would you like to set the verification date?

Yes (☒) No (☐)

If Yes, the review is complete.

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

# Summary Data Entry Form

Claim No.: 27-7073

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

C18

901 Gen C.

902 Gen C

Split or Combined Right Analysis:

no

Attached Field Notes or Other Documents:

none

Claim No.:

27-7073

Reviewer

CB

Date

11/13/03

INTER-DEPARTMENT MEMO

TO: Barbara  
FROM: Cindy

SUBJECT: POD  
DATE: 2/6/04

Please move the POD as shown on  
the adjacent map and reprint the  
layout and send thru for CCVR work



*Thankx*

( ) For your information

*CB*

signature

## IDAHO DEPARTMENT OF WATER RESOURCES

## Water Right Report 27-7073

WATER RIGHT NUMBER: 27-7073

|                   |                                                              |
|-------------------|--------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                      |
| Current Owner     | LEWIS BROTHERS INC<br>275 N HOOPER<br>SODA SPRINGS, ID 83276 |

Priority Date: 02/11/1977

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>Annual Volume</u> |
| IRRIGATION            | 4/01 to 11/01           | 3.790 CFS             | 1,107.00 AF          |
|                       | <u>Total Diversion:</u> | 3.790 CFS             | 1,107.00 AF          |

Location of Point(s) of Diversion

|                |            |                                 |
|----------------|------------|---------------------------------|
| GROUND WATER   | SW1/4NW1/4 | Sec. 15, Twp 06S, Rge 42E, B.M. |
| CARIBOU County |            |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |      |    | NW  |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|----|----|------|----|-----|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE | NW | SW   | SE | NE  | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 06S | 42E | 15  |    |    | 15.0 |    | 9.0 | 36.0 | 32.0 | 25.0 | 26.0 | 31.0 | 25.0 | 31.0 | 25.0 | 39.0 | 37.0 | 38.0 | 369.0  |

Total Acres: 369

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 27-7073

Dates and Other Information:

Licensed Date: 4/2/1987  
Decreed Date:  
Water Supply Bank Enrollment Accepted:  
Water Supply Bank Enrollment Removed:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal:  
Owner Name Connector:  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number:  
Judicial District:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

\$250 fee

file in 27-07073

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Transfer No. 5838

Cindy

Name of Applicant LEWIS DRIS Inc Phone (908) 525-8319

Post Office address 3808 E 65 St. Idaho Falls, Id 83406

1. ☒ Change point of diversion      ☐ Add diversion point(s)      ☒ Change place of use

☒ Change nature of use      ☐ Change period of use      ☐ Other

2. Describe the reason for the proposed changes We need Commercial use water for a dairy (Cannon-Shelley properties) and the Lewis Bros. are selling us 45 acres worth of water right to cover that use

| 1. <u>Right Number</u>      | <u>Priority</u>             | <u>Amount (cfs/ac-ft)</u>   | <u>Nature of Use</u>        | <u>Period of Use</u>                                       |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|------------------------------------------------------------|
| <u>27-07073B</u>            | <u>2-11-1977</u>            | <u>0.46</u>                 | <u>Commercial</u>           | <u>1-1</u> to <u>12-31</u>                                 |
| <u>                    </u> | <u>                    </u> | <u>                    </u> | <u>                    </u> | <u>                    </u> to <u>                    </u> |
| <u>                    </u> | <u>                    </u> | <u>                    </u> | <u>                    </u> | <u>                    </u> to <u>                    </u> |
| <u>                    </u> | <u>                    </u> | <u>                    </u> | <u>                    </u> | <u>                    </u> to <u>                    </u> |

2. Total amount of water being transferred 0.46 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

3. Source of water Groundwater tributary to

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

RECEIVED  
JUN 17 2003  
By \_\_\_\_\_  
Total Acres \_\_\_\_\_

Total Acres



## PART 2

TRANS NO. 5838

## A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 27-07073

STAGE: LICENSE

BENEFICIAL USEPERIOD OF USEDIVERSION  
RATEANNUAL  
VOLUME

IRRIGATION

04/01 to 11/01

3.79 CFS

1107.0 AF

SOURCE

GROUNDWATER

Priority: 02/11/1977

LOCATION OF POINT(S) OF DIVERSION:SWNW, Sec. 15, Township 06S, Range 42E  
CARIBOU CountyPLACE OF USE:

IRRIGATION

|     |     |    |   | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      |             |
|-----|-----|----|---|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------------|
|     |     |    |   | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SENW | NESW | NWSW | SWSW | SESW | NESE | NWSE | SWSE | SESE |             |
| T   | R   | S  | : | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | SUM         |
| 06S | 42E | 15 | : |      |      | 15   |      | 09   | 36   | 32   | 25   | 26   | 31   | 25   | 31   | 25   | 39   | 37   | 38   | 369.0       |
|     |     |    |   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | TOTAL ACRES |
|     |     |    |   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 369.0       |

CONDITIONS/REMARKS:

Describe any other water rights used for the same purpose as described above:

NONETo your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? NO If yes, describe:

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice
 ☐ Warranty Deed
 ☐ Other \_\_\_\_\_

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe \_\_\_\_\_

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

B

1. amount 0.46 cfs for Irrigation purposes from 4-1 to 11-1  
 (cfs/ac-ft) \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec             | Twp       | Rge        | County         | Local name for diversion |
|-----|-----|-----|-----|-----------------|-----------|------------|----------------|--------------------------|
|     |     |     |     | <u>SW NW 15</u> | <u>6S</u> | <u>42E</u> | <u>Caribou</u> |                          |
|     |     |     |     |                 |           |            |                |                          |
|     |     |     |     |                 |           |            |                |                          |

3. Lands irrigated or place of use:

| Twp       | Rge        | Sec       | NE 1/4 |    |    |    | NW 1/4   |           |    |    | SW 1/4 |    |    |    | SE 1/4 |    |    |    | Totals    |
|-----------|------------|-----------|--------|----|----|----|----------|-----------|----|----|--------|----|----|----|--------|----|----|----|-----------|
|           |            |           | NE     | NW | SW | SE | NE       | NW        | SW | SE | NE     | NW | SW | SE | NE     | NW | SW | SE |           |
| <u>6S</u> | <u>42E</u> | <u>15</u> |        |    |    |    | <u>9</u> | <u>36</u> |    |    |        |    |    |    |        |    |    |    | <u>45</u> |
|           |            |           |        |    |    |    |          |           |    |    |        |    |    |    |        |    |    |    |           |
|           |            |           |        |    |    |    |          |           |    |    |        |    |    |    |        |    |    |    |           |
|           |            |           |        |    |    |    |          |           |    |    |        |    |    |    |        |    |    |    |           |

Total Acres 45

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

1. amount 3.33 cfs for Irrigation purposes from 4-1 to 11-1 'A'  
 (cfs/ac-ft) \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft) \_\_\_\_\_

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec             | Twp       | Rge        | County         | Local name for diversion |
|-----|-----|-----|-----|-----------------|-----------|------------|----------------|--------------------------|
|     |     |     |     | <u>SW NW 15</u> | <u>6S</u> | <u>42E</u> | <u>Caribou</u> |                          |
|     |     |     |     |                 |           |            |                |                          |
|     |     |     |     |                 |           |            |                |                          |

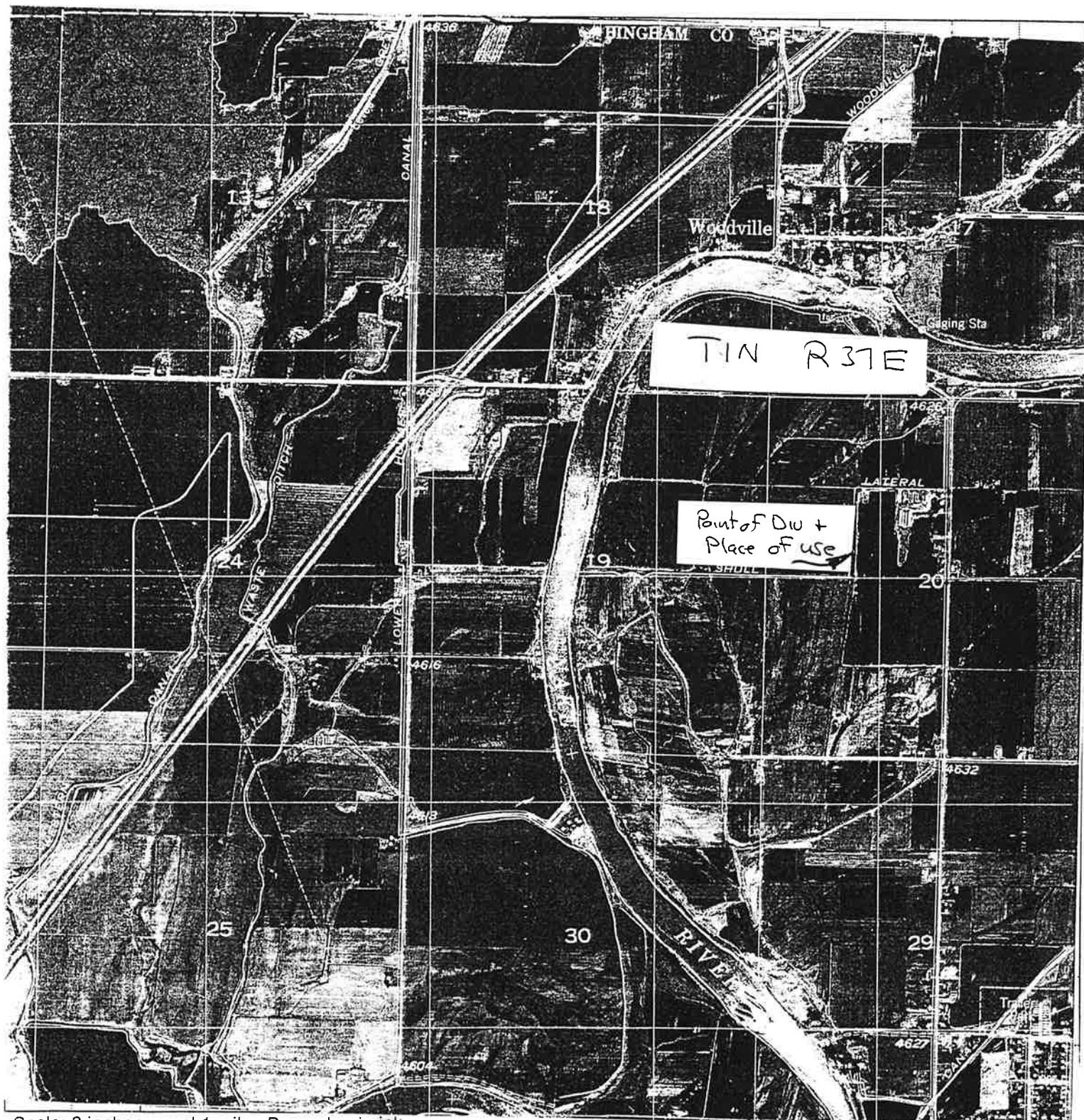
3. Lands irrigated or place of use:

| Twp       | Rge        | Sec       | NE 1/4 |    |           |    | NW 1/4 |    |           |           | SW 1/4    |           |           |           | SE 1/4    |           |           |           | Totals |
|-----------|------------|-----------|--------|----|-----------|----|--------|----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|--------|
|           |            |           | NE     | NW | SW        | SE | NE     | NW | SW        | SE        | NE        | NW        | SW        | SE        | NE        | NW        | SW        | SE        |        |
| <u>6S</u> | <u>42E</u> | <u>15</u> |        |    | <u>15</u> |    |        |    | <u>32</u> | <u>25</u> | <u>26</u> | <u>31</u> | <u>25</u> | <u>31</u> | <u>25</u> | <u>39</u> | <u>37</u> | <u>38</u> |        |
|           |            |           |        |    |           |    |        |    |           |           |           |           |           |           |           |           |           |           |        |
|           |            |           |        |    |           |    |        |    |           |           |           |           |           |           |           |           |           |           |        |

Total Acres 324

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for the rights described in part 1. Clearly depict the land by section, township and range number.



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

## PART 3

## B. CHANGES IN NATURE OF USE

1. New Nature of Use Commercial - Dairy Amount(cfs/af-ft) 0.46 cfs Hours/days/year 1-1 to 12-31  
to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

None - See Dairy information sheet which requires  
106.5 af or 42.6 acrs dried up for this dairy use  
on 4000 cows.

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 original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Louis Brasco By Larry Louis  
(Signature of Applicant)

Subscribed and sworn to before me this

1

day of

September

, 20 00

Bryce A. Contor  
(Notary Public)

My commission expires

10/14/2005

## FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by HCS Date 9-1-00 Protest filed by

Prelim. Check by Fee

Receipted by BAC #026132 Date 9/1/00 E026132

Published in Morning News Copies of protest forwarded by

Pub. Dates 9-14 & 9-21-00. Hearing held by Date

Watermaster recommendations requested on Recommended for ☐ approval ☐ denial

received by

Copy of transfer sent to lien holder

ARROIT E026132 Dec 9/1/00

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

04/24/2003

WATER RIGHT NO. 27-7073

| <u>Owner Type</u> | <u>Name and Address</u>                                      |
|-------------------|--------------------------------------------------------------|
| Current Owner     | LEWIS BROTHERS INC<br>275 N HOOPER<br>SODA SPRINGS, ID 83276 |

Priority Date: 02/11/1977

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        | 11/01     | 3.79 CFS              | 1107 AFA      |
| Total Diversion       |             |           | 3.79 CFS              | 1107 AFA      |

Location of Point(s) of Diversion:

|              |      |         |              |           |                |
|--------------|------|---------|--------------|-----------|----------------|
| GROUND WATER | SWNW | Sec. 15 | Township 06S | Range 42E | CARIBOU County |
|--------------|------|---------|--------------|-----------|----------------|

Licensed Diversion Capacity: 3.79

Place(s) of use:

Place of Use Legal Description: IRRIGATION CARIBOU County

| Township | Range | Section | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | Acres | Lot | Tract | A |
|----------|-------|---------|-----|-------|-------|-----|-------|-------|-----|-------|-------|-----|-------|---|
| 06S      | 42E   | 15      |     | SWNE  | 15    |     |       |       |     |       |       |     |       |   |
|          |       |         |     | NENW  | 9     |     | NWNW  | 36    |     | SWNW  | 32    |     | SENE  | 2 |
|          |       |         |     | NESW  | 26    |     | NWSW  | 31    |     | SWSW  | 25    |     | SESW  | 3 |
|          |       |         |     | NESE  | 25    |     | NWSE  | 39    |     | SWSE  | 37    |     | SESE  | 3 |

Total Acres: 369

Dates:

Licensed Date: 04/02/1987

Decreed Date:

Permit Proof Due Date: 3/1/1982

Permit Proof Made Date: 2/12/1982

Permit Approved Date: 3/28/1977

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: 02/11/1977

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

Close

## TRANSFER NO. 68521

LEWIS BROTHERS INC

3808 E 65 S

IDAHO FALLS ID 83406, has filed Application No. 68521 for changes to the following water rights within

County: BINGHAM

Date Received: 9/6/2000

Status: Active

| Purpose of Transfer | Water Right Number |
|---------------------|--------------------|
|                     | 27-7073            |
|                     | 27-7073            |

**Right No.** 27-7073

**Priority** Feb 11 1977 12:00AM

**Source** GROUND WATER,

**Use** IRRIGATION(369 acres) 3.79 CFS,

**Total Amount** 3.79 CFS

**Point(s) of Diversion** SWNW S15 T06S R42E,

**Place Of Use** NENW S15 T06S R42E, NESE S15 T06S R42E, NESW S15 T06S R42E, NWNW S15 T06S R42E, NWSE S15 T06S R42E, NWSW S15 T06S R42E, SENW S15 T06S R42E, SESE S15 T06S R42E, SESW S15 T06S R42E, SWNE S15 T06S R42E, SWNW S15 T06S R42E, SWSE S15 T06S R42E, SWSW S15 T06S R42E,

The purpose of the transfer is to change the above rights as follows:

Proposed Right No. 27-7073A is the remainder of Right No. 27-7073

Proposed Right No. 27-7073B is the remainder of Right No. 27-7073

JUL 18 2001

Log for claim 27-07073

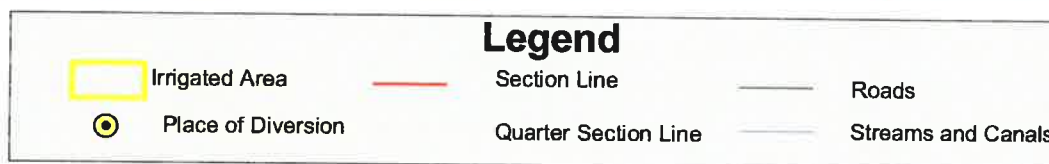
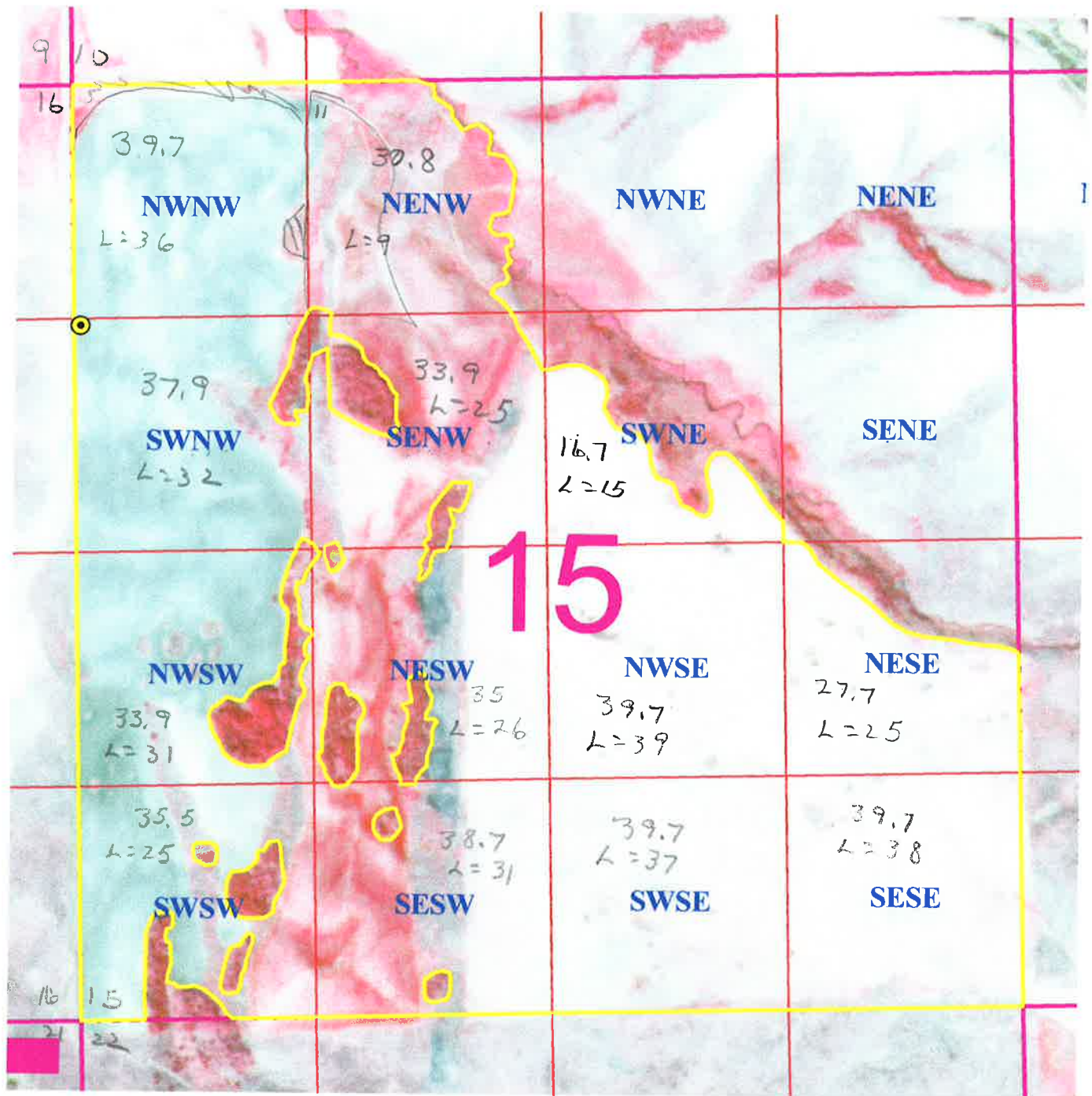
Spatial Dynamics BTD

12/11/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT                        |
|----------------|-----|------|------------------|----------------|--------------------------------|
| 06s42e         | 15  | SWNE | 15               | 17             |                                |
| 06s42e         | 15  | NENW | 9                | 31             | Indiscernible                  |
| 06s42e         | 15  | NWNW | 36               | 40             | Indiscernible                  |
| 06s42e         | 15  | SWNW | 32               | 38             | POD placement? / Indiscernible |
| 06s42e         | 15  | SENW | 25               | 34             | Indiscernible                  |
| 06s42e         | 15  | NESW | 26               | 35             | Indiscernible                  |
| 06s42e         | 15  | NWSW | 31               | 34             | Indiscernible                  |
| 06s42e         | 15  | SWSW | 25               | 34             | Indiscernible                  |
| 06s42e         | 15  | SESW | 31               | 39             | Indiscernible                  |
| 06s42e         | 15  | NESE | 25               | 28             | Indiscernible                  |
| 06s42e         | 15  | NWSE | 39               | 40             |                                |
| 06s42e         | 15  | SWSE | 37               | 40             | Indiscernible                  |
| 06s42e         | 15  | SESE | 38               | 40             |                                |
| <b>Totals:</b> |     |      | 369              | 450            |                                |

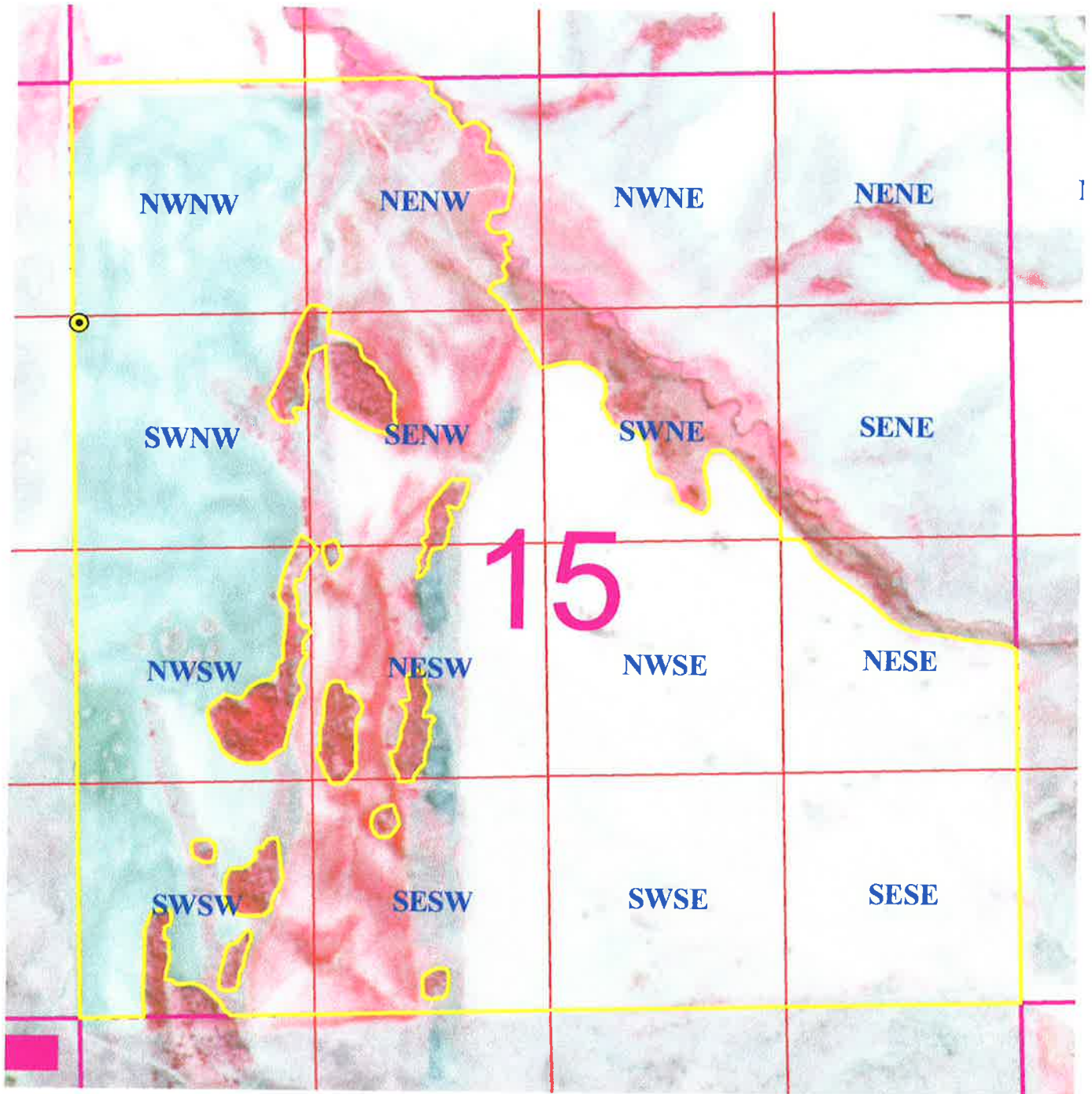
# Water Right Claim Number 27-07073 Township , 6S42E

12/11/2000



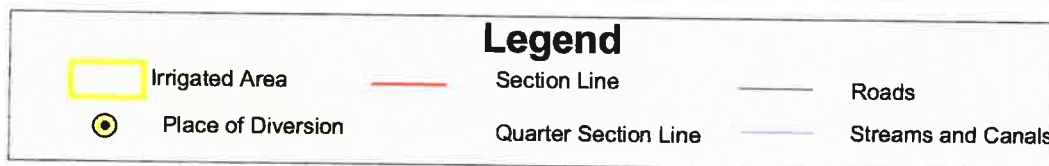
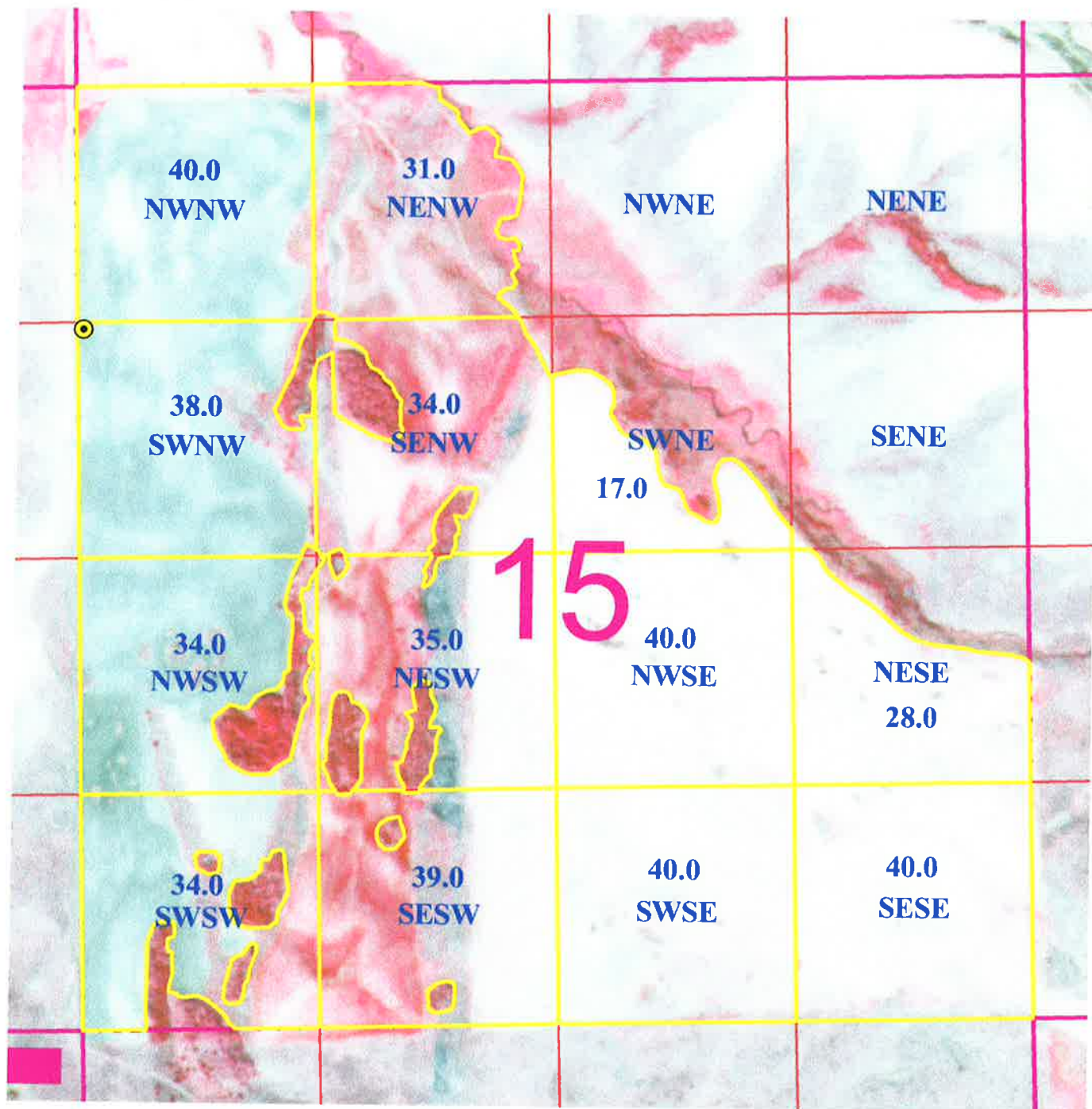
Water Right Claim Number 27-07073  
Township , 6S42E

12/11/2000



Water Right Claim Number 27-07073  
Township , 6S42E

12/11/2000



AJ5809NP  
No. A27-07073

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/00  
PAGE: 98

| OWNER<br>CODE    | NAME & ADDRESS                                      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-----------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | LEWIS BROTHERS INC<br>PO BOX 301<br>ALPINE WY 83218 | 02/11/1977       | IRRIGATION | 04-01 11-01           | 3.790 CFS         |                     |
| TOTAL DIVERSION: |                                                     |                  |            |                       | 3.790 CFS         |                     |
| CONSUMPTIVE USE: |                                                     |                  |            |                       |                   | 922.50 AFA          |

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06S R42E S15

SWNW

CARIBOU County

Place of use Legal Description for: IRRIGATION

| NE          |     |    |   | NW   |      |      |      | SW |      |      |      | SE   |   |      |      |      |      |   |      |      |      |      |       |       |
|-------------|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|-------|-------|
| T           | R   | S  |   | NENE | NWNE | SWNE | SENE | :  | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | :     | SUM   |
|             |     |    |   | Lt   | Ac   | Lt   | Ac   |    | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |   | Lt   | Ac   | Lt   | Ac   |       |       |
| 06S         | 42E | 15 | : |      |      | 15   |      | :  | 09   | 36   | 32   | 25   | : | 26   | 31   | 25   | 31   | : | 25   | 39   | 37   | 38   | :     | 369.0 |
| TOTAL ACRES |     |    |   |      |      |      |      |    |      |      |      |      |   |      |      |      |      |   |      |      |      |      | 369.0 |       |

POU County: CARIBOU

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 27-7073

Priority: February 11, 1977 Amount: 3.79 CFS 1107.0 AFA

This is to certify, that LEWIS BROS., INC.  
275 N. HOOPER

SODA SPRINGS, ID 83276 has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated February 11, 1977, and has submitted proof to the Department of Water Resources on February 12, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 3.79 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

| BENEFICIAL USE | PERIOD OF USE  | RATE OF DIVERSION | VOLUME     |
|----------------|----------------|-------------------|------------|
| Irrigation     | 04/01 to 11/01 | 3.79 cfs          | 1107.0 afa |

LOCATION OF POINT OF DIVERSION(S): SWNW, Sec. 15, Township 6S, Range 42E  
Caribou County

PLACE OF USE: Irrigation

| TWN | RGE | SEC | ACRES   | ACRES   | ACRES   | ACRES   | TOTAL                                |
|-----|-----|-----|---------|---------|---------|---------|--------------------------------------|
| 6S  | 42E | 15  | SWNE 15 | NENW 9  | NWNW 36 | SWNW 32 |                                      |
|     |     |     | SENE 25 | NESW 26 | NWSW 31 | SWSW 25 |                                      |
|     |     |     | SESE 31 | NESE 25 | NWSE 39 | SWSE 37 |                                      |
|     |     |     | SESE 38 |         |         |         | 369                                  |
|     |     |     |         |         |         |         | Total number of acres irrigated: 369 |

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. 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 license is issued pursuant to the provisions of Section 42-219, Idaho Code.

Witness the seal and signature of the Director, affixed at Boise, this 2nd day of April, 1982.

MICROFILMED

Acting for the Director

JUL 18 2001

3419 X

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: A27-07073  
Date Received: 1/24/1990  
Receipt No: 2012087  
Received By: EAC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LEWIS BROS., INC.  
Address: P.O. BOX ~~309~~ 301  
ALPINE, WY *SL* 83218

2. Date of Priority: FEB 11, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

|          |       |         |        |        |     |     |         |
|----------|-------|---------|--------|--------|-----|-----|---------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
| 06S      | 42E   | 15      | SW     | NW     |     |     | CARIBOU |

5. Description of diverting works:  
WELL & PUMP.

6. Water is used for the following purposes:

|            |       |       |        |      |        |
|------------|-------|-------|--------|------|--------|
| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 3.790  |      |        |

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

8. Total consumptive use is 922.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

|          |       |         |        |     |     |     |       |
|----------|-------|---------|--------|-----|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 06S      | 42E   | 15      | SW     | NE  |     | IRR | 15.0  |
|          |       |         | NE     | NW  |     | IRR | 9.0   |
|          |       |         | NW     | NW  |     | IRR | 36.0  |
|          |       |         | SW     | NW  |     | IRR | 32.0  |

A27-07073

Page 1

Date: 01/24/90

RECEIVED

FEB 16 1990

Department of Water Resources  
Eastern District Office

MICROFILMED

NOV 12 1992



10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 06S      | 42E   | 15      | SE     | NW  |     | IRR           | 25.0  |
|          |       |         | NE     | SW  |     | IRR           | 26.0  |
|          |       |         | NW     | SW  |     | IRR           | 31.0  |
|          |       |         | SW     | SW  |     | IRR           | 25.0  |
|          |       |         | SE     | SW  |     | IRR           | 31.0  |
|          |       |         | NE     | SE  |     | IRR           | 25.0  |
|          |       |         | NW     | SE  |     | IRR           | 39.0  |
|          |       |         | SW     | SE  |     | IRR           | 37.0  |
|          |       |         | SE     | SE  |     | IRR           | 38.0  |
|          |       |         |        |     |     | Section Acres | 369.0 |
|          |       |         |        |     |     | Total Acres   | 369.0 |

11. Place of use in counties: CARIBOU

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

(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 ~~X~~ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

MICROFILMED  
NOV 12 1992