

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

1

12/02/2003

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

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 27-11968 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

RIGHT NO. 27-11968 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.



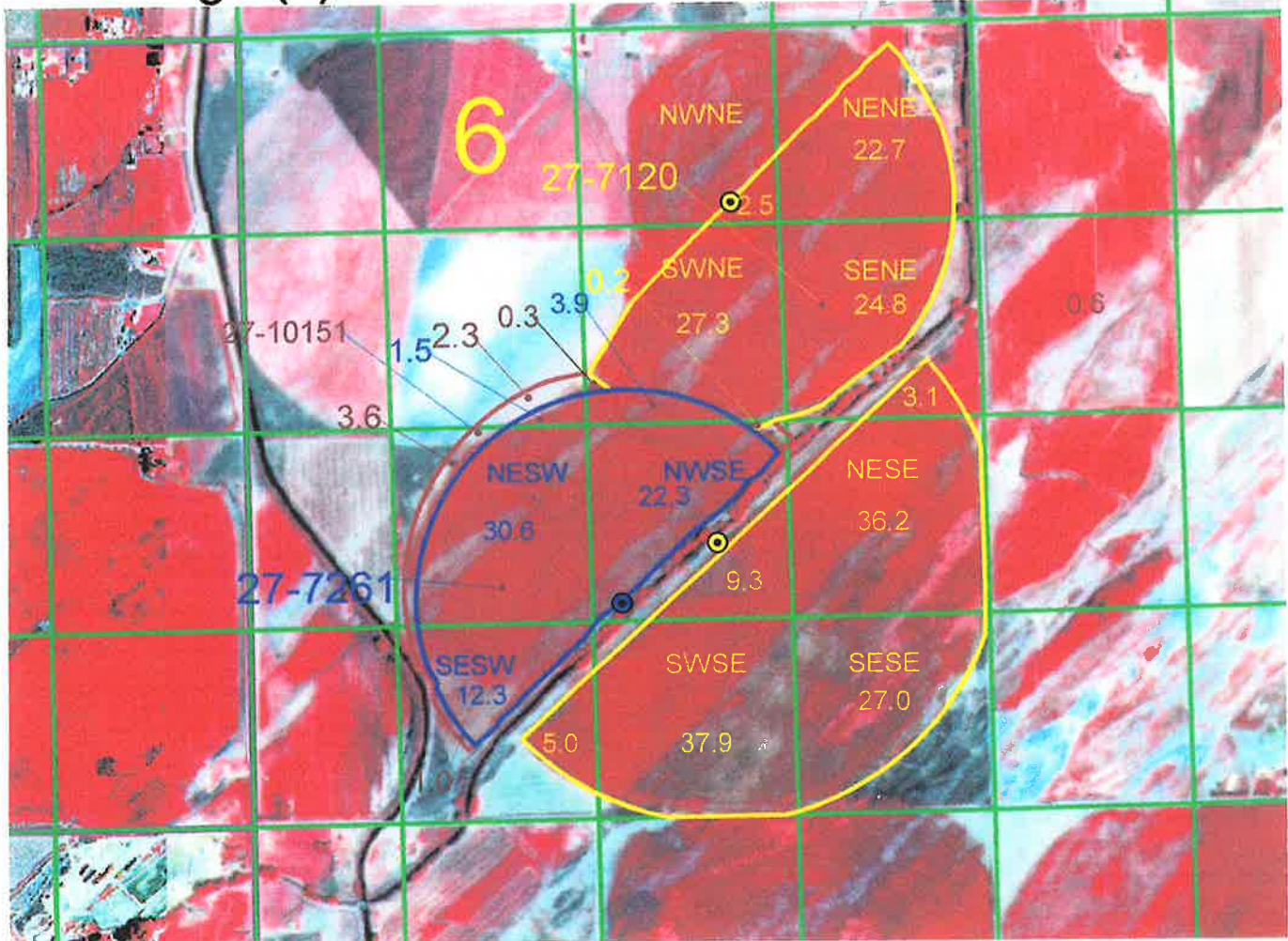
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7261, 27-7120, 27-10151 & 27-11968



800 0 800 1600 Feet

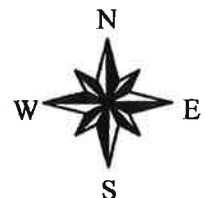
IRRIGATED ACRES 70.6 (27-7261)
195.8 (27-7120) & 27-11968
7.8 (27-10151)

LEGEND

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

Place of Use: T2S, R37E:
(part of) Sec. 6, SWNE, SENW,
NWSE, NESW, SESW, SENE,
NESE, NWSE, SESE, SWSE,
NENE, NWNE, SENE.

Point(s) of Diversion: T2S, R37E:
Sec. 6, SENWNE,
SEWNSE, SWNWSE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: November 2003



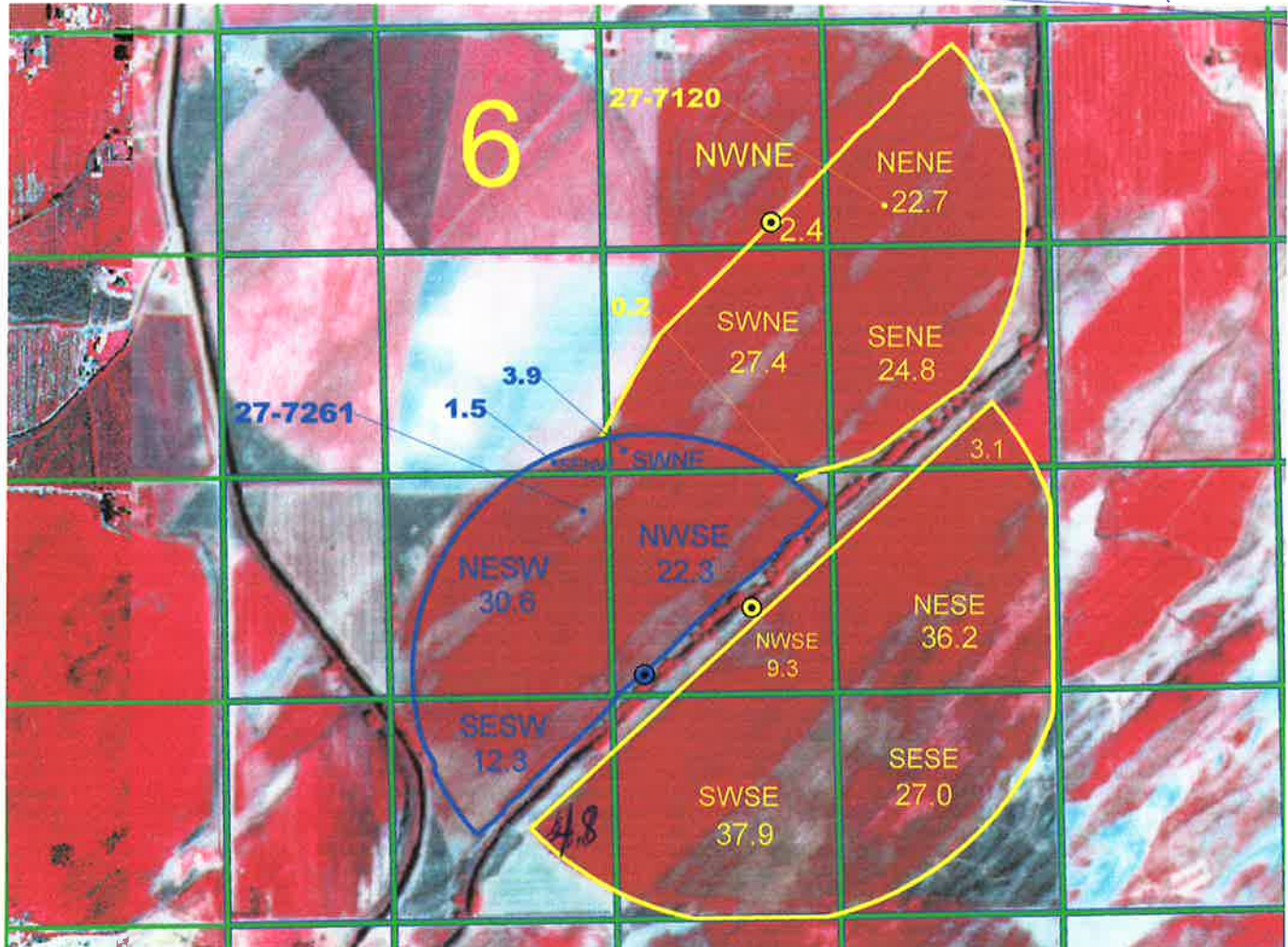
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-7261 & 27-7120 11968



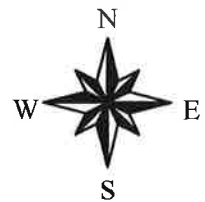
900 0 900 1800 Feet

IRRIGATED ACRES 70.6 (27-7261)
195.8 (27-7120)

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

Place of Use: T2S, R37E:
(part of) Sec. 6, SWNE, SENW,
NWSE, NESW, SESW,
SENE, NESE, NWSE,
SESE, SWSE, NENE, NWNE, SENE

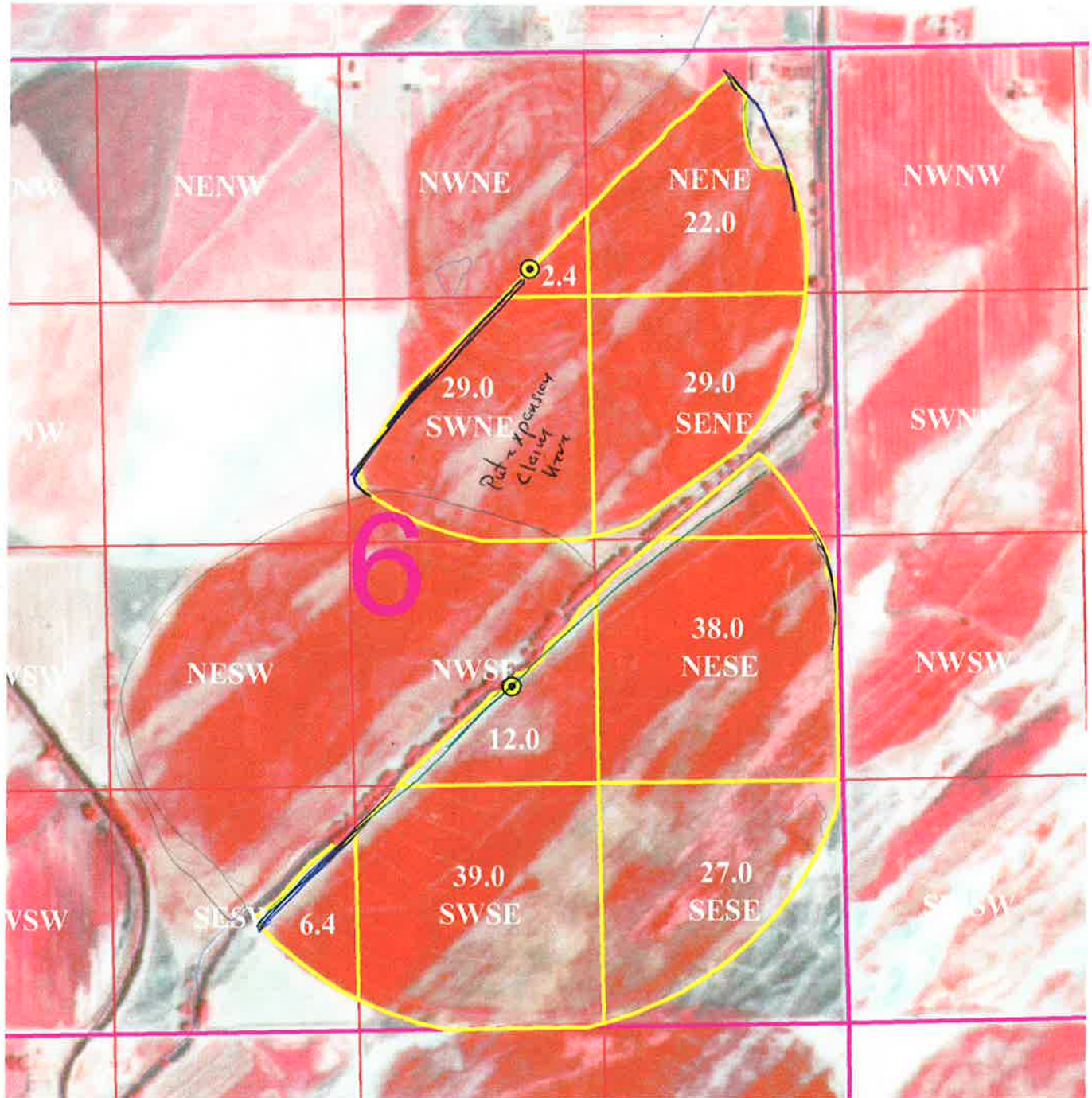
Point(s) of Diversion: T2S, R37E:
Sec. 6, SENWNE, SENWSE, SWNWSE



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: September 2003

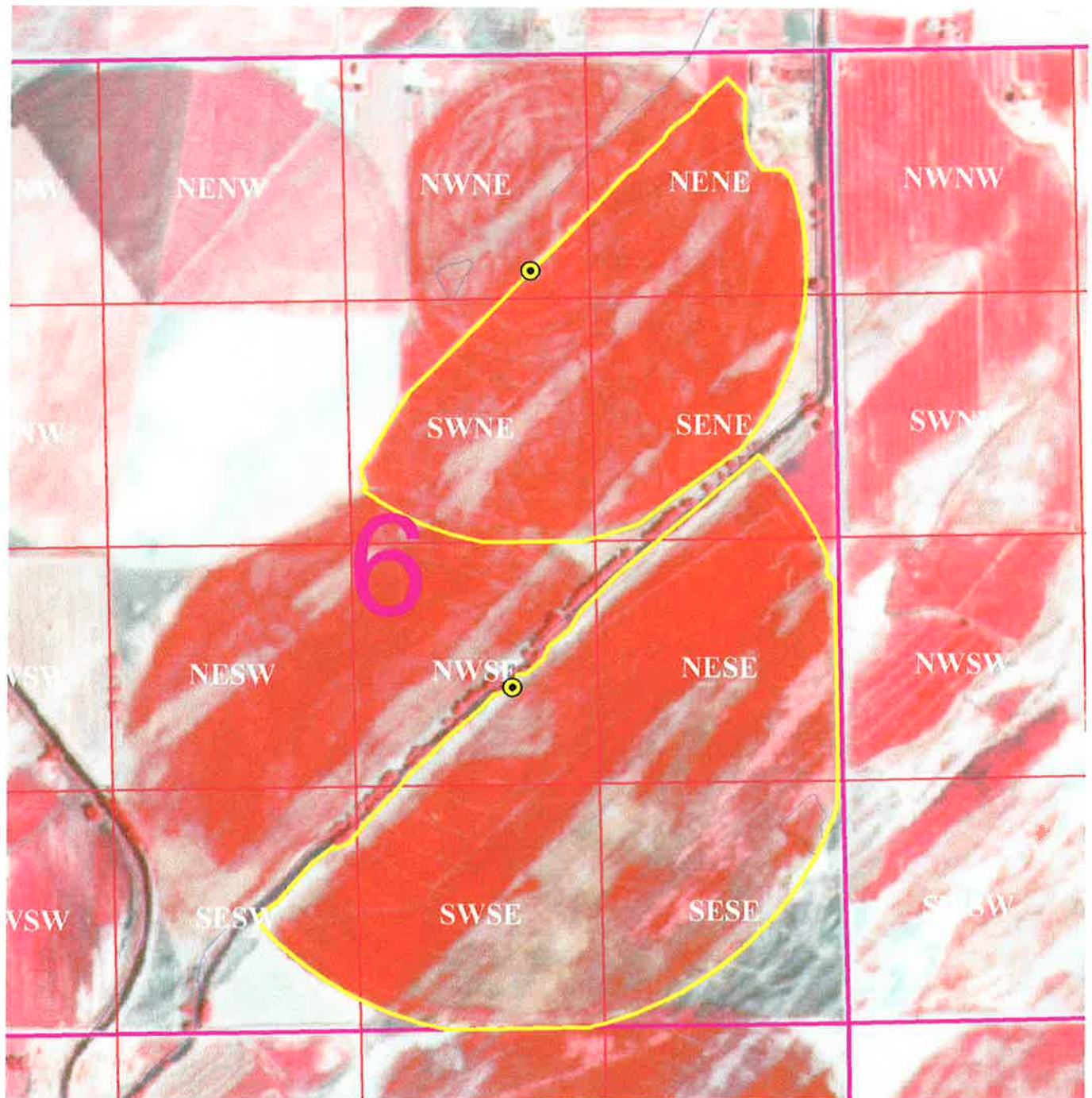
Water Right Claim Number 27-07120
Township , 2S37E

11/21/2000



Water Right Claim Number 27-07120
Township , 2S37E

11/21/2000



01/25/2006

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

RIGHT NUMBER: 27-7120
NAME AND ADDRESS: RICHARD TOMINAGA
702 W 100 N
BLACKFOOT ID 83221

RAY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221

JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221

SOURCE: GROUND WATER
QUANTITY: 3.760 CFS
658.00 AFY

TRIBUTARY:

USE OF THIS RIGHT WITH RIGHT NO. 27-11968 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.76 CFS AND TO A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 685.3 AF.

This right when combined with all other rights shall provide no more than
0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for
irrigation of the lands above.

PRIORITY DATE: 01/02/1978

POINT OF
DIVERSION: T02S R37E S6 SENWNE Within BINGHAM County
T02S R37E S6 SENWSE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	3.760 CFS 658.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T02S R37E S06	NENE	22.70	T02S R37E S06	NWNE	2.50
T02S R37E S06	SWNE	27.30	T02S R37E S06	SENE	24.80
T02S R37E S06	SESW	3.10	T02S R37E S06	SESW	5.00
T02S R37E S06	NESE	36.20	T02S R37E S06	NWSE	9.30
T02S R37E S06	SWSE	37.90	T02S R37E S06	SESE	27.00

195.8 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 27-11968 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 195.8 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 188 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHT NO. 27-11968 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT NO. 27-11968 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 27, 2006

RAY TOMINAGA
515 W 73 S
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) for 27-7120, 27-7261, 27-10151, 27-11968 and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On April 15, 2005, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

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

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Richard & Joann Tominaga

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

In Re SRBA)

Water Rights: 27-7120, 27-7261, 27-
10151, 27-11968

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: January 25, 2005

Ernest M. Cady
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Jan 27, 2006, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/**Seller** for Substitution of Party or attorney of record:
ROSEMARY TOMINAGA (DECEASED)

3. One copy to:

Claimant/ Purchaser for Substitution of Party, or attorney of record:	
RAY TOMINAGA	RICHARD TOMINAGA
515 W 73 S	JOANN TOMINAGA
BLACKFOOT ID 83221	702 W 100 N
	BLACKFOOT ID 83221

4. One copy to:

Each party in the subcase, or attorney of record
N/A

5. One copy each to:

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

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

Notes

10-31-03 Sent amended claim to be signed
11-17-03 Received amended claim. B.P.

Notes

Claim A27-07120

1/ Exam done on 9-16-2003 with original owner:
Woodrow Peterson + current owner, Ray Tominga.

2/ I did the original field exam in 1984 + I
explained to Mr. Tominga that the air photo did
not have the pivots on it so we had to
draw them on as best we could.

3/ I instructed Mr. Tominga to file an Enlargement
Claim on the 16.8 acres difference between
the license (188 acres) + Spatial Dynamics
map (204.8 acres). These are the same pivots
that were originally in place (owner's statement)
in 1984 with the addition of lowered +
low pressure sprinklers.

4/ This should go forward as per original
license + coordinate with Ernest Carlson on
Enlargement Claim

5/ GPS data - North well - 0648872
0243699 File # 7120
Tag # A0012469 (Photo looking South)

GPS data - South well - 0648840
0243004 File # 71205
Tag # A0012470 (Photo looking South)

9/22/03 Waiting for an enlargement claim

9-24-03 Letter to document re 3 claims + enlargement needed. 154

10-1-03 Rec'd letter to correct address

10-17-03 amending claim to include enlargement
claim 27-11968,

Notes

8/5/03 ownership change see contact page.

Verify POB & POD. Claimant feels it should have been 195 acres under irrigation.

~~Is this pre-1987? It looks like it!~~

188 will be ok & put in all
1/4 - F 1/4 until SW 1/4 & have
16 acres for expansion claim

Exam on 9-16-03

with Ray Tomlinson & Woodrow Peterson

Need GPS & Photo & tag

1/ GPS Tag A0012469 on well in NW 1/4

Sec 6 - GPS 0648872 Fil # 7120
0243699

2/ Photo #14 looking South - Tag on wood support
on left

1/ Well in NW 1/4 Sec 6

GPS data 0648840
0243004

Tag # A0012470

2/ Photo - 21-7120 South #15

looking South

Same 60 Hp Yaskawa pump
on system

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Ray and/or Rosemary Tominaga	1420 Wagon Wheel drive	Bluefoot, ID		785-2017	
Name connector:	and _____, or _____, and/or <u>X</u>					

Current Owner: Richard and/or Joann 702 W. 100 N.

Accompanied By: Ray Tominaga Phone Number: Woodrow Petersen.

Date of Field Exam: 9-16-03 Time: _____

\$50 + \$/acre.
enlargement

Date: 09/14/03

Priority Date Data Entry FormClaim Number: 27-7120

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: 10/14/03**Priority Date Data Entry Form**

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.

Priority Date

Point of Diversion and Source Data Entry Form

Claim Number: 27-7120

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: _____							
GPS Coordinates: _____							

Other rights from this POD? 27-11968

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

license field exam, link POD's (2)
with SKIPS GPS filesTransfers Changing POD noReviewer: CBDate: 10/14/03

Point of Diversion and Source Data Entry Form

Point of Diversion

Claim No. 27-7120

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 ☒

Point of Diversion

Source

Claim No. 27 - 7120

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 (☒)

Source

Purpose of Use Data Entry Form

Claim Number: 27-7120☒ 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
Irrigation			188	

Document how the Purpose of Use was verified:

license ; field exam

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 10/14/03

Purpose of Use

Claim No. 27-7120

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 Purpose(s) of Use as shown on the Permit. Go to 13
Yes (☐) No (☐)
4. Does the parent right have a Purpose of Use?
If Yes, go to 5
If No, go to 6
Yes (☒) No (☐)
5. Can the claimed Purpose of Use be verified using the water right file?
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
Yes (☒) No (☐)
6. Is there evidence that there has been a change in the Purpose of Use?
If Yes, go to 7
If No, go to 11
Yes (☐) No (☐)
7. Can the change be verified as an accomplished transfer?
If Yes, add condition C04, go to 11
If No, go to 8
Yes (☐) No (☐)
8. Does the change include an enlargement of the Purpose of Use?
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
Yes (☐) No (☐)
9. Was an enlargement claim filed?
If Yes, go to 11
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 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
Yes (☐) No (☐)
11. Does the file contain all of the necessary information to verify the Water Use?
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
Yes (☐) No (☐)
12. Did the claimant file a transfer?
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
Yes (☐) No (☐)
13. Is a Purpose of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.
Yes (☐) No (☒)

Purpose of Use

Place Of Use Data Entry Form

Claim Number: 27-71204 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:

see amended claim and 27-11968
enlargement claim
field exam.

Transfers Changing POU noReviewer: CBDate: 10/17/03

Place Of Use Data Entry Form

Place of Use

Claim No. 27 - 7120

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 (☐)

Place of Use

Period of Use and Quantity Data Entry FormClaim Number: 27-7120☐ 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	3.76	658

Overall Diversion Rate 3.76Overall Diversion Volume 658

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

license

Reviewer: CBDate: 8/5/03

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes (X) 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 (X) 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 (X) 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 (X) 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 (X)
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 (X)

Period of Use

Quantity

Claim No. 27-7120

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 ☐

Quantity

Summary

Claim No. 27-7120

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

Summary Data Entry Form

Claim No.: _____

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

C18

E25 Qty R 27-11968 3-76 cts, 685.3 Ac

K06 188 ac ^{POU-I} ~~Qty~~ Rem

E11 POU-I R 27-11968 ; 195.8 AC.

K01 Exp R 27-11968

F05 Exp R 27-11968

C05 Ben Cond

R62 Qty C.

Split or Combined Right Analysis:

no

Attached Field Notes or Other Documents:

yes

Claim No.:

27-7120

Reviewer

CB

Date

10/17/83

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
27-07120					
27-07261					
27-07422	← not an adjudication claim				
27-10151					
	27-11968		enlargement claim to 27-07120		

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)

RAY + ROSEMARY TOMLINAGA

4. New Owner/Claimant(s)

RAY TOMLINAGA

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

() _____

5. Date you acquired the property



STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
CENTER FOR VITAL STATISTICS AND HEALTH POLICY
CERTIFICATE OF DEATH

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTRAR, WITH THE DEPT. OF HEALTH & WELFARE RAISED SEAL, SHALL BE USED AS PROOF OF EVIDENCE OF THIS DEATH UNDER BOARD CODE 30-24-01 & 30-24-02

State File No. _____
Local Reg. No. 193

DECEDENT	DECEDENT — NAME FIRST		MIDDLE		LAST		SEX	DATE OF DEATH (Month, Day, Year)
	Rosemary		Rice		Tominaga		Female	December 5, 1999
	SOCIAL SECURITY NUMBER		AGE — Last Birthday (Yrs.)	UNDER 1 YEAR	UNDER 1 DAY	DATE OF BIRTH (Month, Day, Year)		BIRTHPLACE (City and State or Foreign Country)
	541-52-2025		53			September 6, 1946		Dallas, Oregon
DECEASED	WAS DECEDENT EVER IN U.S. ARMED FORCES?		PLACE OF DEATH (Check only one)		HOSPITAL		OTHER	
	☐ Yes ☒ No		(1) ☐ Inpatient (2) ☐ ER/Outpatient (3) ☐ DOA		(4) ☐ Long-Term Care Facility (5) ☒ Own Residence		(6) ☐ Other Private Residence (7) ☐ Other (Specify)	
	FACILITY NAME AND ADDRESS (If not a hospital, enter name of place, street and number)		CITY, TOWN OR LOCATION OF DEATH		COUNTY OF DEATH			
	1420 Wagonwheel Dr.		Blackfoot		Bingham			
FATHER	FATHER — NAME		BIRTHPLACE		MOTHER — FULL MAIDEN NAME		BIRTHPLACE	
	Maurice Boillot		Colorado		Maxine Blankenbaker		Nebraska	
	INFORMANT'S NAME (Type/Print)		MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code)					
	Ray Tominaga		1420 Wagonwheel Dr. Blackfoot, ID. 83221					
DISPOSITION	METHOD OF DISPOSITION		PLACE OF DISPOSITION (Name of cemetery, crematory, or other place)		LOCATION — City or Town, State			
	☒ Burial ☐ Cremation ☐ Removal from Idaho		Fielding Memorial Park		Idaho Falls, Idaho			
	☐ Donation ☐ Other (Specify)							
	SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH		LICENSE NUMBER (for Licensee)		NAME AND ADDRESS OF FACILITY			
CAUSE OF DEATH	SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH		LICENSE NUMBER (for Licensee)		NAME AND ADDRESS OF FACILITY			
	Helen J. Dutch		M-748		Hill, Hawker, Sandberg Funeral Home 214 S. University Blackfoot, ID. 83221			
	TIME OF DEATH		DATE PROHOUNCED DEAD (Month, Day, Year)		WAS CASE REFERRED TO CORONER?		MANNER OF DEATH (Check One)	
	10:20 P. M.		December 5, 1999		☐ Yes ☒ No		☒ Natural ☐ Homicide ☐ Suicide ☐ Accident	
CAUSE OF DEATH	27. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line.		IMMEDIATE CAUSE		Approximate Interval Between Onset and Death			
	IMMEDIATE CAUSE (Final disease or condition resulting in death)		Lung Cancer		5-10 Mo			
	Sequentially list conditions, if any, leading to immediate cause. Enter UNDERLYING CAUSE (disease or injury that initiated events resulting in death) LAST							
CERTIFIER	27. PART II. Other Significant Conditions contributing to death but not resulting in the underlying cause given in Part I.		WAS AN AUTOPSY PERFORMED?		WERE AUTOPSY FINDINGS AVAILABLE PRIOR TO COMPLETION OF CAUSE OF DEATH?			
			☐ Yes ☒ No		☐ Yes ☐ No			
	CERTIFIER (Check only one)		SIGNATURE AND TITLE OF CERTIFIER		LICENSE NUMBER		DATE SIGNED (Month, Day, Year)	
	☒ PHYSICIAN — To the best of my knowledge, death occurred at the time, date, and place, and due to the cause(s) and manner as stated.		Michael Francisco		M6270		12 7 99	
CORONER'S REVIEW AREA	NAME AND ADDRESS OF CERTIFIER (Type/Print)		DATE OF INJURY (Mo., Day, Yr.)		HOUR OF INJURY		DESCRIBE HOW INJURY OCCURRED	
	Dr. Michael Francisco 707 N. 7th Pocatello, Idaho 83201							
	INJURY AT WORK? ☐ Yes ☐ No		IF TRANSPORTATION ACCIDENT, Specify		PLACE OF INJURY — At home, farm, street, factory, office building, etc. (Specify)		LOCATION (Street or Route Number, City/Town, or County, and State)	
	☐ Driver ☐ Passenger ☐ Pedestrian		☐ Other					
REGISTRAR	CORONER'S ACTION		CORONER'S SIGNATURE		DATE SIGNED (Month, Day, Year)			
	I have reviewed and/or amended, and certified.							
	REGISTRAR'S SIGNATURE		DATE FILED (Month, Day, Year)					
	Rae J. Jeff		December 9, 1999					

VITAL STATISTIC COPY

*At a minimum, complete items 1; 3; 9a, b, c, d; 20a; 21a, b; 22; and 23e for the 24 Hour Report & Authorization For Final Disposition

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO CENTER FOR VITAL STATISTICS AND HEALTH POLICY.

DATE ISSUED: December 9, 1999

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



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

Ray & Rosemary Tominaga
515 West 73 South
Blackfoot, ID 83221

Richard & JoAnn Tominaga
702 West 100 North
Blackfoot, ID 83221

October 31, 2003

Re: Snake River Basin Adjudication (SRBA)

Subject: Enlargement Claim

Claim No(s): 27-7120 & 27-7261

Response Date: November 21, 2003

DEAR CLAIMANT(S):

Please find enclosed the two amended claims for 27-7120 & 27-7261. These two claims are being amended to show the additional 10.4 acres, but still they will only cover the original acres under the license. While the enlargement claim will pick up the additional acres.

We need to have the amended "Notice of Claim to a Water Right" signed, notarized and returned to us. There is no fee required with this change. If you have any questions, please feel free to contact me at 547-3993.

Respectfully;

Cindy E. Bird
Adjudication Bureau



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

1 October 2003

Ray & Rosemary Tominaga
515 West 73 South
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claims 27-7120, 27-7261, 27-10151

Subject: ENLARGEMENT CLAIM

Response Date: 1 November 2003

Dear Claimant(s):

In reviewing your Snake River Basin Adjudication (SRBA) claims, it was determined that your irrigated acres doesn't match your claims filed with the Department.

Our 1987/88 NAPP Photography shows under claims 27-7261 and 27-10151 a total of 70.6 acres. The claimed acres under 27-7261 are 68.0. Your enlargement claim 27-10151 will cover the additional 2.6 acres to reflect the correct irrigated acres.

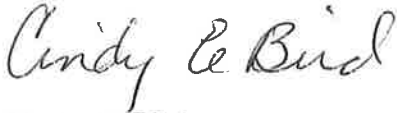
Our 1987/88 NAPP Photography shows under claim 27-7120 a total of 195.8 acres. The claimed acres under 27-7120 are 188.0. You need to file an enlargement claim during the review process of the SRBA for an additional 7.8 acres to reflect the correct acres irrigated under this claim.

I am enclosing a Notice of Claim to a Water Right form that I have filled out based on the enclosed map. Please verify that the information is correct and sign. Please complete the highlighted portions and return to this office for processing. The filing fee is \$50.00 plus \$1.00 per acre for 8 acres. Therefore the total filing fee is \$58.00.

The preliminary director's report will be coming out soon in this basin so you will need to file this claim as soon as possible if you intend make these changes.

If we do not hear from you by the above response date, we will assume you do not want to file an enlargement claim. If you have any questions please feel free to contact me at 547-3993 in Soda Springs.

Respectfully,



Cindy E. Bird
Adjudication Bureau
CEB/bjp
Enclosure:

Form Notice of Claim to a Water Right Form 42-1409(2)a 1/88
Drawing



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

24 September 2003

Ray & Rosemary Tominaga
1420 Wagon Wheel Drive
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claims 27-7120, 27-7261, 27-10151

Subject: ENLARGEMENT CLAIM

Response Date: 25 October 2003

Dear Claimant(s):

In reviewing your Snake River Basin Adjudication (SRBA) claims, it was determined that your irrigated acres doesn't match your claims filed with the Department.

Our 1987/88 NAPP Photography shows under claims 27-7261 and 27-10151 a total of 70.6 acres. The claimed acres under 27-7261 are 68.0. Your enlargement claim 27-10151 will cover the additional 2.6 acres to reflect the correct irrigated acres.

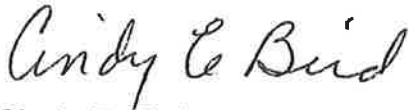
Our 1987/88 NAPP Photography shows under claim 27-7120 a total of 195.8 acres. The claimed acres under 27-7120 are 188.0. You need to file an enlargement claim during the review process of the SRBA for an additional 7.8 acres to reflect the correct acres irrigated under this claim.

I am enclosing a Notice of Claim to a Water Right form that I have filled out based on the enclosed map. Please verify that the information is correct and sign. Please complete the highlighted portions and return to this office for processing. The filing fee is \$50.00 plus \$1.00 per acre for 8 acres. Therefore the total filing fee is \$58.00.

The preliminary director's report will be coming out soon in this basin so you will need to file this claim as soon as possible if you intend make these changes.

If we do not hear from you by the above response date, we will assume you do not want to file an enlargement claim. If you have any questions please feel free to contact me at 547-3993 in Soda Springs.

Respectfully,



Cindy E. Bird
Adjudication Bureau
CEB/bjp
Enclosure:

Form Notice of Claim to a Water Right Form 42-1409(2)a 1/88
Drawing

Calculated Acres

	7261	10151	7120
✓ SWNE	3.9	4.1	✓ 27.4
✓ SENW	1.5	2.4	
✓ NWSE	22.3	.8	.2
✓ NESW	30.6	3.6	
✓ SESW	12.3	1.0	5.0

$$70.6 + 11.8 = 82.4$$

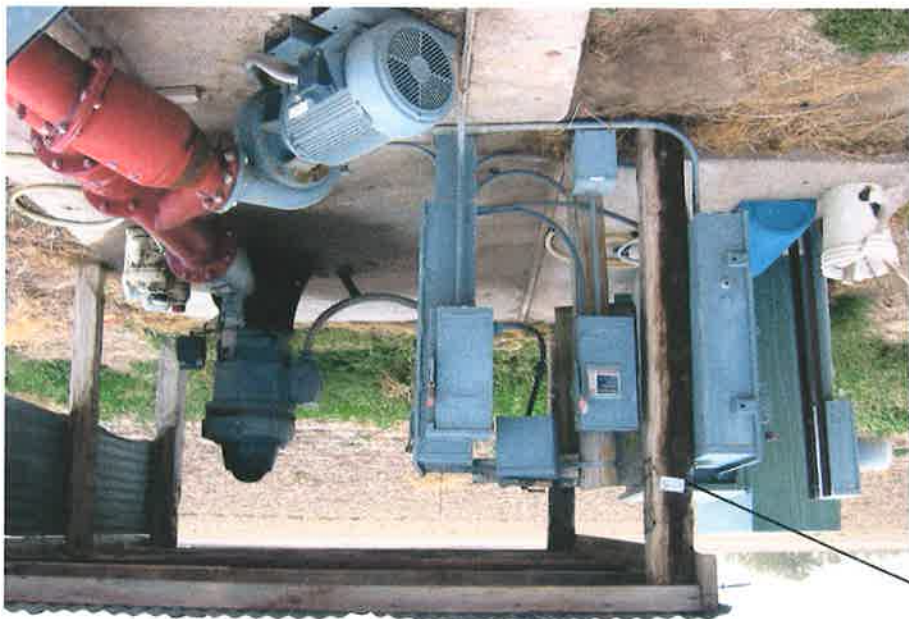
$$\text{claimed acres} \quad 68.0 + 7 = 75.0$$

✓ SENE	✓ 3.1
✓ NESE	✓ 36.2
✓ NWSE	✓ 9.3
✓ SESE	✓ 27.0
✓ SWSE	✓ 37.9
✓ NENE	✓ 22.7
✓ NWNE	✓ 2.4
✓ SENE	✓ 24.8
	195.8

$$\text{claimed acres} \quad 188.0$$

	claimed	calculated
7261	68.0	70.6
10151	7.0	11.8
7120	188.0	191.7
	263.0	274.1

North well (photo looking South)



GPS
tag
#A0012469

Claim A27-07120

Claim A27-07120

GPS
tag
A0012470



South well with 60Hp Yasleawa
pump as per original field exam

7120 South

JUL 18 2001

Log for claim 27-07120

Spatial Dynamics LTD

11/21/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
02s37e	6	NENE	18	22	
02s37e	6	NWNE	3	2.4	
02s37e	6	SWNE	29	29	
02s37e	6	SENE	26	29	
02s37e	6	SESW	6	6.4	
02s37e	6	NESE	36	38	
02s37e	6	NWSE	10	12	
02s37e	6	SWSE	38	39	
02s37e	6	SESE	22	27	
Totals:			188	204.8	

WATER RIGHT LICENSE

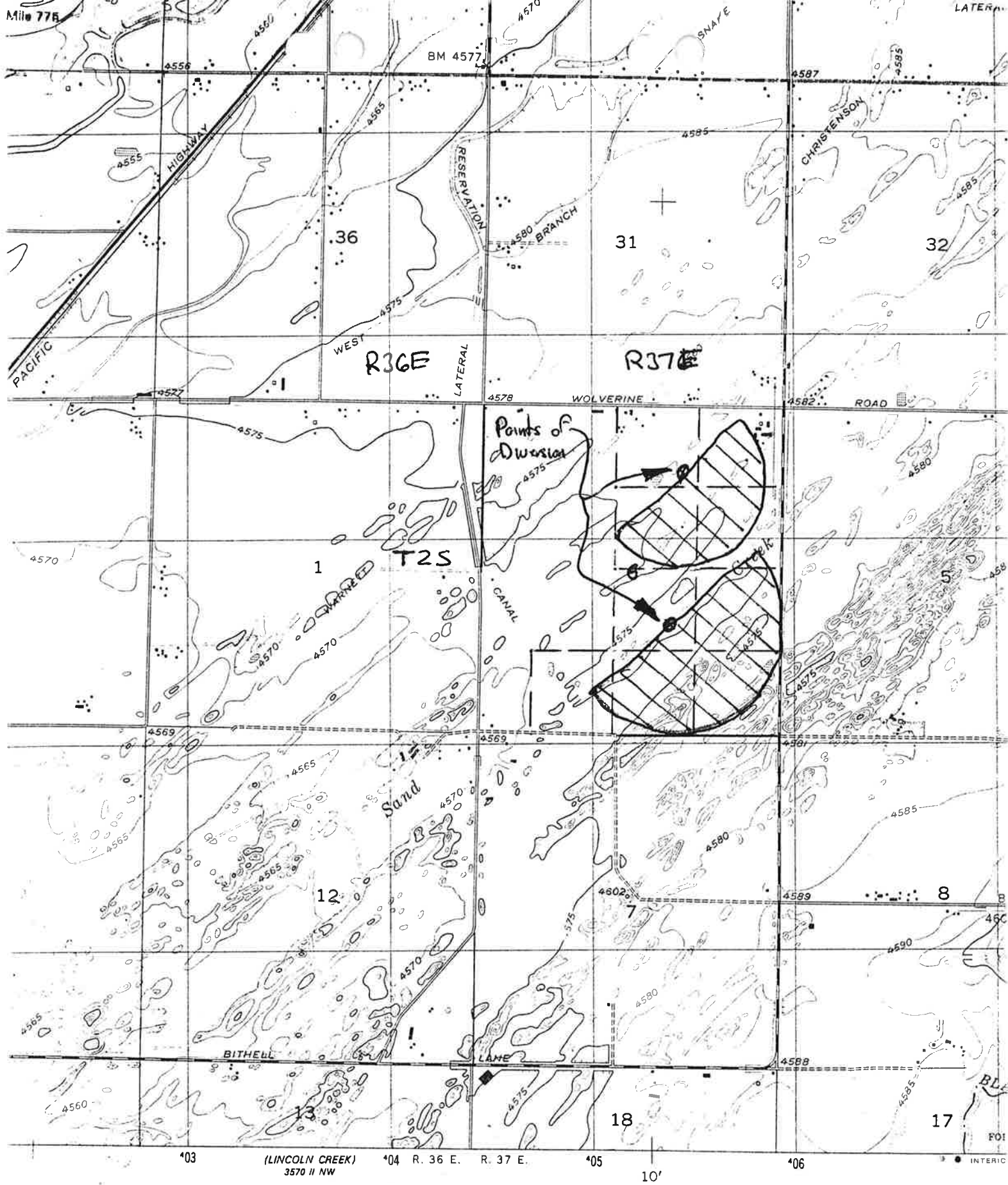
THIS IS TO CERTIFY, that Woodrow Petersen
of Firth, Idaho, has complied with the terms and conditions of Permit
No. 27-7120 issued pursuant to Application for Permit dated November 17, 1977,
and has submitted proof to the Department of Water Resources on February 16, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.12 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 3.76 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 658.0 acre feet per year, said waters to be diverted within the NW¹/₄, NW²/₄, NW³/₄, NW⁴/₄ Section 6, Twp 2S, Rge 37E _____ in the County of Bingham

[illegible]

Total number of acres irrigated 188

UNCLASSIFIED



AJ5809NP
No. A27-07120

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 57

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAY TOMINAGA	01/02/1978	IRRIGATION	04-01 11-01	3.760 CFS	
C	ROSEMARY TOMINAGA 1420 WAGON WHEEL DR BLACKFOOT ID 83221 (208) 785-2017					
				TOTAL DIVERSION:	3.760 CFS	
				CONSUMPTIVE USE:		470.00 AFA

C RICHARD TOMINAGA
C JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221
(208) 684-4068

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R37E S06 SENWNE SENWSE BINGHAM County

Place of use Legal Description for: 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	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
02S	37E	6	: 18 03 29 26	:	:	:	:	:	06	:	36	10	38	22	: 188.0	
TOTAL ACRES														188.0		

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: SNAKE R. VALLEY IRR. CANAL.

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

A01-00038 A01-00039 A01-00171 A01-00172 A01-00250 A01-00328 A01-10247 A27-07261 A27-10151

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for
- irrigation of the lands above.

Remarks: GEN CLAIMANT IS REQUESTING RE-EXAM OF THIS RIGHT. CLAIMS THE
TOTAL ACRES ARE INCORRECT. IS IRRIGATING 195 ACRES. ADDITIONAL
ACRES FROM END GUNS ON CENTER PIVOTS.
*CHANGED OWNERSHIP PER REQUEST. NAMES SHOULD READ RAY AND/OR
ROSEMARY TOMINAGA AND RICHARD AND/OR JOANN TOMINAGA. JH/7-15-97*

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

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

AJ5809NP
No. A27-07120

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 58

=====

Audit: 03/31/89 VERNER 10/11/94 JTHOMPSO 03/29/95 POST-STD 07/02/97 JHOAGLAN
07/15/97 JHOAGLAN

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT C.F.S.
Orginial Permit	27-7120	Clayson Farms	5.0 cfs
Full Assignment	27-7120	Woodrow Petersen	5.0 cfs

JAN 13 1986

Department of Water Resources
Permit No. 57-39999

Permit No. 27-7728

Phone No. 346-6090

1. Owner: A. Woodrow Peterson Phone No. 346-6090
Current Address: Rt. 1 Box 264 Rirth, ID.
2. Accompanied by: Applicant EXAM. DATE: 6-15-84
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

Well/Diversion* No.	Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Pwt Well (North)	US Motors	40	R-6228-06-875	Western Land	N/A
Pwt Well (South)	Yaskawa	60	2255455003	Goulds	N/A

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)
- (N. well) well/pump to 9 Tower Valley pivot pump set at 55'
- (S. well) well/pump to 12 Tower Valley Pivot pump set at 55'

	Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
N.W.H.	Eagle Eye Meter				091471	10-80	5-29-84
	Annubar				191126	6.0"	
S.W.H.	Eagle Eye Meter				091471	10-80	5-29-84
	Annubar				191126	6.0"	

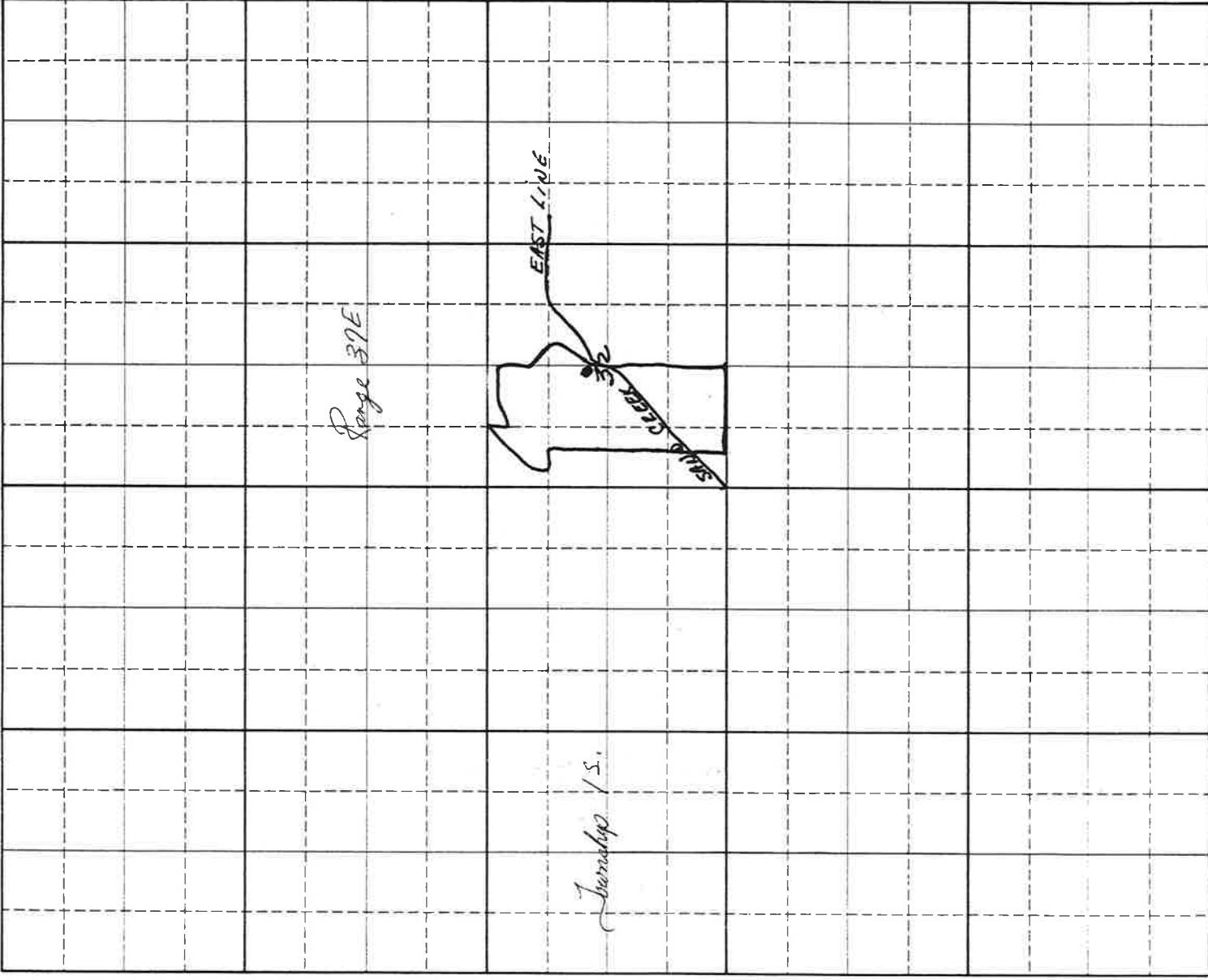
7. Measurements 7.5" ID 18" meter reading ☐ Additional data/computation sheets attached

8. Point(s) of Diversion: Indicate Method of Determination *ASCS Photo*

[illegible]

- | Place(s) of Use: | | Irrigation - give acres served by system at time of exam.
Indicate Method of Determination | | | | | | | | | | | | | | | | | | |
|------------------|------|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------------|-----|
| Twp. | Rge. | 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 | | |
| AS | 37E | 6 | 18 | 3 | 29 | 26 | | | | | | | | | 6 | 36 | 10 | 38 | 22 | 188 |
| | | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | Total Acres | 188 |

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



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.

Clayton Davis
(Applicant)
John Clayton - Father

Identification No. 27 7120

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Clayson Farms Phone: 346-6779
post office address RFD #1, Firth, Idaho 83236
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32 Township 1S
Range 37E 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 5.00 for Irrigation purpose from Apr. 1 to Nov. 1 (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. 5.00 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 30-40 hp volume pump to
opendischage into cement tank, 100 hp centrifugal pump to pick it up and
pressurize lines. Well will only be used when surface canal water is not
available

- 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 20 inches; proposed depth of well is 100 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 10,000.00.
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: _____

PROMPT

JAN 17 1983

STATE OF IDAHO

Department of Water Resources
Eastern District Office

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Woodrow Petersen Phone 346-6090
of (address) Rt. 1, Box 264, Firth, Idaho 83236, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 27-7120, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ NE ¼, Section 6, Township 2S, Range 37E, B.M.,
County of Bingham. Other points of diversion: NW ¼ SE ¼, Sec. 6, T. 2S, R. 37E.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 5.00 for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	37E	6	37	27	23	40								7	38	12	38	28	250

Total number of acres to be irrigated = 250

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated or the place of use? Applicant

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

RECEIVED

RECEIVED
JUL 23 1986
Department of Water Resources
Eastern District Office

STATE OF IDAHO

APPLICATION FOR AMENDMENT
(For Licensing Purposes)

RECEIVED
JUL 1 1986
APPROVED
Department of Water Resources

Comes now Woodrow Petersen

Phone _____

of (address) Rt. 1, Box 264 Firth, ID 83236, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the
State of Idaho No. 27-7120, and requests that the permit be changed as follows:

1a. Point of diversion: NW 1/4 NE 1/4, Section 6, Township 2S, Range 37E,
B.M., County of Bingham. Other points of diversion: NW 1/4 SE 1/4, Sec. 6,
Twp 2S, Rge 37E

1b. Source: groundwater tributary to -----

2a. Period and nature of use:

Amount 3.76 for Irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

2b. The maximum quantity diverted shall not exceed 3.76 cfs or 658.0 acre feet
per year.

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE				NW				SW				SE				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	
2S	37E	6	18	3	29	26								6	35	10	38	22	188

Total number of acres to be irrigated = 188

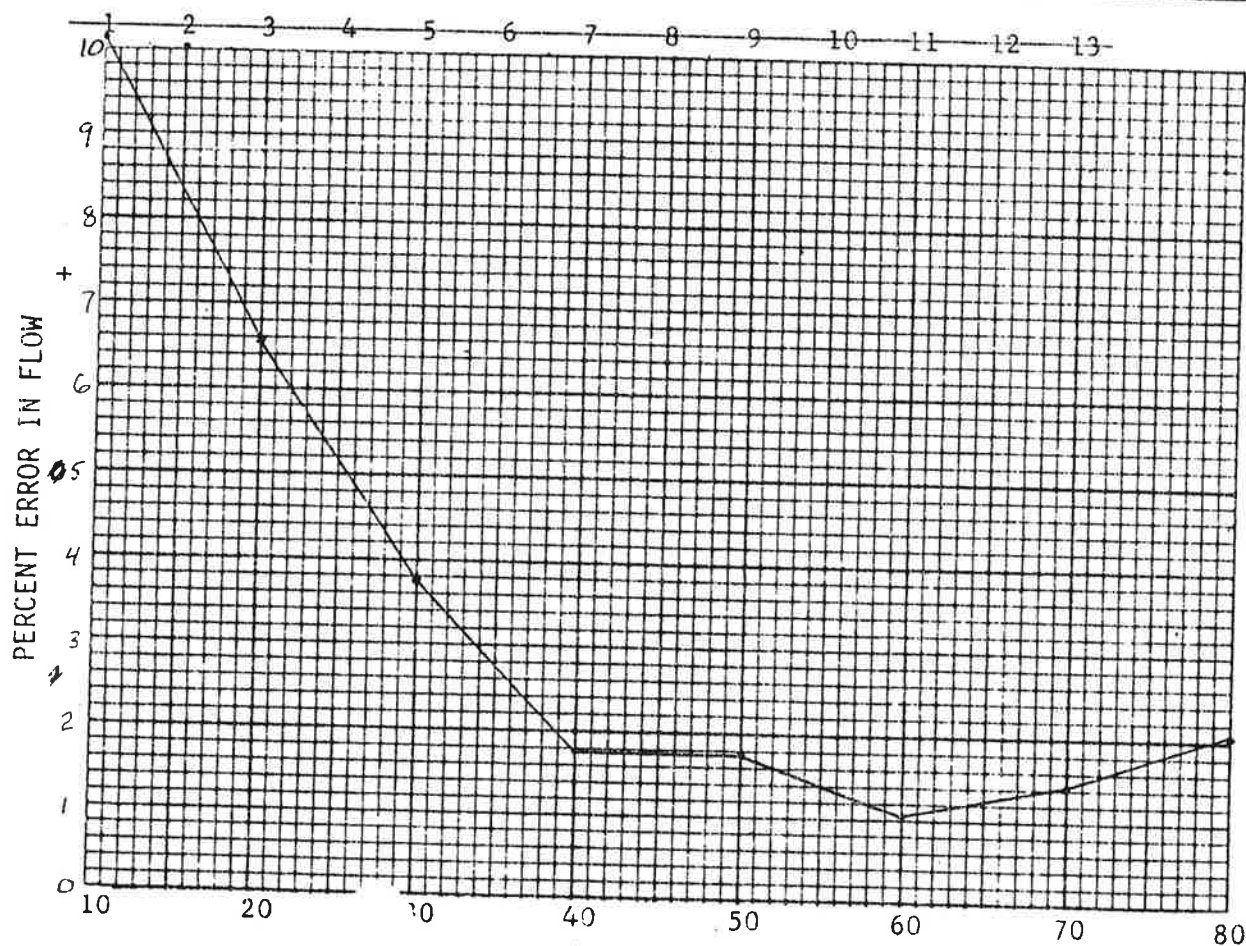
4. Date of priority: January 2, 1978 (Late Proof)

27-7120

EASTERN

14
4METER NO. 091471RANGE 10-80DATE TESTED 5/1-9/84

APPLIED PRESSURE			METER READING	FLOW ERROR (%)	FLOW CORRECTION FACTOR
UPSCALE	DOWNSCALE	AVERAGE			
8.59	7.89	8.24	10	+10.16	.908
18.02	17.20	17.61	20	+6.57	.938
28.57	27.15	27.86	30	+3.77	.964
39.42	37.81	38.62	40	+1.78	.983
49.02	47.54	48.28	50	+1.77	.983
59.85	57.67	58.76	60	+1.05	.990
68.47	67.64	68.06	70	+1.42	.986
76.90	76.71	76.81	80	+2.06	.980



MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 15, 1997

Richard & Joann Tominaga
702 W 100 N
Blackfoot, ID 83221

Dear Mr. & Mrs. Tominaga:

The request for Change in Ownership concerning the Notice(s) of Claim in A27-07261 and A27-07120 has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a copy of the Notice(s) of Claim with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

Notice of Claim



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 15, 1997

Ray & Rosemary Tominaga
1420 Wagon Wheel Drive
Blackfoot Id 83221

Re: Change in Ownership for A27-07261 and A27-07120

Dear Mr. & Mrs. Tominaga:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a copy of the Notice(s) of Claim with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

Notice of Claim

Steve Ball
11-20-96

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

RECEIVED
NOV 20 1996
Department of Water Resources
Eastern Region

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

1. Water Right Number(s) 27-07422
Adjudication Claim Number(s) A27-07261, A27-07120
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) WOODROW D. PETERSEN
691 E 600 N FIRTH ID 83236
208-785-2017
4. New Owner/Claimant(s) RAY ^{OR} Rosemary Teminaga RICHARD ^{OR} JO ANN
Name connector (Check one): ☒ AND ☐ OR ☐ AND/OR
New Mailing Address 1420 Wagon Wheel DR 702 W 100 N
Blackfoot ID 83221 BLACK FOOT ID 83221
City, State and ZIP Code _____
New Telephone Number (208) 684-4068
5. Date you acquired the property 11-8-96
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Richard Teminaga Date 11-13-96
Ray Teminaga Date 11-14-96
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

COPY

WARRANTY DEED

THIS INDENTURE, made this 30th day of October, 1996, between WOODROW D. PETERSEN and MARLYN PETERSEN, husband and wife of the County of Bingham, State of Idaho, and A. WOODROW PETERSEN and DONNA C. PETERSEN, husband and wife of the County of Bingham, State of Idaho, the Grantor, hereinafter referred to as "Seller," and RICHARD TOMINAGA and JOANN TOMINAGA, husband and wife of the County of Bingham, State of Idaho, and RAY TOMINAGA and ROSEMARY TOMINAGA, husband and wife, of the County of Bingham, State of Idaho, the Grantee, hereinafter referred to as "Buyer".

WITNESSETH: That said Seller, for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America and other valuable consideration to Seller in hand paid by the Buyer, the receipt whereof is hereby acknowledged, has granted, bargained, sold and by these presents does grant, bargain, sell and convey and confirm unto the said Buyer, and to Buyer's successors and assigns, forever, the following described real estate situate in Bingham County, State of Idaho, to-wit:

Beginning at a point that is West 1,859.37 feet along the section line from the Northeast corner of Section 6, Township 2 South, Range 37 East of the Boise Meridian, Bingham County, Idaho; and running thence South 28.26 feet to an existing fence; thence along said fence the following eight (8) courses: (1) S 45°30'04" W 396.67 feet; thence (2) S 37°52'21" W 274.62 feet; thence (3) S 00°15'33" E 578.78 feet; thence (4) S 00°06'40" E 336.95 feet; thence (5) S 33°06'19" W 92.09 feet; thence (6) S 00°14'47" W 292.79 feet to a point of a curve with a radius of 1,414.00 feet and a Delta of 65°06'53"; thence (7) to the right along said curve 1,606.96 feet; thence (8) N 88°48'39" W 389.61 feet to the West line of the East one half of the Southwest one quarter of said Section 6; thence S 00°16'49" E 2,533.67 feet along said West line to the South line of said Section 6; thence N 89°42'12" E 2,807.06 feet along said South line; thence N 57°40'30" E 436.83 feet; thence N 48°59'54" E 535.06 feet; thence N 40°11'15" E 529.86 feet; thence East 32.36 feet to the East line of said Section 6; thence N 00°19'02" W 1,487.30 feet along said East line; thence West 29.09 feet; thence N 35°37'14" W 790.55 feet to an existing fence; thence N 38°40'26" E 121.06 feet to an existing fence corner; thence along said fence the following seven (7) courses: (1) N 30°08'59" E 246.35 feet; thence (2) N 21°53'49" E 206.99 feet; thence (3) N 14°19'55" E 197.89 feet; thence (4) N 06°25'20" E 206.16 feet; thence (5) N 01°15'49" W 196.55 feet; thence (6) N 08°43'07" W 205.07 feet; thence (7) N 16°30'04" W 197.57 feet; thence N 47°35'31" W 51.56 feet; thence N 33°36'59" W 292.30 feet; thence S 87°27'31" W 24.22 feet; thence N 09°50'21" W 139.15 feet; thence N 46°50'13" W 119.52 feet; thence N 80°14'22" W 34.15 feet; thence S 53°40'54" W 143.36 feet; thence N 53°37'37" W 365.16 feet; thence North 25.49 feet to the North line of said Section 6; thence West 864.13 feet along said North line to the point of beginning.

TOGETHER WITH a 20 foot wide ingress-egress easement lying 10 feet each side of the following described centerline:

Beginning at a point that is West 433.00 feet along the section line from the Northeast corner of Section 6, Township 2 South, Range 37 East of the Boise Meridian and running thence South 356.51 feet; thence S 33°36'59" E 321.36 feet.

AND TOGETHER WITH the benefit of an Agreement dated October 18, 1983, between Woodrow Peterson and Donna Peterson, first parties, and Gaylen Clayson and Donna Clayson, second parties, upon the terms, conditions, and provisions contained therein.

SUBJECT TO a 20 foot wide ingress-egress easement lying 10 feet each side of the following described centerline:

Beginning at a point that is West 975.54 feet along the section line and South 40.00 feet from the Northeast corner of said Section 6; and running thence West 895.78 feet.

AND SUBJECT TO all public easements, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by the parties.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining, and the reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of Seller.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with the appurtenances, unto Buyer, and to Buyer's successors and assigns forever. And Seller, and Seller's heirs and successors, shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of Buyer, and Buyer's successors and assigns, against Seller, and Seller's heirs and successors, and against all and every person and persons whomsoever, lawfully claiming or to claim the same. In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, Seller have hereunto set their hand and seal the day and year first above written.

SELLER:

W. D. Petersen

Woodrow D. Petersen

MarLyn Petersen

MarLyn Petersen

A. Woodrow Petersen

A. Woodrow Petersen

Donna C. Petersen

Donna C. Petersen

STATE OF IDAHO)
 : ss.
County of Bingham)

ON THIS 30th day of October, 1996, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Woodrow D. Petersen, MarLyn Petersen, A. Woodrow Petersen, and Donna C. Petersen known to me to be the persons whose names are subscribed to the foregoing document, and acknowledged to me that they executed the same.

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

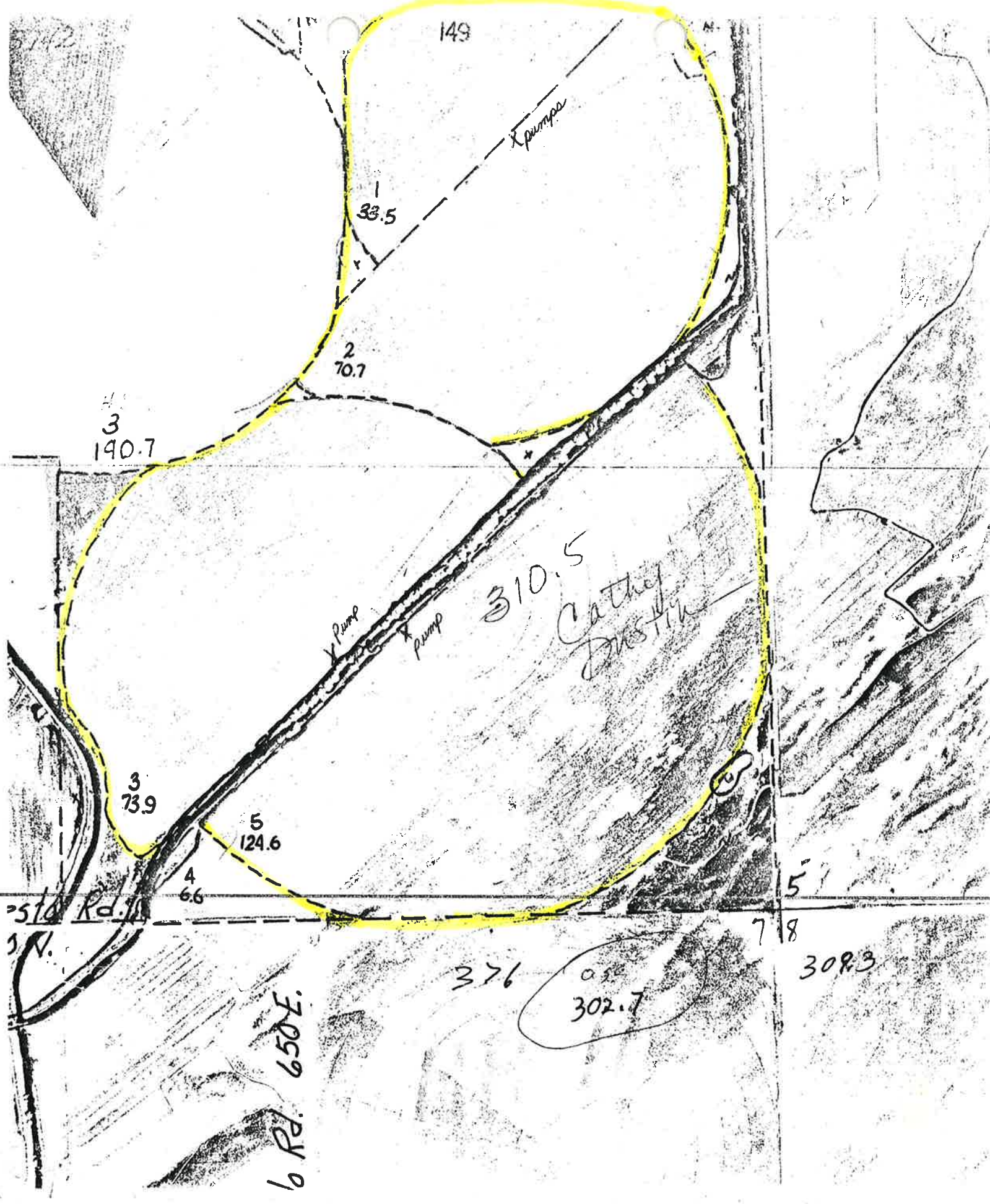
(Seal)

Boyd J. Peterson

Notary Public for Idaho

Residing at: Firth, ID

My commission expires: 8-27-2002



3
140.7

2
70.7

33.5

149

310.5

Cather
Dr. N. 1/2

3
73.9

5
124.6

4
6.6

510 Rd. N.

6 Rd. 650 E.

376

302.7

308.3

7 18

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 27-7120
Date Received: 3/31/1989
Receipt No: E006622
Received By:

AMENDED

AMENDED

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

1. Name of Claimant(s)

JOANN TOMINAGA Phone: (208) 684-4067

1420 WAGON WHEEL DR
BLACKFOOT ID USA 83221

RICHARD TOMINAGA Phone: (208) 684-4068

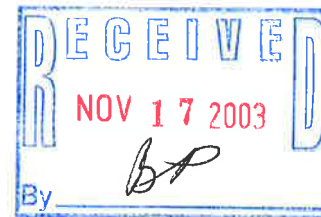
702 W 100 N
BLACKFOOT ID USA 83221

JOANN TOMINAGA Phone: (208) 684-4068

702 W 100 N
BLACKFOOT ID USA 83221

ROSEMARY TOMINAGA Phone: (208) 785-2017

515 W 73 S
BLACKFOOT ID USA 83221



2. Date of Priority: 01/02/1978

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	37E	6	SE NW NE	BINGHAM	
02S	37E	6	SE NW SE	BINGHAM	

5. Description of diverting works:

2 WELLS - 40HP PUMP TO CENTERPIVOT/ 60HP TO CENTERPIVOT-90' WELLS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	04/01	11/01	3.76		658

7. Total Quantity Appropriated is:
3.76 C.F.S. and/or 658 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	37E	6	NE	NE	IRRIGATION	22.7
			NW	NE	IRRIGATION	2.4
			SW	NE	IRRIGATION	27.4
			SE	NE	IRRIGATION	27.9
			SE	SW	IRRIGATION	4.8
			NE	SE	IRRIGATION	36.2
			NW	SE	IRRIGATION	9.3
			SW	SE	IRRIGATION	37.9
			SE	SE	IRRIGATION	27
			NW	SE	IRRIGATION	0.2
Section Acres						195.8
Total Acres						195.8

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:

14. Remarks:

CLAIMANT IS REQUESTING RE-EXAM OF THIS RIGHT. CLAIMS THE TOTAL ACRES ARE INCORRECT. IS IRRIGATING 195 ACRES. ADDITIONAL ACRES FROM END GUNS ON CENTER PIVOTS.

CHANGED OWNERSHIP PER REQUEST. NAMES SHOULD READ RAY AND/OR ROSEMARY TOMINAGA AND RICHARD AND/OR JOANN TOMINAGA. JH/7-15-97

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

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 X 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): Ray Tommings
Richard J

Date: 11-14-03

Date: 11-14-03

State of Idaho)

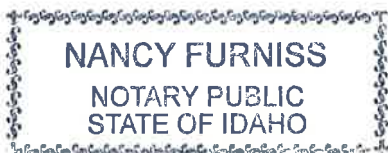
County of Bingham)

SS.

Subscribed and sworn (or affirmed) before me this 14th
of November 2003

Nancy Furniss

Notary Public



Residing at Blackfoot

My commission Expires 8/13/2004

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 27-7120
Date Received: 3/31/1989
Receipt No: E006622
Received By:

AMENDED

AMENDED

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

1. Name of Claimant(s)

JOANN TOMINAGA Phone: (208)684-4067

1420 WAGON WHEEL DR
BLACKFOOT ID USA 83221

RICHARD TOMINAGA Phone: (208)684-4068

702 W 100 N
BLACKFOOT ID USA 83221

JOANN TOMINAGA Phone: (208)684-4068

702 W 100 N
BLACKFOOT ID USA 83221

ROSEMARY TOMINAGA Phone: (208)785-2017

515 W 73 S
BLACKFOOT ID USA 83221

COPY

2. Date of Priority: 01/02/1978

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	37E	6	SE NW NE	BINGHAM	
02S	37E	6	SE NW SE	BINGHAM	

5. Description of diverting works:

2 WELLS - 40HP PUMP TO CENTERPIVOT/ 60HP TO CENTERPIVOT-90' WELLS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	3.76	658

7. Total Quantity Appropriated is:
3.76 C.F.S. and/or 658 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02S	37E	6	NE	NE	IRRIGATION	22.7
			NW	NE	IRRIGATION	2.4
			SW	NE	IRRIGATION	27.4
			SE	NE	IRRIGATION	27.9
			SE	SW	IRRIGATION	4.8
			NE	SE	IRRIGATION	36.2
			NW	SE	IRRIGATION	9.3
			SW	SE	IRRIGATION	37.9
			SE	SE	IRRIGATION	27
			NW	SE	IRRIGATION	0.2
Section Acres						195.8
Total Acres						195.8

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:

14. Remarks:

CLAIMANT IS REQUESTING RE-EXAM OF THIS RIGHT. CLAIMS THE TOTAL ACRES ARE INCORRECT. IS IRRIGATING 195 ACRES. ADDITIONAL ACRES FROM END GUNS ON CENTER PIVOTS.

CHANGED OWNERSHIP PER REQUEST. NAMES SHOULD READ RAY AND/OR ROSEMARY TOMINAGA AND RICHARD AND/OR JOANN TOMINAGA. JH/7-15-97

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

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 X 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
of _____ 20__ _____

Notary Public

Residing at _____
My commission Expires _____

COPY

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: A27-07120 ✓

Date Received: 3/31/1989

Receipt No: 6006622

Received By: ESY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: *Ray Tomlinaga* ~~A. WOODROW PETERSEN~~ ✓
Address: 691 E. 600 N.
FIRTH, ID 83236

208-346-6090

OR
Name: W. DEE PETERSEN
Address: 659 E 600 N.
FIRTH, ID 83236

208-346-6770

2. Date of Priority: JAN 02, 1978 ✓

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S ✓	37E ✓	6 ✓	SE	NW ✓	NE		BINGHAM
			SE	NW	SE		BINGHAM

5. Description of diverting works:

2 WELLS - 40HP PUMP TO CENTERPIVOT/ 60HP TO CENTERPIVOT-90' WELLS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION ✓	04/01 ✓	11/01 ✓	3.760 ✓		

7. Total Quantity Appropriated is:

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

8. Total consumptive use is 470.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

MICROFILMED

NOV 12 1992

A2707120



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	37E	6	NE	NE		IRR	18.0 ✓
			NW	NE		IRR	3.0 ✓
			SW	NE		IRR	29.0 ✓
			SE	NE		IRR	26.0 ✓
			SE	SW		IRR	6.0 ✓
			NE	SE		IRR	36.0 ✓
			NW	SE		IRR	10.0 ✓
			SW	SE		IRR	38.0 ✓
			SE	SE		IRR	22.0 ✓

Section Acres 188.0

Total Acres 188.0

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:
SNAKE R. VALLEY IRR. CANAL.

14. Remarks:
CLAIMANT IS REQUESTING RE-EXAM OF THIS RIGHT. CLAIMS THE
TOTAL ACRES ARE INCORRECT. IS IRRIGATING 195 ACRES. ADDITIONAL
ACRES FROM END GUNS ON CENTER PIVOTS.

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

Number of attachments: 0

For Individuals:

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

Signature of Claimant(s): A. Henderson Petersen Date: Mar 31, 1989
W. Dan Petersen Date: 3/31/1989

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 31 day
of March 19 89

[Signature]
Notary Public

Seal

Residing at Idaho Falls, ID
My Commission Expires 22 Aug 1994

NOV 12 1992
MICROFILMED

TAS

07120
A27-~~07201~~

188 ACRES
TOTAL



27-720

TAS

R37E

A27-10152

R37E

A27-10154

AJ0749NP
No. A27-07120

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/15/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RAY TOMINAGA	01/02/1978	IRRIGATION	04-01 11-01	3.76 CFS	
C	ROSEMARY TOMINAGA 1420 WAGON WHEEL DR BLACKFOOT ID 83221 (208) 785-2017			TOTAL DIVERSION: CONSUMPTIVE USE:	3.76 CFS	470.00 AFA

C RICHARD TOMINAGA
C JOANN TOMINAGA
702 W 100 N
BLACKFOOT ID 83221
(208) 684-4068

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R37E S06 SENWNE SENWSE

BINGHAM 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	Lt	Ac		
02S	37E	6	:	18	03	29	26	:					:					:					:		
															06					36	10	38	22	:	188.0
																								:	188.0

POU County: BINGHAM

Non-Irrigation Uses: NONE

Other Rights: SNAKE R. VALLEY IRR. CANAL.

Conditions of Approval:

- R30 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.5 afa per acre for the
- lands above.

Remarks: GEN CLAIMANT IS REQUESTING RE-EXAM OF THIS RIGHT. CLAIMS THE
TOTAL ACRES ARE INCORRECT. IS IRRIGATING 195 ACRES. ADDITIONAL
ACRES FROM END GUNS ON CENTER PIVOTS.

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

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

COPY