

08/23/2005

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

RIGHT NUMBER: 27-11971
NAME AND ADDRESS: JOHN HOGE
2810 RIVER RANCH RD
BLACKFOOT ID 83221

SHARON HOGE
2810 RIVER RANCH RD
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right.

The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

QUANTITY: 0.030 CFS
7.00 AFY

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.

PRIORITY DATE: 10/08/1981

POINT OF DIVERSION:
T03S R35E S11 NWSESE 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	0.030 CFS 7.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R35E S11 SESE 2.0

2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

RIGHT NO. 27-10776 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-7290.

12/18/2003

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

RIGHT NUMBER: 27-11971

NAME AND ADDRESS: JOHN HOGE
2810 RIVER RANCH RD
BLACKFOOT ID 83221

SHARON HOGE
2810 RIVER RANCH RD
BLACKFOOT ID 83221

SOURCE: GROUND WATER

TRIBUTARY:

The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

QUANTITY: 0.030 CFS
7.000 AFY

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.

PRIORITY DATE: 10/08/1981

POINT OF DIVERSION:

T03S R35E S11 NWSESE 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	0.030 CFS 7.00 AFY

PLACE OF USE: IRRIGATION Within BINGHAM County

T03S R35E S11 SESE 2.0

2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: **License**

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

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THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-7290.



Department of Water Resources

Eastern Region

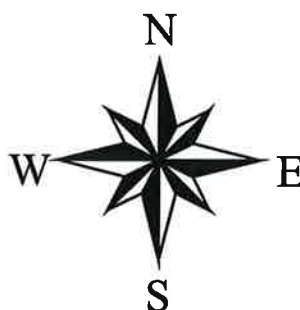


Claim No.: 27-11971



0 660 1320 Feet

-  Place of Use
-  Pou.shp
-  Township/Range
-  Qq.shp



GIS Place of Use Illustration
1992 Orthophoto
Prepared by: Kristin Moore
Date Prepared: August 2005



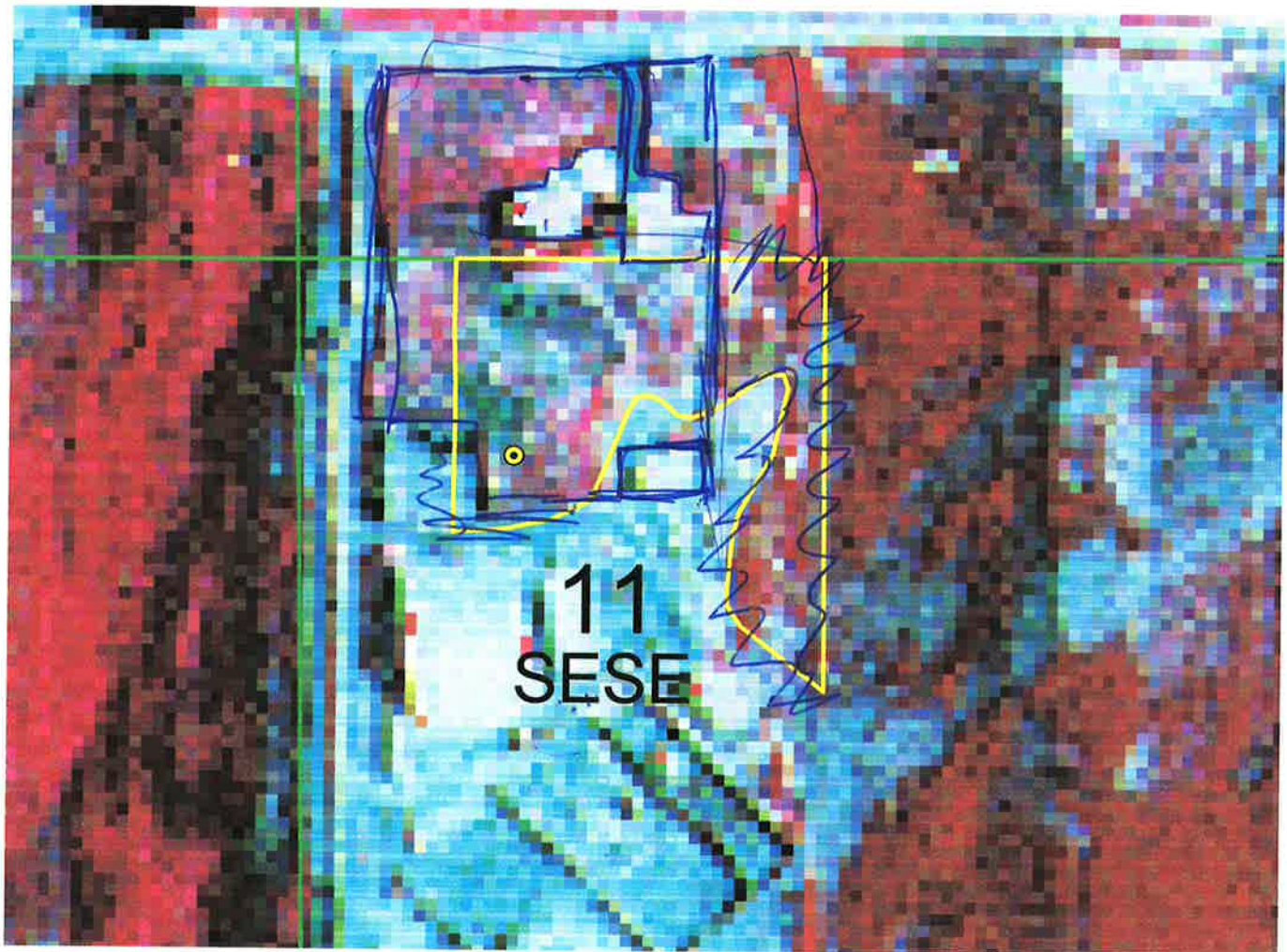
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 27-11971



100 0 100 200 Feet

IRRIGATED ACRES 2.0

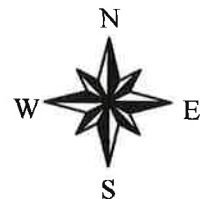
LEGEND

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

made changes

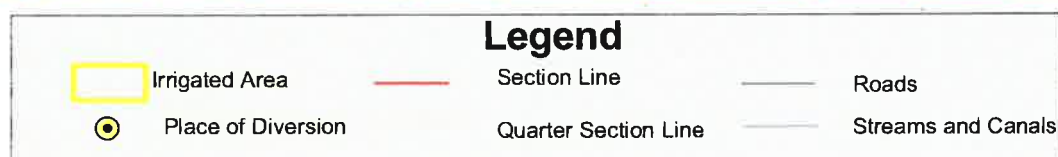
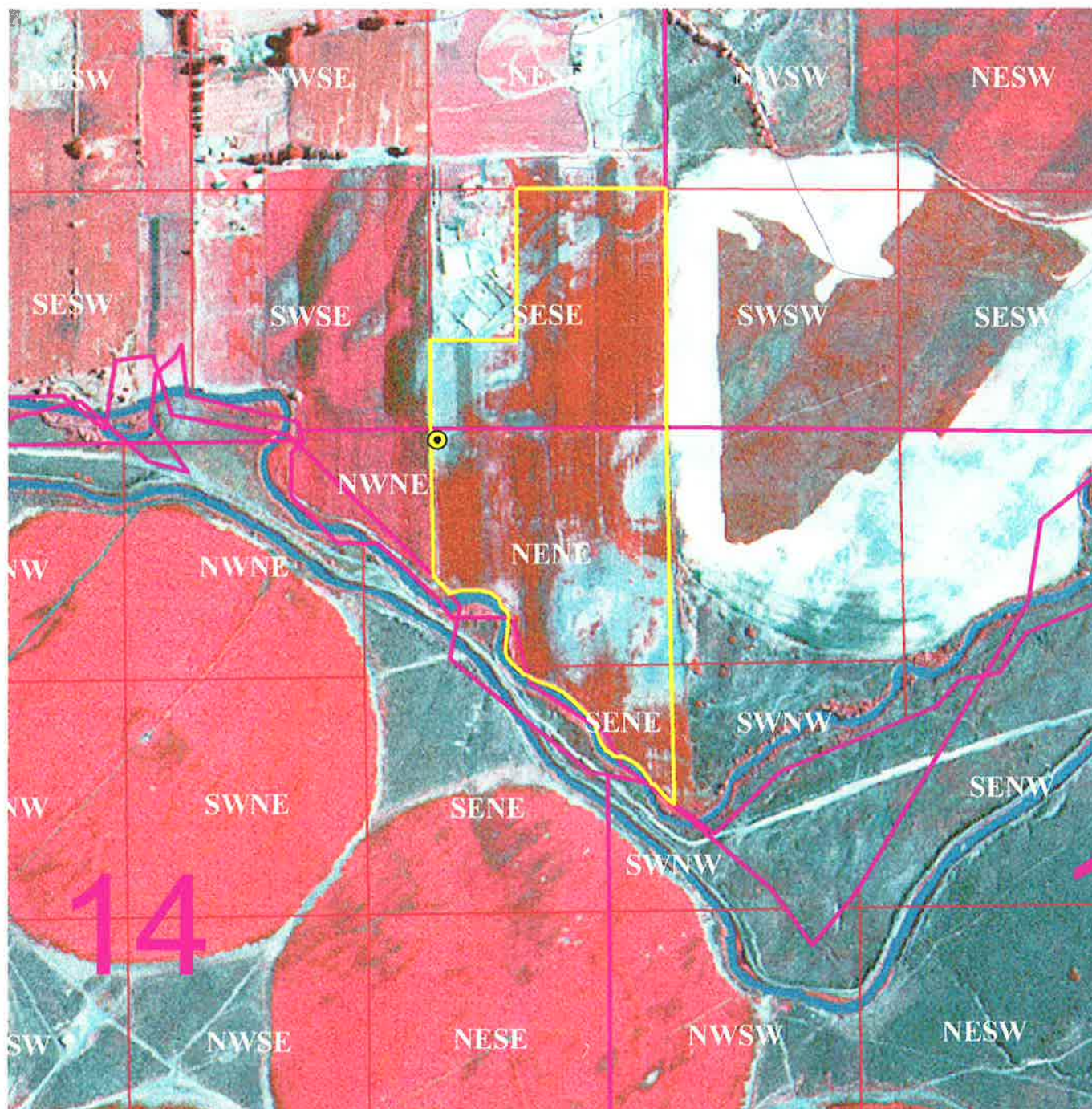
Place of Use: T3S, R35E:
(part of) Sec. 11, SESE.

Point(s) of Diversion: T3S, R35E:
Sec. 11, SESE.

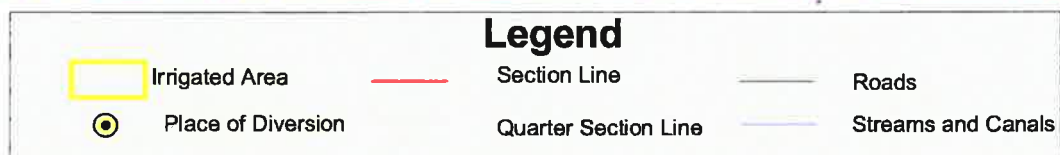
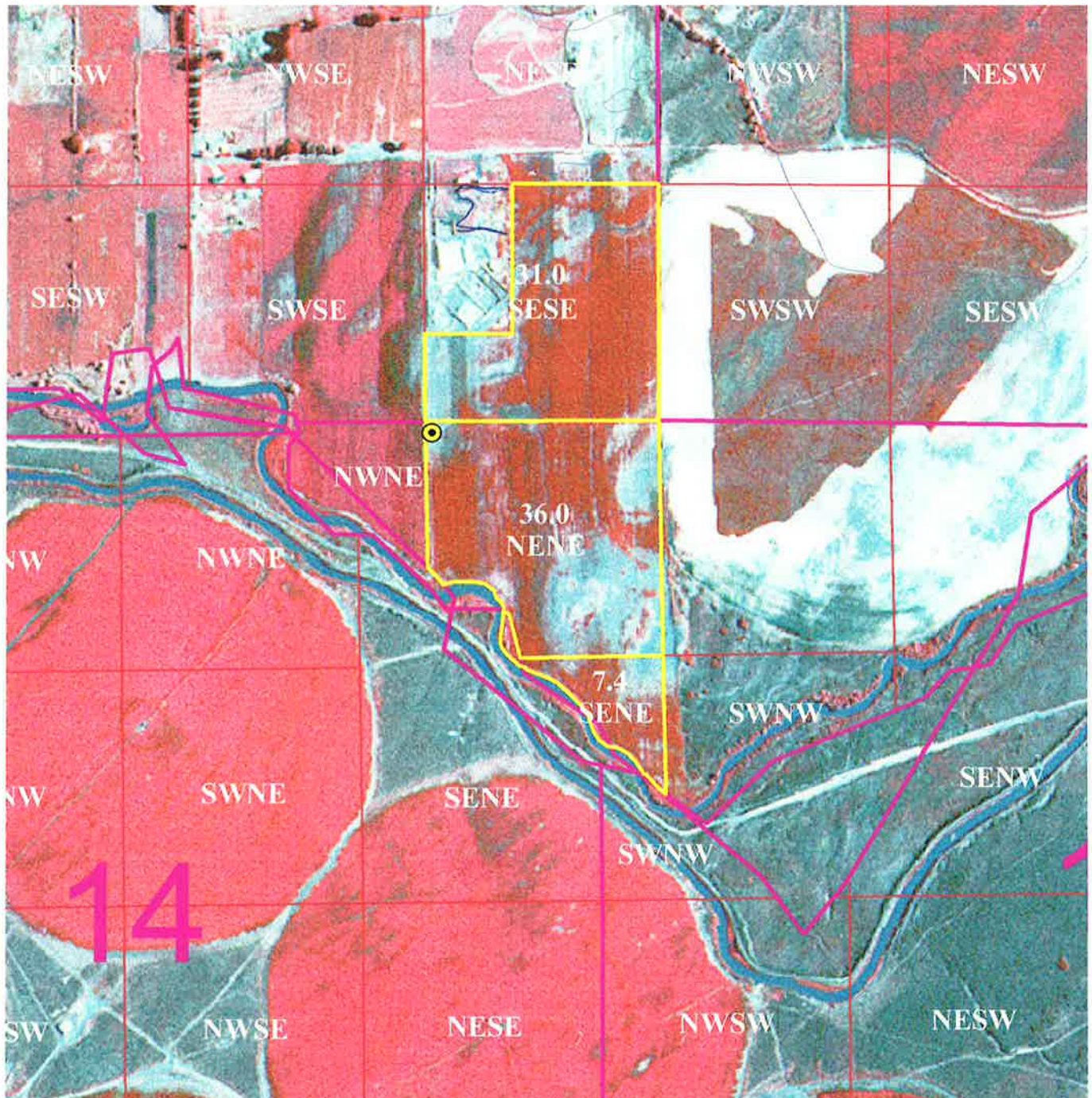


GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: December 2003

12/29/2000



12/29/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 27-11971

WATER RIGHT NUMBER: 27-11971

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LYNN BROADHEAD PO BOX 1067 BLACKFOOT, ID 83221 (208)785-1141
Current Owner	JOHN HOGE 2810 RIVER RANCH RD BLACKFOOT, ID 83221 (208)785-6781
Original Owner	JUDY BROADHEAD PO BOX 1067 BLACKFOOT, ID 83221 (208)785-4837
Current Owner	SHARON HOGE 2810 RIVER RANCH RD BLACKFOOT, ID 83221

Priority Date: 10/08/1981

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	04/01 to 11/01	0.030 CFS	7.00 AF
	<u>Total Diversion:</u>	0.030 CFS	7.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 11, Twp 03S, Rge 35E, B.M.
BINGHAM County		

Place of UseIRRIGATION Within BINGHAM County

T03S R35E S11 SESE 2.0

Total Acres: 2

Conditions of Approval:Remarks:

1. General My husband and I started to irrigate this property prior to 1980 from the well covered by 27-10776. This claim is being filed to reflect an accomplished change in point of diversion and place of use for 27-7290.
2. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-7290.

To: Cindy Bird
Department of Water Resources
15 West Center Street
Soda Springs, ID 83276

27-11971

File in IF

From: Judy Broadhead
51 South Street
Blackfoot, ID 83221

RECEIVED

FEB 09 2006

Department of Water Resources
Eastern Region

July 26, 2005

Dear Cindy:

This letter is to affirm that Lynn (now deceased) and I watered the front pasture of the property at 2810 River Ranch Road, shortly after the house was built in 1977. The domestic well was the source of the water which was drilled prior to the building of the house that now exists on the property. All of this took place in the late 1970's well before the date you inquired about (1987). We watered the pasture that wrapped around the front of our house so that our horses could graze there and it would enhance the looks of the home.

I hope this finalizes the questions concerning the water rights on the land presently owned by John and Sharon Hoge. They have informed me that they have notified you in writing of the errors that were discovered in the office in Soda Springs on 06/24/05. It is my understanding (and theirs) that this letter should be sufficient to end the confusion.

Thank you.

Judy Broadhead

Sincerely,

County of Bingham
State of Idaho

On this 27th day of July, 2005, before me, the undersigned notary public in and for said State, personally appeared,

Judy Broadhead

known and known or identified to me to be the person whose name is subscribed to the instrument, and acknowledged to me she executed the same.

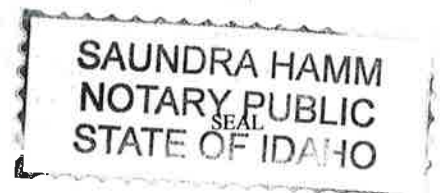
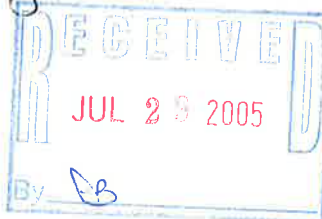
IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year first above written.

Saundra Hamm
Notary Public for Idaho

Residing at:

Commission expires: 10-23-2010

Notarized this day: 27th day of July, 2005





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

August 23, 2005

John & Sharon Hoge
2810 River Ranch Rd
Blackfoot ID 83221

RE: Notice of Error Reply 27-11971 & 27-10776

Dear John & Sharon:

Enclosed for your review is a new Preliminary Director's Report for water right 27-11971 along with a layout illustrating the place of use.

In response to your comments on the Notice of Error Reply a new shape was developed to illustrate the place of use and the acreage was changed to reflect 2 acres being irrigated. I believe the aerial photo in the original layout was not rectified correctly and consequently your property appeared to be in both the NESE and SESE of Section 11, T03S, R35E. The new layout shows your property is in just the SESE of Section 11. This change also applies to the location of your home for 27-10776. Since the initial Preliminary Director's Report for this right listed the SESE Section 11, T03S, R35E as the location of your home it was not necessary to change this report.

After reviewing the enclosed documents if you find there is still an error please complete the attached Notice of Error Reply and return it to this office.

Respectfully Submitted,

Ernest Carlsen
Water Rights Supervisor

Enclosures (2)

**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: 27-11971

JOHN HOGE
2810 RIVER RANCH RD
BLACKFOOT ID 83221
Telephone Number: (208) 785-6781

SHARON HOGE
2810 RIVER RANCH RD
BLACKFOOT ID 83221

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

Move the two acres of irrigation
water to include the NESE of
Section 11.

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

Correct them —

done
JH

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: 06/24/05 SIGNATURE: *Sharon S Hoge*
Please print your name: SHARON S HOGE

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

FAXED

15 West Center Street
Soda Springs, Idaho 83276
(208) 547-3893
(208) 547-3839 fax

Idaho Department of Water Resources

Fax

To: Katy Jackson From: Cindy Bird
Fax: 525-7177 Pages: 3
Phone: 525-7161 Date: 6/24/05
Re: NOE. Replies CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

NOE, Hoge

27-10776

27-11971

FAXED
11:30 AM
6/24/05 C.B.

Notes

12/11/03. This right is a split from 27-7290. It was licensed at less than an inch per acre. Rate was calculated as a portion of the overall diversion rate.

Create a layout and do ECR.

6/17/05 Sharon called and rescheduled their apt for 6/23/05 at 1pm.

6/24/05 John & Sharon Hoge came into the office. The POU outlined is incorrect. Their house is in the NESE and part of the irrigated POU is in the NESE.

As I explained to them ^{that} 27-7290 was not licensed in the NESE. For it to be recommended in NESE it had to have occurred prior to Nov. 1987. NOT the domestic well, but when was the irrigation moved to the domestic well. 27-7290 was licensed in 1986 from the well in Section 14, owned by Judy Broadhead.

<u>Owner Type</u>	<u>Full Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Phone</u>
Individual	John Doe	123 Main St	New York	NY	10001	(212) 555-1234
Company	ABC Corp	456 Park Ave	New York	NY	10017	(212) 555-5678
Government	Federal Gov	789 Capitol Hill	Washington	DC	20540	(202) 555-9012

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

Current Owner _____

Accompanied By: _____ Phone Number: _____

Date of Field Exam: _____ Time: _____

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

This image shows a single page 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.

Date: 12/11/03

Priority Date Data Entry FormClaim Number: 27-11971

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: 12/11/03

Priority DateClaim No. 27 - 11971

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒
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 ☒ No ☐
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ☒ 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 ☒ 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 ☒ 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 ☒
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 FormClaim Number: 27-11971

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

Source: _____ Tributary: _____

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

Source: _____ Tributary: _____

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

Source: _____ Tributary: _____



Use Claimed POD and Source as Recommended POD and Source

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

Other rights from this POD? 27-10776

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

license, statement from previous owner.Transfers Changing POD no.Reviewer: CBDate: 12/11/03

Point of Diversion

Claim No. 27-11971

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

Purpose of Use Data Entry FormClaim Number: 27-11971☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

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

Claimed Purpose of Use

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

Recommended Purpose of Use

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

Document how the Purpose of Use was verified:

license

Transfers Changing Purpose of Use noReviewer: CBDate: 12/11/03

Purpose of Use

Claim No. 27-11971

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

Source

Claim No. 27- 11971

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

Place Of Use Data Entry Form

Claim Number: 27-11971☒ 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:

LicenseTransfers Changing POU noReviewer: CBDate: 12/11/03

Place of Use

Claim No. _____

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

If Yes, go to 2a

If No, go to 2b

Yes (☒) No (☐)

2a. Is a POU required?

If Yes, go to 5

If No, go to 14

Yes (☒) No (☐)

2b. Is a POU required?

If Yes, go to 3

If No, go to 14

Yes (☐) No (☐)

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

If Yes, go to 4

If No, go to 7

Yes (☐) No (☐)

4. Has the License been issued?

If Yes, go to 6

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

Yes (☐) No (☐)

5. Does the parent right have a POU?

If Yes, go to 6

If No, go to 7

Yes (☒) No (☐)

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

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

If No, go to 7

Yes (☒) No (☐)

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

If Yes, go to 8

If No, go to 13

Yes (☐) No (☐)

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

If Yes, add condition C05, go to 13

If No, go to 9

Yes (☐) No (☐)

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

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

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

Yes (☐) No (☐)

10. Was an enlargement claim filed?

If Yes, go to 13

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

Yes (☐) No (☐)

11. Did the claimant file an enlargement claim?

If Yes, go to 13

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

Yes (☐) No (☐)

12. Was a transfer filed?

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

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

Yes (☐) No (☐)

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

If Yes, go to 14

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

Yes (☐) No (☐)

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

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

If No, POU review is complete.

Yes (☐) No (☒)

Period of Use and Quantity Data Entry Form

Claim Number: 27-11971☒ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

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

License

licensed at 1.08 cfs for 90 acres; less than
an inch per acre. claiming (found 80 acres)
 $\frac{1.08}{80} = 0.0135 * 2 \text{ acres} = 0.027 \text{ cfs. } \approx 0.03 \text{ cfs}$

Reviewer: CBDate: 12/11/83

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 ☒

Period of Use

Quantity

Claim No. 27-11971

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. _____

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

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

C18

P21 Exp Remark 27-7290

F05 Exp Remark ; 27-10776

C03 Gen Cond

R30 Qty Cond

O65 Source Cond

079 " "

Split or Combined Right Analysis:

27-7290 — 11970 - Judy Broadhead
 — 11971 John Hoge

Attached Field Notes or Other Documents:

Claim No.:

27-11971

Reviewer

CB

Date

12/11/03

6/24/03. meeting with Judy Broadhead.
This right was licensed for 36 acres of
irrigation in SESE of Section 11. The
irrigated pon in the SESE on the farm is
only 31 acres.

Judy Broadhead took the A.T. claim
for John & Sharon. Hoge to claim a
2 acre portion of this right. I explained
that the filing fee would be \$50 because the
acres were paid for under this right.

I told Judy that John & Sharon needs to
take this farm to I.F. so they can
accept and generate the claim.

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

RECEIVED
 OCT 10 2003

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

Department of Water Resources
 Eastern Region

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
	27-10776				
	27-11971				

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

NONE

☒ 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)

Judy Broadhead
P.O. Box 1067 Blackfoot.

4. New Owner/Claimant(s)

SHARON S. or JOHN R. HOGUE
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

2810 RIVER DANCH Rv.

City, State and ZIP Code

BLACKFOOT, ID 83221

New Telephone Number

208-785-6781

5. Date you acquired the property

01-91

done

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

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

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

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

Sharon A. Hoyle
John R. Hoyle

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

For Office Use Only

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

R35E

T3S

Mer
15

Road

36

Qr-a

Point
of Du

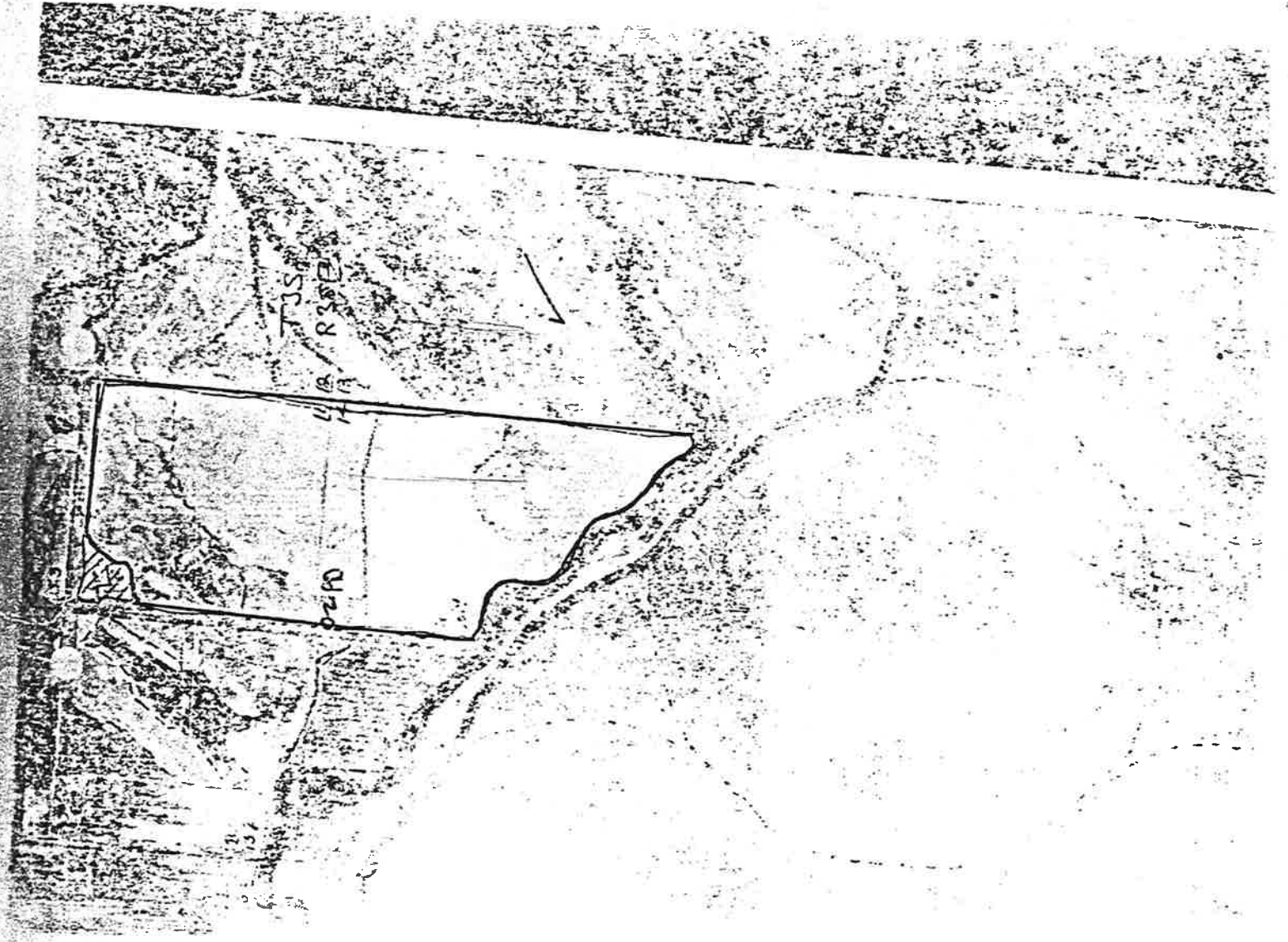
14

RIVER

INDIAN

ROAD

27-7290



WARRANTY DEED

For Value Received LYNN BROADHEAD and JUDY BROADHEAD, husband and wife, the Grantors, do hereby grant, bargain, sell, and convey unto JOHN R. HOGE and SHARON A. HOGE, husband and wife, the Grantees, whose current address is 2810 River Ranch Road, Blackfoot, Idaho the following described premises, to wit:

Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 3 South, Range 35 E.B.M., Bingham County, Idaho, described as:
Beginning at a point that is N. 88°45'58" E. 2718.09 feet along the East-West centerline of said Section 11 and S. 01°21'49" E. 1374.27 feet and N. 87°08'21" E. 1370.38 feet and S. 01°28'30" E. 17.38 feet to the True Point of Beginning from the W $\frac{1}{4}$ corner of said Section 11, and running thence N. 88°53'03" E. 328.11 feet; thence S. 1°40'22" E. 428.52 feet; thence S. 81°42'42" W. 219.93 feet; thence N. 1°28'30" W. 42 feet; thence S. 81°42'42" W. 112 feet; thence N. 1°28'30" W. 427.95 feet to the point of beginning.

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

SUBJECT TO Reservations in United States Patent, existing and recorded rights-of-way and easements, zoning and building ordinances, and taxes and assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: January 24, 1991

Lynn Broadhead
LYNN BROADHEAD

Judy Broadhead
JUDY BROADHEAD

STATE OF IDAHO)
) ss.
COUNTY OF Bingham)

On this 24th day of January, in the year 1991, before me a Notary Public of said State, personally appeared LYNN BROADHEAD and JUDY BROADHEAD, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public for Idaho
Residing at *[Address]*
Commission Expires: 3-7-92

395561

300 P3

JAN 24 PM 4:19

FIRST AMERICAN TITLE COMPANY



First American Title Company

AJ5809NP
No. A27-07290

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/29/00
PAGE: 122

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JUDY BROADHEAD PO BOX 1067 BLACKFOOT ID 83221 (208) 785-1141	10/08/1981	IRRIGATION	04-01 11-01	1.080 CFS	315.00 AFA
TOTAL DIVERSION:					1.080 CFS	315.00 AFA
CONSUMPTIVE USE:						270.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T03S R35E S14 Lot01(NENE)

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		
03S	35E	11	:					:					:					:						
03S	35E	14	:	01-38				:	03-16				:					:						
TOTAL ACRES																							90.0	

POU County: BINGHAM

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

A01-00001J A01-00298 A27-10776

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 CHANGED OWNERSHIP 01/09/95/JT/GT

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

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

Audit: 05/23/89 SHAFF 01/09/95 JTHOMPSO 01/17/95 JTHOMPSO 03/29/95 POST-STD



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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

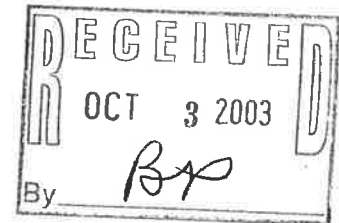
October 1, 2003

CERTIFIED MAIL

Mr. John Hoge
Mrs. Sharon Hoge
2810 River Ranch Road
Blackfoot, ID 83221

Re: Request to Show Cause, water right claim 27-10776.

Dear Mr. and Mrs. Hoge:



It has been brought to our attention that you own the property at the above referenced address and that you purchased said property from a Ms. Judy Broadhead circa 1991. Prior to your purchase, Ms. Broadhead filed for a water right in the Snake River Basin Adjudication (SRBA) for the irrigation of two (2) acres of areas surrounding the residence. Presently, the Idaho Department of Water Resources (IDWR) Adjudication Bureau is performing detailed reviews of claimed water rights in your area, known in the adjudication review as basin 27.

On May 6, 2003, IDWR Adjudication Agent Cindy Bird formally requested evidence of priority from the former owner, Ms. Broadhead. Ms. Broadhead personally visited Ms. Cindy Bird at her office in Soda Springs on June 24, 2003. During that conversation, Ms. Bird explained Idaho statute 42-111 concerning domestic water rights and explained to Ms. Broadhead that there was no legal basis to divert water from the domestic well to irrigated 2 acres of land around the house but that the law allowed to only irrigate up ½ acre of land and not in excess of 13, 000 gallons per day. For your convenience, I have included a copy to Statute 42-111.

Agent Cindy Bird further explained two options of which a legal water right might be obtained that might allow for the future legal irrigation of the lands in question. They are:

- File a claim for a portion of water right 27-7290, or
- File an application for permit for irrigation that occurred prior to November 19, 1987.

Following the June 24, 2003 meeting, Ms. Bird indicates that she did not get a response back from Ms. Judy Broadhead or the new owners (presumably you), therefore, she wrote another letter to the owners (again, presumed to be you) on August 25, 2003 reiterating the need for action on the owners part so that she may make an accurate recommendation to the adjudication court. Since this most recent letter, we have still received no response.

Since this time, I also have attempted to phone call you and have left messages to please return my call. As of this writing, I received no such response.

You are therefore requested to show cause on or before October 16, 2003 why a notice of violation of the laws of the state of Idaho should not be issued to you seeking civil penalties and cessation of the use of the domestic well to irrigate lands in excess of ½ acre or in excess of 13,000 gallons per day.

You are welcome to phone me at (208) 525-7161 during regular business hours or return a letter to the address on the letterhead.

Sincerely,

A handwritten signature in black ink that reads "W. Roger Warner". The signature is written in a cursive, flowing style.

W. Roger Warner
Water Rights Supervisor – Eastern Region

Enclosures: Idaho Code 42-111

Cc: Cindy Bird, IDWR – Soda Springs



Idaho Statutes

TITLE 42
IRRIGATION AND DRAINAGE -- WATER
RIGHTS AND RECLAMATION
CHAPTER 1
APPROPRIATION OF WATER -- GENERAL
PROVISIONS

42-111. DOMESTIC PURPOSES DEFINED. (1) For purposes of sections 42-221, 42-227, 42-230, 42-235, 42-237a, 42-242, 42-243 and 42-1401A, Idaho Code, the phrase "domestic purposes" or "domestic uses" means:

(a) The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or

(b) Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.

(2) For purposes of the sections listed in subsection (1) of this section, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, or commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection (1)(b) of this section.

(3) Multiple water rights for domestic uses or domestic purposes, as defined in this section, shall not be established or exercised in a manner to satisfy a single combined water use or purpose that would not itself come within the definition of a domestic use or purpose under this section. The purpose of this limitation is to prohibit the diversion and use of water, under a combination of domestic purposes or domestic uses as defined in this section, to provide a supply of water for a use that does not meet the exemption of section 42-227, Idaho Code, and is required to comply with the mandatory application and permit process for developing a right to the use of water pursuant to chapter 2, title 42, Idaho Code.

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[Search the Idaho Statutes](#)

Available Reference: [Search Instructions](#).

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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

25 August 2003

John & Sharon Hoge
2810 River Ranch Road
Blackfoot, ID 83221

Reference: Snake River Basin Adjudication (SRBA)
Claim Nos. 27-10776 & 27-7290
Subject: Change in Ownership & New Claim
Response Date: September 25, 2003

Dear Claimant(s),

We have been advised that you are the current owner of the property and SRBA Claim referenced above. Before we can modify our records to reflect your ownership of the property, we need Form 42-248/42-1409(6) completed, signed and returned. I have enclosed this form for your convenience.

In the adjudication review process there is no filing fee for the SRBA Claim 27-10776. However, we will need a copy of the plat, survey map or aerial photo with the appropriate area marked and a copy of the warranty deed.

Please be advised that IDWR's recommendation to the Court for the SRBA Claim 27-10776 will be for domestic only. Since the irrigation portion was developed after March 25, 1963, there is no irrigation allowed under this right except for 1/2 acre.

I understand from Judy Broadhead that you own and irrigate 2 acres. To continue irrigating the additional land you need to file an additional claim under 27-7290. You can file the new claim in our Idaho Falls office at 900 North Skyline Drive. Their phone number is 525-7161. There will be a \$50 charge to file the new claim for irrigation. There will not be a charge for the acres because that was paid under the original claim.

Please submit the documentation by response date cited above referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp
Enclosure

Form 42-248/42-1409(6) "Change in Water Right Ownership"
Form 42-1409(2)a1/88 "Notice of Claim to a Water Right"

Mail Message

Novell.

[Close](#) [Previous](#) [Next](#) [Forward](#) [Reply to Sender](#) [Reply All](#) [Move](#) [Delete](#) [Read Later](#) [Properties](#)

From: "Bird, Cindy" <CindyBird@idwr.state.id.us>
To: PAULINE BASSETT
Date: Wednesday - July 16, 2003 4:31 PM
Subject: 29-10776 Judy Broadhead
 Mime.822 (1481 bytes) [\[View\]](#) [\[Save As\]](#)

Pauline,
Has this happened yet?

JUDY SOLD THIS PROPERTY TO JOHN AND SHARON HOGE IN 1991. SENT NEW CLAIM
FILING WITH JUDY FOR JOHN AND SHARON TO FILL OUT AND RETURN AS A PORTION OF
27-7290

Cindy

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 27-7290 Priority October 8, 1981 Amount 1.08 cfs

THIS IS TO CERTIFY, that Lynn Broadhead
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 27-7290 issued pursuant to Application for Permit dated October 8, 1981,
and has submitted proof to the Department of Water Resources on October 12, 1982,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.08 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:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>1.08</u> cfs and	<u>315.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.08 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
315.0 acre feet per year, said waters to be diverted within the Gov. Lot 1 (NE1NE4)
Section 14, Twp 3S, Rge 35E in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3S	35E	11																	36
		14	GL1 38			GL3 16													54

Total number of acres irrigated 90

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CONDITIONS OF APPROVAL

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

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

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

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.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28th day of June, 19 86.

Director

Norm C Young

State of Idaho
DEPARTMENT OF WATER RESOURCES
WATER RIGHT BENEFICIAL USE FIELD REPORT

Department of Water Resources

27-7290

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 8-10-83 Accompanied by NA Total Q measured 1.08 cfs ✓
Source Groundwater Tributary to _____ Supp. annubar measurement sheet used? NO
If source is surface water, estimate total flow of source _____
Methods of measurement Pitot Gauge Meets permit requirements? _____

Measurement calculations: $V = 90 \text{ gpm} \times 3.5 \text{ cfs} = 315 \text{ afg}$ ✓
 $V = 1.08 \text{ cfs} \times 1.9835 \times 214 \text{ hrs} = 458.4$ ✓

Line #1 = 40 psi, 1/8 N, 32b = 2.96 gpm $\times 32b = 94.72 \text{ gpm}$ ✓
Line #2 = 65 psi, 9/16 N, 32b = 4.76 gpm $\times 32b = 152.32$ ✓
Line #3 = 67 psi, 9/16 N, 17b = 4.84 gpm $\times 17b = 82.28$ ✓
Line #4 = 60 psi, 1/8 N, 43b = 3.62 gpm $\times 43b = 155.66$ ✓
Total = 484.98 gpm or 1.08 cfs ✓

WELL/DIV. NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEVICE	REMARKS
	75	GE	NA	Cwelline	45577	Pitot Gauge		

System Description well/pump thru mainline to 4 sprinkler lines

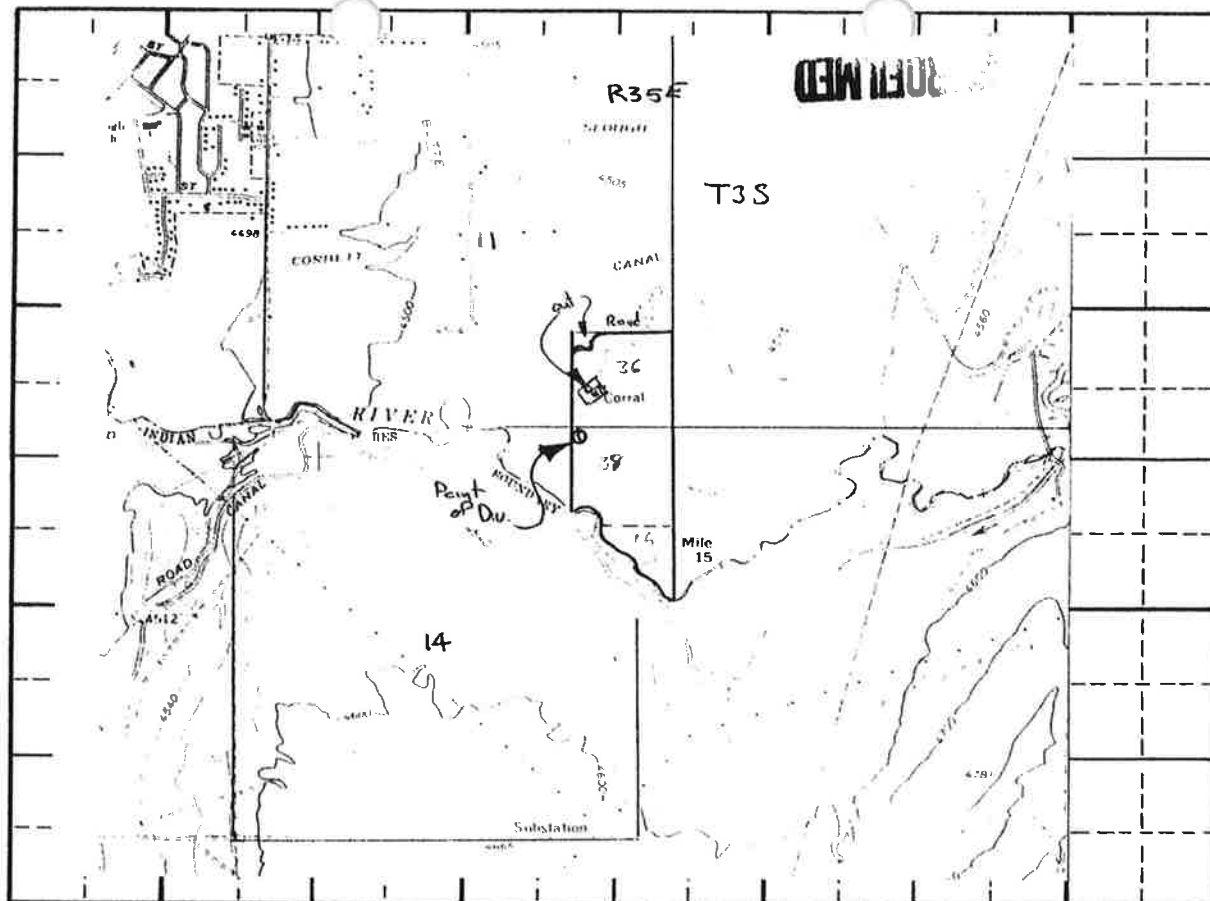
*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Irrigation requirement =	Q (cfs)	V (afa)	FROM	TO
<u>Irrigation</u> ✓	<u>3.5</u> ✓ <u>214 days</u>	<u>1.08 cfs</u> ✓	<u>315</u> ✓	<u>4-1</u> ✓	<u>11-1</u> ✓

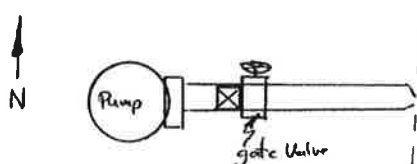
Remarks R30 Blackfoot Slough Canal - per permit
P/D overlap per VAX: none

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SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: NE 1/4 NE 1/4 (Lot 1) Sect. 14 T3S R 35E

Place(s) of Use ☒

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	
35	35E	11																36	36
		14	38			16													54
			L-1			L-3													

Total = 90

Recommended Amendments:

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

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

- ☒ None
☐ Other

Examiner's Signature

Checked by

Approved by

[Signature]
[Signature]

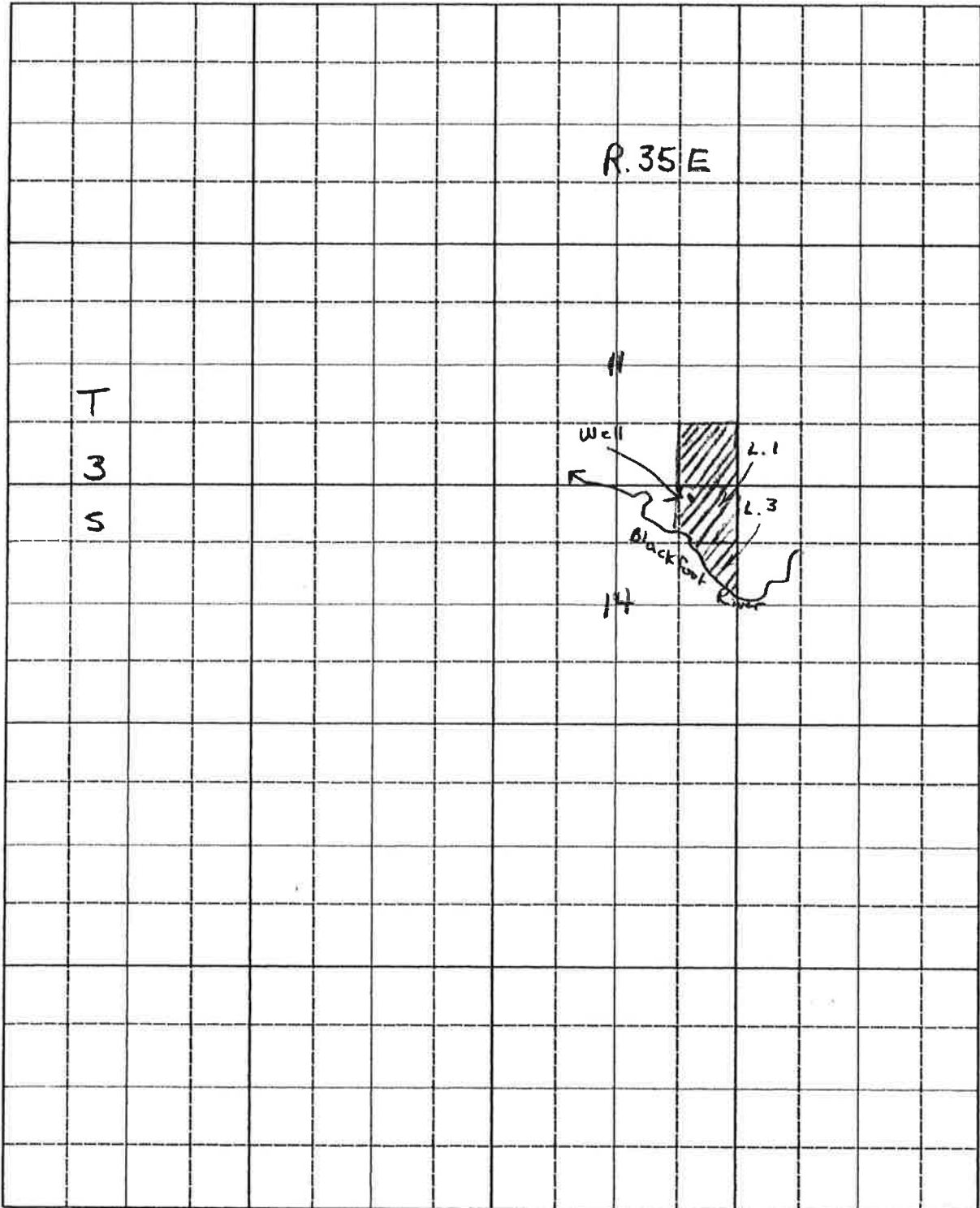
Kay Walker

Date 2-10-84

Date 15 Nov 1984

Date 5-27-86

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.

Lyne Donald
(Applicant)

Received by OW Date 10/08/81 Time 10:05 A.
Preliminary check by Kaw Fee \$ 65.00
Receipted by OW Date 10-08-81 # 19108
Publication prepared by BRS Date 10-14-81
Published in Blackfoot News
Publication dates 10-22 & 10-29-81
Publication approved OW Date 11/05/81
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by EMC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 27-7290, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
 - a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1986.
 - c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
 - d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 20th day of November, 1981.

L. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT APPROVED

To appropriate the public waters of the State of Idaho

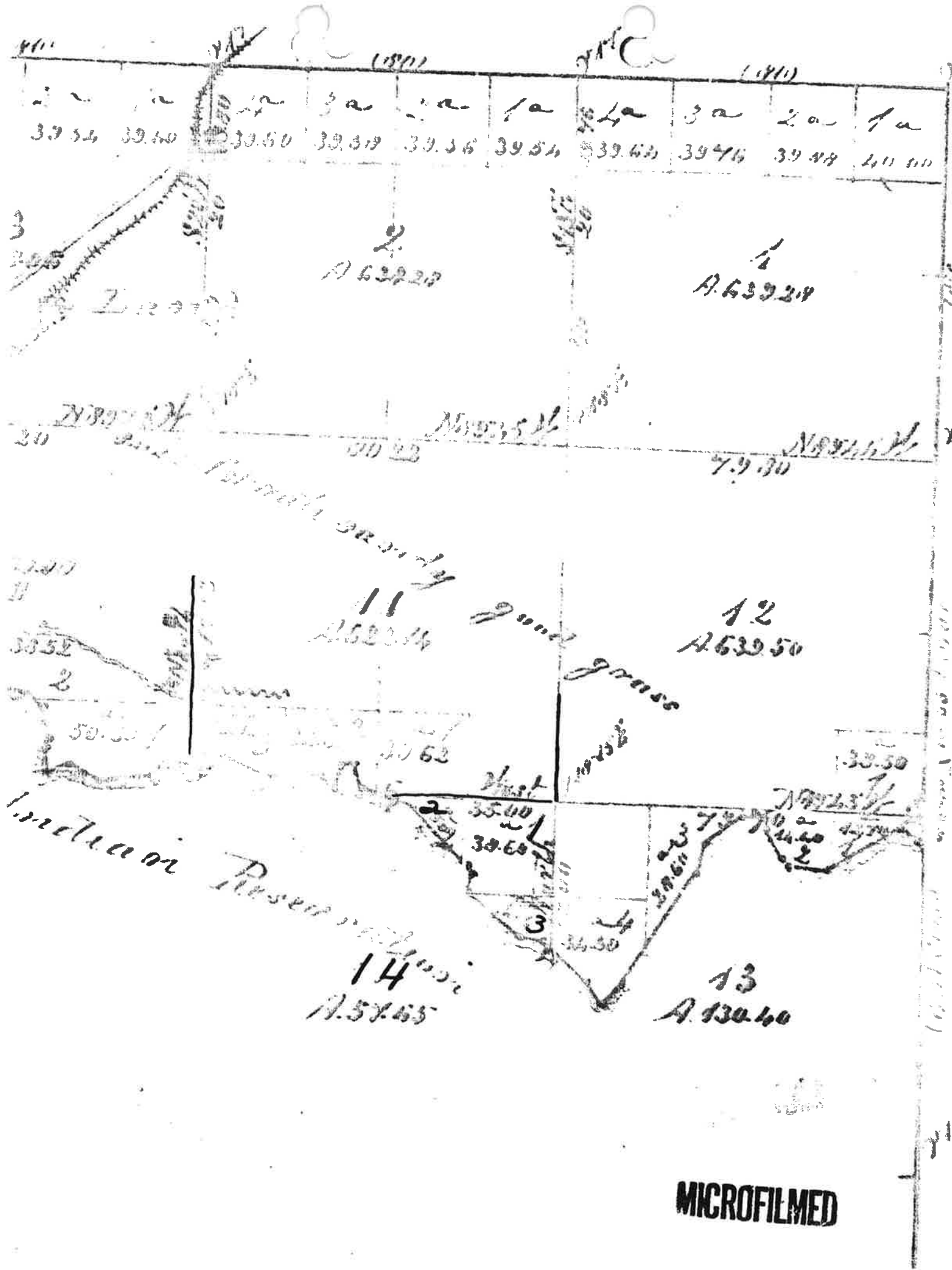
1. Name of applicant LYNN BROADHEAD Phone 785-3550
Post office address P. O. BOX 1067 Blackfoot, Idaho 83221
2. Source of water supply GROUND WATER which is a tributary of -----
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 3 South
Range 35 E.B.M. BINGHAM County, additional points of diversion if any: -----
4. Water will be used for the following purposes:
Amount 1.92 for Irrigation purposes from April 1 to November 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)
5. Total quantity to be appropriated:
a. 1.92 cubic feet per second and/or b. ----- acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump & sprinkler system

b. Height of storage dam --- feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam: -----
Period of year when water will be diverted to storage to inclusive.
(Month/Day)(Month/Day)
c. Proposed well diameter is 14 inches; proposed depth of well is 110 feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).
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: ----- horsepower 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: -----

[illegible]

10. Remarks -----



MICROFILMED



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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 1, 2003

CERTIFIED MAIL

Mr. John Hoge
Mrs. Sharon Hoge
2810 River Ranch Road
Blackfoot, ID 83221

Re: Request to Show Cause, water right claim 27-10776.

Dear Mr. and Mrs. Hoge:

It has been brought to our attention that you own the property at the above referenced address and that you purchased said property from a Ms. Judy Broadhead circa 1991. Prior to your purchase, Ms. Broadhead filed for a water right in the Snake River Basin Adjudication (SRBA) for the irrigation of two (2) acres of areas surrounding the residence. Presently, the Idaho Department of Water Resources (IDWR) Adjudication Bureau is performing detailed reviews of claimed water rights in your area, known in the adjudication review as basin 27.

On May 6, 2003, IDWR Adjudication Agent Cindy Bird formally requested evidence of priority from the former owner, Ms. Broadhead. Ms. Broadhead personally visited Ms. Cindy Bird at her office in Soda Springs on June 24, 2003. During that conversation, Ms. Bird explained Idaho statute 42-111 concerning domestic water rights and explained to Ms. Broadhead that there was no legal basis to divert water from the domestic well to irrigated 2 acres of land around the house but that the law allowed to only irrigate up $\frac{1}{2}$ acre of land and not in excess of 13,000 gallons per day. For your convenience, I have included a copy to Statute 42-111.

Agent Cindy Bird further explained two options of which a legal water right might be obtained that might allow for the future legal irrigation of the lands in question. They are:

- File a claim for a portion of water right 27-7290, or
- File an application for permit for irrigation that occurred prior to November 19, 1987.

Following the June 24, 2003 meeting, Ms. Bird indicates that she did not get a response back from Ms. Judy Broadhead or the new owners (presumably you), therefore, she wrote another letter to the owners (again, presumed to be you) on August 25, 2003 reiterating the need for action on the owners part so that she may make an accurate recommendation to the adjudication court. Since this most recent letter, we have still received no response.

Since this time, I also have attempted to phone call you and have left messages to please return my call. As of this writing, I received no such response.

You are therefore requested to show cause on or before October 16, 2003 why a notice of violation of the laws of the state of Idaho should not be issued to you seeking civil penalties and cessation of the use of the domestic well to irrigate lands in excess of ½ acre or in excess of 13,000 gallons per day.

You are welcome to phone me at (208) 525-7161 during regular business hours or return a letter to the address on the letterhead.

Sincerely,

A handwritten signature in black ink that reads "W. Roger Warner". The signature is written in a cursive, flowing style.

W. Roger Warner
Water Rights Supervisor – Eastern Region

Enclosures: Idaho Code 42-111



Idaho Statutes

TITLE 42
IRRIGATION AND DRAINAGE -- WATER
RIGHTS AND RECLAMATION
CHAPTER 1
APPROPRIATION OF WATER -- GENERAL
PROVISIONS

42-111. DOMESTIC PURPOSES DEFINED. (1) For purposes of sections 42-221, 42-227, 42-230, 42-235, 42-237a, 42-242, 42-243 and 42-1401A, Idaho Code, the phrase "domestic purposes" or "domestic uses" means:

(a) The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or

(b) Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.

(2) For purposes of the sections listed in subsection (1) of this section, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, or commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection (1)(b) of this section.

(3) Multiple water rights for domestic uses or domestic purposes, as defined in this section, shall not be established or exercised in a manner to satisfy a single combined water use or purpose that would not itself come within the definition of a domestic use or purpose under this section. The purpose of this limitation is to prohibit the diversion and use of water, under a combination of domestic purposes or domestic uses as defined in this section, to provide a supply of water for a use that does not meet the exemption of section 42-227, Idaho Code, and is required to comply with the mandatory application and permit process for developing a right to the use of water pursuant to chapter 2, title 42, Idaho Code.

The Idaho Code is made available on the Internet by the Idaho Legislature as a public service. This Internet version of the Idaho Code may not be used for commercial purposes, nor may this database be published or repackaged for commercial sale without express written permission.

[Search the Idaho Statutes](#)

Available Reference: [Search Instructions](#).

The Idaho Code is the property of the state of Idaho, and is copyrighted by Idaho law, I.C. § 9-350. According to Idaho law, any person who reproduces or distributes the Idaho Code for commercial purposes in violation of the provisions of this statute shall be deemed to be an infringer of the state of Idaho's copyright.

Warner, Roger

From: Carlson, Ron
Sent: Friday, September 26, 2003 9:19 AM
To: Warner, Roger
Subject: FW: Illegal irrigation of 2 acres on a domestic well.

Roger -

Do you want to get the facts on this and give me your opinion on sending out the Cease and Desist or NOV. Might start by talking to Cindy.

Ron

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

From: Bird, Cindy
Sent: Wednesday, September 24, 2003 4:30 PM
To: Carlson, Ron
Cc: Carlsen, Ernie
Subject: Illegal irrigation of 2 acres on a domestic well.

hi Ron,

I've been trying to work with these guys in the adjudication process but I haven't gotten a response from them. So I was wondering if you would issue either a Cease and Desist order or a NOV for the irrigation of their 2 acres from the domestic well?

History:

I wrote Judy Broadhead a letter on May 6, 2003 requesting evidence of priority for claim number 27-10776. On June 24, 2003 Judy came into the office for a meeting. She explained that in 1976 they purchased this property, tore down the old house and built a new home in 1977. At that time or shortly after the home was finished they converted 2 acres of sagebrush into lawn and started irrigating it with the domestic well. I explained to Judy that they couldn't irrigate the 2 acres from the domestic well. *irrigated since 1977*

Judy sold the property in 1991 to John and Sharon Hoge. I asked her if she represented the property as irrigated? She said she would need to check the contract. Then I asked her what type of irrigation system was installed? She said it is a buried sprinkler system, then you did represent it as irrigated land. I gave Judy a change of ownership form and explained that they would need to file a claim for a piece of the water under 27-7290 or a pre-87 permit so they can continue to irrigate. I've heard nothing from Judy or the new owners. So, I mailed another letter to the new owners August 25th explaining all of this again and I've gotten no response.

I wanted to find out if you would send them a notice of violation or a Cease and Desist order on the irrigation of the two acres under the domestic well (claim 27-10776). Maybe then they will get this taken care of. The legal description is T3S, R35E, section 11 SESE.

Please let me know what action you take.

Thanks,
Cindy

- No response from Hoge - Reg Mail No return
- Broadhead has been contacted. change of ownership. no response.

*Hoge
2810 River Ranch Rd
Blackfoot, ID. 83221
(208) 785-6781*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 27-7290

WATER RIGHT NUMBER: 27-7290

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JUDY BROADHEAD PO BOX 1067 BLACKFOOT, ID 83221 (208)785-1141
Original Owner	LYNN BROADHEAD PO BOX 1067 BLACKFOOT, ID 83221 (208)785-1141

Priority Date: 10/08/1981

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	1.080 CFS	315.00 AF
	<u>Total Diversion:</u>	1.080 CFS	315.00 AF

Location of Point(s) of Diversion

GROUND WATER	L1 (NE1/4NE1/4)	Sec. 14, Twp 03S, Rge 35E, B.M.
BINGHAM County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
03S	35E	11	36.0				36.0
03S	35E	14	38.0	16.0			54.0
			L 1	L 3			

Total Acres: 90

Conditions of Approval:

1. 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:

1. General CHANGED OWNERSHIP 01/09/95/JT/GT

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 27-7290

Dates and Other Information:

Claim Received Date: 5/23/1989

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 27-10776

WATER RIGHT NUMBER: 27-10776

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JUDY BROADHEAD PO BOX 1067 BLACKFOOT, ID 83221 (208)785-1141
Original Owner	LYNN BROADHEAD PO BOX 1067 BLACKFOOT, ID 83221 (208)785-1141

Priority Date: 04/03/1930

Basis: Beneficial Use

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>
DOMESTIC	1/01 to 12/31	0.040 CFS	
IRRIGATION	4/01 to 11/01	0.030 CFS	
<u>Total Diversion:</u>		0.070 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4SE1/4	Sec. 11, Twp 03S, Rge 35E, B.M.
BINGHAM County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	35E	11																	X

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	
03S	35E	11																	2.0
																			2.0

Total Acres: 2

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 27-10776

Remarks:

1. General LOT IS 3.22 AC.
WELL FIRST OWNED BY JOE CONWAY.
CHANGED OWNERSHIP 01/09/95/JT/GT

Comments:

Dates and Other Information:

Claim Received Date: 5/23/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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 27-11971
Date Received: 10/20/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

JUDY BROADHEAD Phone: (208)785-4837
PO BOX 1067
BLACKFOOT ID USA 83221

2. Date of Priority: 10/08/1981

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
03S	35E	11	SE SE	BINGHAM	

5. Description of diverting works:

WELL, PUMP & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.03	7

7. Total Quantity Appropriated is:
0.03 C.F.S. and/or 7 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
03S	35E	11	SE SE	IRRIGATION	2
Section Acres					2

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:

My husband and I started to irrigate this property prior to 1980 from the well covered by 27-10776. This claim is being filed to reflect an accomplished change in point of diversion and place of use for 27-7290.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 27-7290.

15. Basis of Claim: License

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): *Judy Broadhead* Date: October 20, 2003

Date: _____

State of Idaho)

) SS.

County of Bonneville)

Subscribed and sworn (or affirmed) before me this 20 of October 2003



Ernest M. Carlsen

Notary Public

Residing at Idaho Falls, ID

My commission Expires 8-21-2009