

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

04/25/2001

WATER RIGHT NO. 36-2085B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LDS CHURCH REAL ESTATE DIVISION NATURAL RESOURCE SECTION 12TH FLOOR EAST 50 E NORTH TEMPLE ST SALT LAKE CITY, UT 84150

Directors Report Owner	G L DEAN & SONS INC PO BOX 268 RUPERT, ID 83350 (208)436-9419
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Priority Date:	11/04/1949
Basis:	License
Status:	Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15	11/15	2.135 CFS	632 AFA	
Total Diversion			2.135 CFS	632 AFA	

Location of Point(s) of Diversion:

GROUND WATER	SENENE	Sec. 36	Township 08S	Range 23E	MINIDOKA County
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IRRIGATION Use:
Acre Limit: 158

Place(s) of use:

Place of Use Legal Description: IRRIGATION	MINIDOKA County
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<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08S	23E	36		NENW	40		NWNW	39		SWNW	39		SEnw	40

Total Acres: 158

Remarks:

- Explanatory RIGHT NO. 36-02076B IS ALSO DIVERTED THROUGH THE SAME POINT OF DIVERSION DESCRIBED ABOVE.

Dates:

Licensed Date: 01/03/1984
Claim Received Date: 09/07/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date: 5/3/93
SF5 Filed: 2/4/98
Special Master Recom Signed Date: 3/13/98

Other Information:

Receipt Number(s): S009092
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 12, 2001

LDS CHURCH REAL ESTATE DIV
12TH FLOOR EAST
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150

RE: Decreed Water Rights 36-2085B, 36-2076B

Dear Water Right Holder:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the water right(s) noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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

NCA# 2070A
11871
RECEIVED

APR 18 2001

Department of Water Resources
Southern Region

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
	A36-02085B	☐		A36-11868	☐
	A36-02076B	☐			☐
	A36-02070A	☐			☐
	A36-11871	☐			☐
	A36-11870	☐			☐

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) G. L. Dean and Sons, Inc.
100 North 48 West
Rupert, ID 83350
4. New Owner/Claimant(s) CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH
OF JESUS CHRIST OF LATTER-DAY SAINTS
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
12th Floor - Real Estate
 New Mailing Address 50 East North Temple Street
- City, State and ZIP Code Salt Lake City, Utah 84150
- New Telephone Number (801) 240-3840
5. Date you acquired the property April 10, 2001

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) CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS
(include title if applicable)

By: [Signature]
Title _____
A duly authorized officer

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 <u>[Signature]</u>	Date <u>4/23/01</u>	Fee _____
Received by <u>[Signature]</u>	Date _____	Receipt No. _____
Processed by <u>[Signature]</u> AJ	Date <u>4/25/01</u>	WR _____ Date _____

GENERAL WARRANTY DEED

#33745MC

452655

For Value Received

**MERRILL DEAN and ALICE DEAN, husband and wife, and
G. L. DEAN and SONS, INC., an Idaho corporation, who acquired title as G. L. Dean & Sons, Inc.,
an Idaho corporation**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST
OF LATTER-DAY SAINTS, a Utah corporation, sole**

**Address: 12th Floor - Real Estate
50 East North Temple Street
Salt Lake City, Utah 84150**

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

See attached Exhibit "A" for legal description

TOGETHER WITH all tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining thereto, including, but not limited to: (i) easements and rights-of-way over adjoining property, which easements and rights-of-way are appurtenant to the real property described on Exhibit "A"; (ii) all of the Grantor's interest in and to oil, gas, geothermal, water and mineral rights, wells, riparian water rights, if any, appurtenant to said real property described on Exhibit "A" (including all rights, title and interest in the wells identified and known as A36-11871, A36-02070A, A36-02085B, and A36-02076B; also A and B Irrigation Company water appurtenant to Parcels 1, 2, 3 and 6 of Exhibit "A"; also including appurtenant domestic well lying within Parcel 4 of Exhibit "A" known as A36-11868, also including appurtenant domestic well lying within Parcel 5 of Exhibit "A" known as A36-11870; (iii) all of Grantor's interest in and to any land lying in the bed of any body of water, waterway or public street, public road or public avenue, if any, in front of or adjoining the land; (iv) all of Grantor's interest in any crops, orchards and produce located or growing on the real property described on Exhibit "A"; to have and to hold, the same in fee simple forever.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2001 and subsequent years.

Assessments of the Clawson Water District No. 5, Inc., and the rights and powers of said District.

Assessments levied, or to be levied, by the Magic Valley Ground Water District.

Assessments of the A & B Irrigation District and the rights and powers of said District as by law provided.

Power Line Easement, dated September 2, 1949, executed by Newel P. Baker and Rosella E. Baker, husband and wife, to Idaho Power Company, a corporation, recorded June 15, 1950 in Book 8 of Miscellaneous, Page 16, Minidoka

County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: Section 36, Township 8 South, Range 23 East, Boise Meridian; together with all rights of ingress and egress.

Power Line Easement, dated April 21, 1954, executed by Evan F. Skeen and Margaret E. Skeen, husband and wife, to Idaho Power Company, a corporation, recorded August 19, 1955 in Book 36 of Deeds, Page 89, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: Tract B, Section 6, Township 8 South, Range 24 East, Boise Meridian; together with all rights of ingress and egress.

Telephone Line Easement, dated May 31, 1957, executed by Roger & Merrill Dean, a partnership, to Project Mutual Telephone Cooperative Association, a corporation, recorded May 31, 1957 in Book 36 of Deeds, Page 243, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of telephone communication lines and other equipment over, on and across the following location in Minidoka County, Idaho: Section 36, Township 7 South, Range 23 East, Boise Meridian; together with all rights of ingress and egress.

Power Line Easement, dated May 30, 1962, executed by Newell P. Baker and Rosella W. Baker, husband and wife, to Idaho Power Company, a corporation, recorded August 20, 1962 as Instrument No. 159566, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: NW¼, Section 36, Township 8 South, Range 23 East, Boise Meridian; together with all rights of ingress and egress.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: April 10, 2001

G. L. DEAN and SONS, INC.


Merrill Dean

By: 
Dennis Gleed, President

ATTEST


Alice Dean


Alice Dean, Secretary

Property No. 508-8194

After recording, return to:

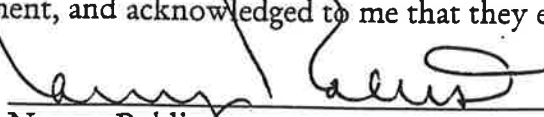
LDS Church Real Estate - 12th Fl. East
50 East North Temple Street
Salt Lake City, UT 84150

STATE OF IDAHO)

COUNTY OF Cassia)

) ss.

On this 10th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **MERRILL DEAN and ALICE DEAN**, 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.



Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

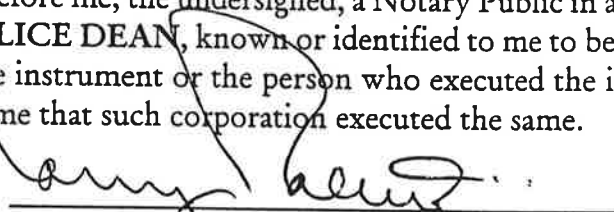
Larry Roberts
Notary Public
State of Idaho

STATE OF IDAHO)

COUNTY OF Cassia)

) ss.

On this 10th day of April, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared **DENNIS GLEED and ALICE DEAN**, known or identified to me to be the President and Secretary of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

Larry Roberts
Notary Public
State of Idaho

Instrument # 452655

MINIDOKA COUNTY, RUPERT, IDAHO
2001-04-10 01:42:11 No. of Pages: 7
Recorded for : BURLEY LAND TITLE
DUANE SMITH Fee: 21.00
Ex-Officio Recorder Deputy 

EXHIBIT "A"

RECEIVED

APR 18 2001

Department of Water Resources
Shimizu Pacific

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 1:

Farm Unit D, Tract D of the North Side Pumping Division of the Minidoka Project, Idaho (as shown by plat, dated May 18, 1955, on file in the office of the County Recorder, Minidoka County, Idaho), SAVE AND EXCEPT the following described tract:

Commencing at the Southeast corner of said Section 1, (marked by a 3 inch aluminum cap stamped "Minidoka County") and running thence along the east line thereof North 0°07'22" West (North 00°04' East rec.) 660.25 feet to a point which shall be the True Point of Beginning.
Thence North 87°13'22" West (North 87°02' West, rec.) 30.04 feet to a ½ inch rebar and cap stamped "Moon 7920" set on the west line of the county road easement;
Thence continuing North 87°13'22" West (North 87°02' West, rec.) 37.96 feet to a ½ inch rebar and cap stamped "Moon 7920";
Thence North 39°55'22" West (North 39°44' West, rec.) 155.25 feet to a ½ inch rebar and cap stamped "Moon 7920";
Thence North 2°58'38" East (North 03°10' East, rec.) 129.20 feet to a ½ inch rebar and cap stamped "Moon 7920";
Thence North 46°19'38" East (North 46°31' East, rec.) 160.00 feet to a ½ inch rebar and cap stamped "Moon 7920";
Thence South 86°59'22" East (South 86°48' East, rec.) 14.36 feet to a ½ inch rebar and cap stamped "Moon 7920" set on said west county road easement line;
Thence continuing South 86°59'22" East (South 86°48' East, rec.) 30.04 feet to the aforesaid East line of Section 1;
Thence along said East line South 0°07'22" East (South 00°04' West, rec.) 121.50 feet;
Thence leaving said section line South 89°52'38" West (North 89°56' West, rec.) 30.00 feet to a ½ inch rebar and cap stamped "Moon 7920" set on said west line of the county road easement;
Thence continuing South 89°52'38" West (North 89°56' West, rec.) 103.00 feet to a ½ inch rebar and cap stamped "Moon 7920";
Thence South 0°07'22" East (South 00°04' West, rec.) 54.00 feet to a ½ inch rebar and cap stamped "Moon 7920";
Thence North 89°52'38" East (South 89°56' East, rec.) 103.00 feet to a ½ inch rebar and cap stamped "Moon 7920" set on said west county road easement line;
Thence continuing North 89°52'38" East (South 89°56' East, rec.) 30.00 feet to said East line of Section 1;
Thence along said East section line South 0°07'22" East 184.04 feet (South 00°04' West for 183.60 feet, rec.) to the True Point of Beginning;

PARCEL NO. 2:

TOWNSHIP 8 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 1: Farm Unit E, Tract E of the North Side, Pumping Division of the Minidoka Project, Idaho (as shown by plat, dated May 18, 1955, on file in the office of the County Recorder, Minidoka County, Idaho).

PARCEL NO. 3:

Farm Unit B, Tract B of Section 1, Township 8 South, Range 23 East, Boise Meridian, and of Section 6, Township 8 South, Range 24 East, Boise Meridian, Minidoka County, Idaho, of the North Side Pumping Division of the Minidoka Project, Idaho (as shown by plat, dated May 4, 1956, on file in the office of the County Recorder, Minidoka County, Idaho).

EXCEPTING THE FOLLOWING described tracts:

Tract No. 1:

Commencing at the Southeast corner of said Section 1, (Marked by a 3 inch aluminum cap stamped "Minidoka County") and running thence along the East line thereof North 0°07'22" West 1767.28 feet to the True Point of Beginning;
Thence leaving said east line South 89°52'38" West 30.00 feet to a ½ inch rebar and cap, stamped "Moon 7920" set on the western county road easement line;
Thence continuing South 89°52'38" West 120.00 feet to a ½ inch rebar and cap, stamped "Moon 7920";
Thence North 0°07'22" West 290.40 feet to a ½ inch rebar and cap, stamped "Moon 7920";
Thence North 89°52'38" East 120.00 feet to a ½ inch rebar and cap, stamped "Moon 7920", set on said western county road easement line;
Thence continuing North 89°52'38" East 30.00 feet to the aforesaid east section line;
Thence along said East line South 0°07'22" East 290.40 feet to the True Point of Beginning.

Tract No. 2:

Commencing at the Southeast corner of said Section 1, (Marked by a 3 inch aluminum cap stamped "Minidoka County") and running thence along the East line thereof North 0°07'22" West for 2057.68 feet to the True Point of Beginning;
Thence leaving said east line South 89°52'38" West 30.00 feet to a ½ inch rebar and cap, stamped "Moon 7920" set on the western county road easement line;
Thence continuing South 89°52'38" West 120.00 feet to a ½ inch rebar and cap, stamped "Moon 7920";
Thence North 0°07'22" West 290.40 feet to a ½ inch rebar and cap, stamped "Moon 7920";
Thence North 89°52'38" East 120.00 feet to a ½ inch rebar and cap, stamped

"Moon 7920", set on said western county road easement line;
Thence continuing North 89°52'38" East 30.00 feet to the aforesaid east section line;
Thence along said East line South 0°07'22" East 290.40 feet to the True Point of Beginning.

Tract No. 3:

Commencing at the W¼ corner of said Section 6, marked by a 5/8 inch rebar and cap stamped "Moon 7920", and running thence along the West line thereof North 0°07'22" West 885.82 feet to corner B-3 of the aforesaid Farm Unit B Tract B, said corner being marked by a ½ inch rebar and cap stamped "Moon 7920", and the True Point of Beginning;
Thence along the North line of said Farm Unit B Tract B North 72°05'26" East 262.06 feet to corner B-2, marked by a ½ inch rebar and cap stamped "Moon 7920";
Thence continuing along said North line South 80°04'34" East 390.12 feet to corner B-1, marked by a ½ inch rebar and cap stamped "Moon 7920";
Thence along the East line of said Farm Unit B Tract B South 1°05'34" East 9.18 feet to a ½ inch rebar and cap stamped "Moon 7920" set thereon;
Thence leaving said East line South 89°08'26" West 603.87 feet to a ½ inch rebar and cap stamped "Moon 7920" set on the east line of the county road easement;
Thence continuing South 89°08'26" West 30.00 feet to the aforesaid west line of Section 6;
Thence along said west line North 0°07'22" West 5.33 feet to the True Point of Beginning.

ALSO EXCEPTING from said Parcel No. 1 and Parcel No. 3, the following described tract:

TOWNSHIP 8 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 1: A portion of Farm Unit B Tract B, and a portion of Farm Unit D Tract D, the whole more particularly described as follows:

Commencing at the E¼ corner of said Section 1, marked by a 5/8 inch rebar and cap stamped "Moon 7920", and running thence along the east line thereof North 0°07'22" West 885.82 feet to corner B-3 of the aforesaid Farm Unit B Tract B, said corner being marked by a ½ inch rebar and cap stamped "Moon 7920", and the True Point of Beginning;
Thence along the north line of said Farm Unit B Tract B South 85°04'53" West 866.67 feet to corner B-4, being identical with corner D-1 of said Farm Unit D Tract D, and marked by a ½ inch rebar and cap stamped "Moon 7920";
Thence along the north line of said Farm Unit D Tract D South 56°16'53" West 24.86 feet to a ½ inch rebar and cap stamped "Moon 7920" set thereon;
Thence leaving said north line North 89°21'58" East 854.38 feet to a ½ inch rebar and cap stamped "Moon 7920" set on the west line of the county road easement;

Thence continuing North 89°21'58" East 30.00 feet to the aforesaid east line of
Section 1;
Thence along said east line North 0°07'22" West 78.33 feet to the True Point of
Beginning.

PARCEL NO. 4:

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 36: S½, SAVE AND EXCEPT the following described tract:

Beginning at the Northeast corner of the SE¼ of said Section 36, which point
shall be known as the True Point Of Beginning;
Thence West along the North boundary line of said SE¼ for 200 feet;
Thence South for 200 feet;
Thence East for 200 feet to a point on the East section line of said Section 36;
Thence North along said East section line for 200 feet to the True Point Of
Beginning.

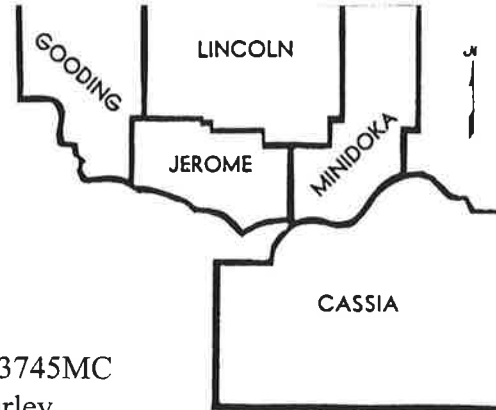
PARCEL NO. 5:

TOWNSHIP 8 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 36: N½

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #33745MC

OFFICE: Burley

April 17, 2001

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RECEIVED
APR 18 2001
Department of Water Resources
Caitlin Page

Dear Sir/Madam:

Enclosed with this letter please find an original executed Notice of Change In Water Right Ownership on property located in Minidoka County, Idaho with attached General Warranty Deed and aerial photos.

Would you please make the necessary changes in the records to indicate the new owner as the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints for future water assessments and notices. Please send a receipted copy of the form to this office.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours
Land Title and Escrow, Inc.

A handwritten signature in cursive script, appearing to read "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg

enc.

cc: Gordon Jessee

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

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: A36-02085B
Date Received: 9/07/1989
Receipt No: S009092
Received By:

COPY

**FOR YOUR FILES
DO NOT RETURN**

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

1. Name: G.L. DEAN AND SONS, INC.
Address: P.O. BOX 268
RUPERT, ID

208-436-9419

83350

2. Date of Priority: NOV 04, 1949

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	23E	36		NE	NE		MINIDOKA

5. Description of diverting works:
175' WELL, 125HP PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.135		

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

A.F.A.

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	23E	36	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

Section Acres 160.0

A36-02085B

Page 1

Date: 09/07/89

MICROFILMED
MICROFILMED
OCT 13 1994

10. Place of Use: Continued

Total Acres 160.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A36-02076B

14. Remarks:
TRANS. 1590.

15. Basis of Claim: LICENSE

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

For Organizations:

A. J. Dean & Son and that the statements contained in the
Organization
foregoing document are true and correct. James H. Dean
Authorized Agent

9-7-89 Date

Notary Public

My Commission Expires

MICROFILMED
OCT 13 1994

RECEIVED

JAN 27 1994

Department of Water Resources
Adjudication Bureau

ROGER D. LING
LING, NIELSEN & ROBINSON
Attorneys at Law
P.O. Box 396
Rupert, Idaho 83350
Telephone: (208) 436-4717

Attorneys for G.L. Dean and Sons, Inc.

MAR 15 1994

Department of Water Resources
Southern Region Office

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

Case No. 39276

Sub-Case Nos.

X 36-02070A

X 36-02076B

X 36-02085B

X 36-11871

The State of Idaho, ex rel.
R. Keith Higginson in his official
capacity as director of the
Idaho Department of Water
Resources,

NOTICE OF APPEARANCE

*Added Ling to blank records.
CM is ok.*

Petitioner,

vs.

The United States; The State
of Idaho; and All Claimants
to the Use of Water from the
Snake River Basin Water System,

3-11-94

Defendants.

DESCRIPTIVE SUMMARY

This document is a Notice of Appearance made on
behalf of G. L Dean and Sons, Inc. by Roger D. Ling of the firm
of Ling, Nielsen and Robinson.

NOTICE OF APPEARANCE - 1

MICROFILMED

OCT 13 1994

LING, NIELSEN & ROBINSON

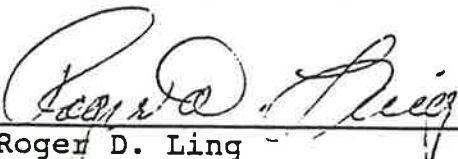
ATTORNEYS AT LAW

RUPERT, IDAHO 83350

PLEASE TAKE NOTICE, that Roger D. Ling of the firm of Ling, Nielsen and Robinson hereby enters an appearance of the firm as the attorneys of record in the sub-cases listed above for G. L. Dean and Sons, Inc.

DATED this 26th day of January, 1994.

LING, NIELSEN AND ROBINSON

By: 
Roger D. Ling
Attorneys for G.L. Dean and
Sons, Inc.

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of January, 1994, I served a true and correct copy of the NOTICE OF APPEARANCE upon:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

One copy to each party listed on the Court
Certificate of Mailing dated January 7,
1994 (Copy attached)

by depositing a copy thereof in the United States mail, postage prepaid, in an envelope addressed to said persons at the foregoing addresses.


Roger/D. Ling

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-02085B -0001

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

MICROFILMED
OCT 13 1994

2. Person who filed objection:

Name: MARILYN GLEED
Address: PO BOX 268
RUPERT ID 83350

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR's irrigation season of use standards have evolved over time as better technical information has become available. A necessary consequence of this is that, depending on when a particular license was issued, water rights in the same area have been licensed inconsistently, some licenses being issued with different lengths of season listed and some being issued with no season of use listed. To remedy this problem IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this

water right is located. The director's report does not prohibit pre-season or post-season irrigation; subject to the conditions set forth in general provision 12b of the director's report, water may be used for irrigation outside the standard season of use. IDWR further responds that Application for Transfer of Water Right No. 1590, approved by IDWR on March 25, 1969, established a 4-1 to 10-31 season of use for this right, which is the season of use recommended.

To the extent that the reference to a March 1 priority date, found in the "Changes to the Director's Report" section of the objection, may be deemed to be an objection to the November 4, 1949, priority date recommended, and a request that the priority date be determined to be March 1, 1949, IDWR responds that it recommended the priority date as licensed by IDWR and as claimed. By now seeking a different priority date, the claimant improperly seeks to use the objection process to amend the claim. A claimant must obtain leave of the court to amend a claim after a director's report is filed, just as a party must obtain leave of the court to file a late claim after the director's report is filed. Once leave of the court is granted, IDWR can investigate the amended claim and make an appropriate recommendation to the court.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

	No. of Pages
Notice of Claim No. A36-02085B	3

(Over)

MICROFILMED
OCT 13 1994

701-1150W
201-01150W

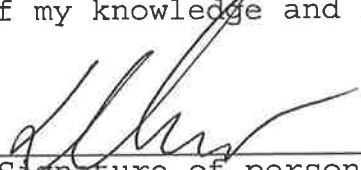
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

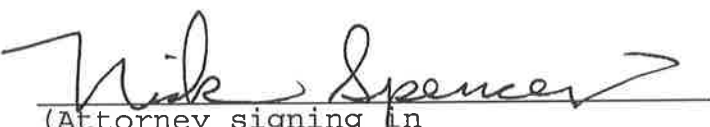
David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



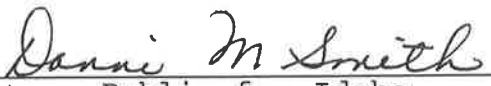
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16th day of August,
1993.



Notary Public for Idaho
Residing at: _____
My Commission expires: _____

**Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994**

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: G L DEAN & SONS INC
Address: PO BOX 268
RUPERT ID 83350

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: MARILYN GLEED
Address: PO BOX 268
RUPERT ID 83350

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734


Signature of Respondent or attorney
mailing on Respondent's behalf

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: A36-02085B
Date Received: 9/07/1989
Receipt No: S009092
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: G.L. DEAN AND SONS, INC. 208-436-9419
Address: P.O. BOX 268
RUPERT, ID 83350
2. Date of Priority: NOV 04, 1949
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|----------|
| 08S | 23E | 36 | NE | NE | | | MINIDOKA |
5. Description of diverting works:
175' WELL, 125HP PUMP, SPRINKLERS
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.135 | | |
7. Total Quantity Appropriated is:
2.135 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 480.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	23E	36	NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0

Section Acres 160.0

A36-02085B

Page 1

Date: 09/07/89

MICROFILMED
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JAN 25 1993
OCT 13 1994

10. Place of Use: Continued

Total Acres 160.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A36-02076B

14. Remarks:
TRANS. 1590.

15. Basis of Claim: LICENSE

MICROFILMED
JAN 25 1993
OCT 13 1994

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 Organizations:

I do solemnly swear or affirm that I am Pres. of
N.J. Dean & Son, that I have signed the foregoing
Organization
document in the space below as Principal of
N.J. Dean & Son and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Pres. N.J. Dean & Son Inc.
Title and Organization

9-7-89
Date

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 7 day

of Sept 19 89

Tom Wente
Notary Public

Seal

Residing at TF

My Commission Expires 5/94

RECEIVED

A. R. 30 1993

Department of Water Resources
Adjudication Bureau

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

Case No. 36-02085B
(You must insert the
water right number you
are objecting to)

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

OBJECTION

Petitioner,

vs.

36-02085B -0001/
93-04-0157

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

(Over)

OBJECTION - 1

MICROFILMED
OCT 13 1994

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: .

Marilyn Gled

Address:

P.O. Box 268

Rupert, Id. 83350

Briefly describe your interest in this water right:

I, with Dennis Gled, own
G. L. Dean and Sons, Inc.

2. Owner of the water right:

Name:

G. L. DEAN AND SONS, INC.

P.O. BOX 268

Address:

RUPERT, IDAHO 83350

3. If this objection is filed by an attorney:

Attorney Name:

Attorney Address:

Attorney Phone No.:

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

1-1. STATEMENT OF THE OBJECTION.

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.

(Over)

OBJECTION - 3

MICROFILMED

OCT 13 1994

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to: _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

8 - The period of use should be from 3/1 to Nov. 15 - year. Such as 1992 when we had to water our beets in Feb., could easily occur again. So, the priority date should be 3/1 as in the year when the property was purchased. Surely, one cannot change a legal date by an

CHANGES TO THE DIRECTOR'S REPORT *Administrative decree*

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Director should not have the power to change legally held licenses at his discretion.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

VERIFICATION (Must be Completed)

State of Idaho

County of Meridoka

Marilyn D. Gled, Trust, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Marilyn D. Gled, Trust
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 29th day of April,
1998

[Signature]
Notary Public for
Residing at: Rupert ID
My Commission expires: 10 Dec 98

OCL 13 R08
BY MAILING

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 28 day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name:

G. L. DEAN AND SONS, INC.

P.O. BOX 268

Owner's address:

RUPERT, IDAHO 83350

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

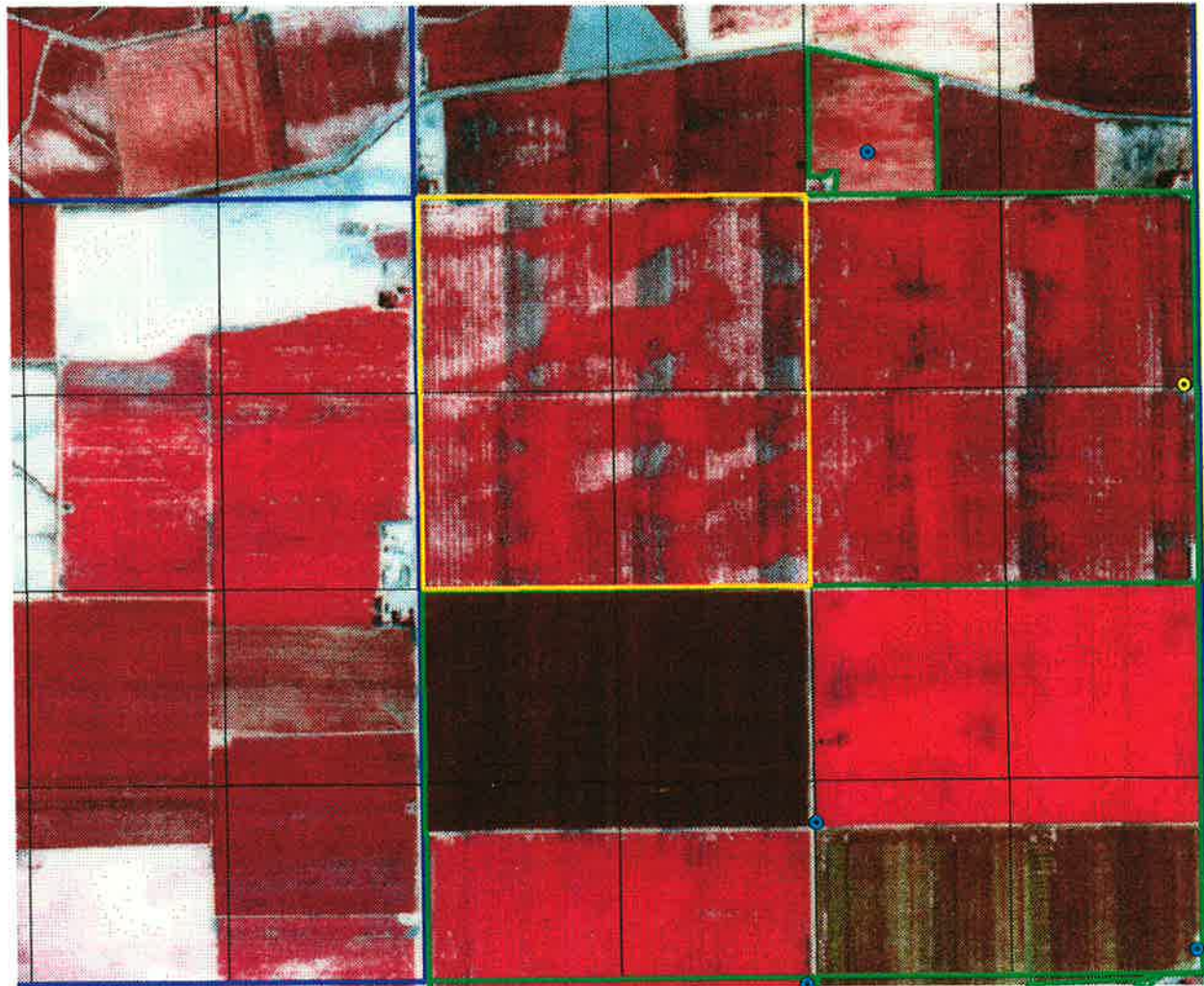
4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734

Marilyn D. Glead, Treas.
Signature of Objector or attorney
mailing on Objector's behalf

IDAHO DEPARTMENT OF WATER RESOURCES

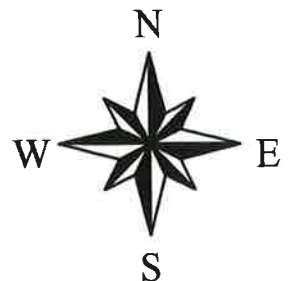
36-02085B
GL DEAN AND SONS INC



660 0 660 1320 1980 2640 3300 3960 4620 Feet



TNS 8S, RNG 23E,
SEC 36, NW1/4NE1/4



⊙ Recommended Point of Diversion

 Recommended Place of use

 Section lines

 Quarter/Quarter Lines

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY JULY 11, 1997
BY KELLY K CHRISTENSEN

NO. OF CLAIMS IN POLYGON

CLAIM NUMBERS 36-2085B

DATE

7-14
KKC

AGENT

TRANSFER NUMBER

OBJECTION FILED reason of useTOTAL ACRES FROM RECOMMENDATION 158GEOGRAPHIC INFO SYSTEM 159

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	<u>8S</u>	<u>23E</u>	<u>36</u>					<u>40</u>	<u>39</u>	<u>39</u>	<u>40</u>								
GIS								<u>40</u>	<u>39.4</u>	<u>39.4</u>	<u>40</u>								<u>158.9</u>
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF

7-16ATTRIBUTES OF B36-POU.SHP (191) 7-16

B36-DBPOD.DBF

7-16ATTRIBUTES OF B36-POD.SHP (193) 7-16Polygon unioned 7-14 on 804.36-2076B shares P/DP/D Gis location not clear on photoGIS location marked is agree withRecommendation. P/D could be in NESENE Sec 36P/D is shared with 36-2076BP/U CONFLICT yes () no (X)P/D CONFLICT yes () no (X)

SENT FOR DECREE yes () no ()

ready for decree

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED

JAN 25 1993

Water Right Number - R36-02085B

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
G.L. DEAN & SONS INC.1 - P.O. BOX 268
2 -
3 -
City- RUPERT
Phone - 208-436-9419

State- ID Zip- 83350

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
11/04/1949 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

08S 23E 36 SE NE NE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 2.135 632.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.135 632.00 474.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 23E 36 NE NW 40.0 01 IRRIGATION (67) MINIDOKA
08S 23E 36 NW NW 39.0 01 IRRIGATION (67) MINIDOKA
08S 23E 36 SW NW 39.0 01 IRRIGATION (67) MINIDOKA
08S 23E 36 SE NW 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 158.0

+ - - Diversion Means - 175' WELL, 125HP PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02076B

+ - - - - Remarks - - - - - +
RIGHT NO. 36-02076B IS ALSO DIVERTED THROUGH THE SAME POINT OF
DIVERSION DESCRIBED ABOVE.+ - - - - Old Water Right Numbers - - - - - +
A3602085BVERIFIED ADDED
MICROFILMED
JAN 25 1993

Water right number - R36-02085B

Prefix Translation: RESEARCH

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

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -

Date: 06/20/1991 User Id: SCHOLER Subject: COPIED FROM REMARKS
TRANS. 1590.

Date: 06/20/1991 User Id: SCHOLER Subject: REVIEW - BHS

+ - - Audit Fields - - +

06/11/92 MERRITT

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 06/11/1992	Old Judicial District	-
Claim Received Date	- 09/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009092	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
JAN 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:36:21
08/17/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02085B

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			BHS 6-19-91	N	6	BHS 6-19-91	BHS 20 6-19-91	
POINT OF DIV	X			N	6			
SOURCE				N	6			
PLACE OF USE	X			N	6			
DIV. AMOUNT CFS/VOLUME				YES D.I.VOL CFS-NO	2,4,6			
CONSUMPTIVE USE				YES	6			
PURPOSES				N	6			
PERIOD OF USE	X			N	6			
BASIS OF CLAIM	X			N	6			
REMARKS	X			N	6			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:36:21
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02085B

LAST: G.L. DEAN & SONS INC.
ADDRESS: P.O. BOX 268
CITY: RUPERT
PHONE NUMBER: 208-436-9419

FIRST:
STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: TRANS. 1590.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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A. AJ CLAIM: # A36-02085B PRIORITY DATE: 11-04-1949 ☒ STAGE: L ☒
B. WR RECORD: # 36-02085B PRIORITY DATE: 11-04-1949 ☒ STAGE: L ☒

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD
EXAMINER

BA

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

=====

RECOMMENDED PRIORITY DATE:

11-04-1949

REVIEWED BY

BA

DATE

6-19-91

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02085B	08S	23E	36		<u>NE</u>	<u>NE</u>		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02076B NONE

WR RECORDS IN SAME 40 ACRE TRACT
36-02076B

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02085B	08S	23E	36		<u>NE</u>	<u>NE</u>		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02076B

A36-02076B NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y NBE
N

FIELD
EXAMINER
BWS
Batz

REMARKS:

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JAN 25 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>BS</u>	<u>23E</u>	<u>36</u>	<u>—</u>	<u>NE</u>	<u>NE</u>	<u>—</u>	<u>MINIDOKA</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: BS DATE: 6-19-91

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JAN 25 1993

A. ROOT WATER RIGHT NUMBERS: A36-02085A
A36-02085B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	23E	36	NE	NW		G.L. DEAN & SONS INC.	A36-02085B /40.0	36-02085B /40.0	39.0		40
08S	23E	36	NW	NW		G.L. DEAN & SONS INC.	A36-02085B /40.0	36-02085B /40.0	37.0		30
08S	23E	36	SW	NW		G.L. DEAN & SONS INC.	A36-02085B /40.0	36-02085B /40.0	37.0		30
08S	23E	36	SE	NW		G.L. DEAN & SONS INC.	A36-02085B /40.0	36-02085B /40.0	39.0		40
TOTAL ACRES							A36-02085B	160.00	160.00	152.00	158

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE

YOK

FIELD

EXAMINER

BHS

PRESUMPTION FLAG:

REMARKS:

ACREAGE ADJUSTED FOR ROAD RIGHT OF WAY 1 AC PER 1/4 mile of ROAD

RECOMMENDATIONS:

TOTAL ACRES: 158

REVIEWED BY: BHS

DATE: 6-19-91

NOT RECORDED
40
30
30
40
158

JAN 25 1993

A. AJ CLAIMED USES:

PURPOSES
A36-02085B IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

DIVERSION QUANTITY
2.135 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.135 CFS

B. WR RECORDED USES:

PURPOSES
36-02085B IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
2.135 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.135 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

DATABASE
N
N
Y

FIELD
EXAMINER

BAL

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐) Explain in remarks, below.

REMARKS:

RECOMMEND STANDARD R.O.U. 3-15-11-15

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.135[✓] CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.135[✓] CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y N BH

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☒) N(☐) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A36-02076B

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE → NO PROBLEM

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION (ND)

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 158 x 0.02 CFS/ACRE = 3.16 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 480.0 AF/A

ACRES 158 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 474 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 158 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 632 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

$$\frac{2.135}{158} = .0135 \text{ CFS/AC}$$

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 2.135 BHS	DATABASE EXAMINER 632 BHS	DATABASE EXAMINER 480-0 BHS 474
TOTAL FOR THIS RIGHT		2.135	632	480-0 474
REVIEWED BY: BHS		DATE: 6-19-91		

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JAN 25 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(☒)	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02085

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.270

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02085A	2.135	-		36-02085A	2.135
A36-02085B	A36-02085B	2.135	-		36-02085B	2.135
-	-		-		36-02085	
TOTAL CFS		4.270				4.270

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: Burke H. Scholer

DATE: 6-19-91

NAME OF FIELD EXAMINER: BURKE H. SCHOLER

TITLE: WATER RESOURCE AGENT

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JAN 25 1993

13
46.9

NOT TO SCALE

4
16.0

26 25
35 36

25 30
36 31

T796
603

TRACT NOT
HEL
39

40

40

39

39

40

40

39

1
314.4

P.O.

T859
545

TRACT NOT HEL

44.5

2
97.0

35 36
2 1

38 31
1 5

3
100.6

4
80.4

5
15.8

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JAN 25 1993