

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: A36-02191

Date Received: 5/26/1989

Receipt No: S007363

Received By: *ownership change*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVEN D YOUNG 208-532-4405
Address: RT 3 BOX 3263
RUPERT ID 83350
AND
Name: MARIA YOUNG 208-532-4405
Address: RT 3 BOX 3263
RUPERT ID 83350
AND
Name: ROY M YOUNG 208-532-4405
Address: RT 3 BOX 3263
RUPERT ID 83350
AND
Name: CHERLYN YOUNG 208-532-4405
Address: RT 3 BOX 3263
RUPERT ID 83350

2. Date of Priority: FEB 25, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	24E	31	SW	NE	NE		MINIDOKA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.560		

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

A.F.A.

MICROFILMED

DEC 03 1996

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
06S	24E	31	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 160.0

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:
A36-07391

14. Remarks:
P/D CENTER OF NE1/4, S31, T6S, R24E.

15. Basis of Claim: LICENSE

Water Right Number: 23806

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

Date: **MICROFILMED**

DEC 03 1996

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: **A36-02191**
Date Received: 5/26/1989
Receipt No: S007363
Received By: _____

address change ✓ NOA
R

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

1. Name: ACEQUIA INC
Address: PO BOX 1678
KETCHUM ID 83340 208-726-8474

2. Date of Priority: FEB 25, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	24E	31	SW	NE	NE		MINIDOKA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.560		

7. Total Quantity Appropriated is:
2.560 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 of	Lot	Use	Acres
06S	24E	31	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	SE		IRR	40.0

10. Place of Use: Continued

Section Acres 160.0

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:
A36-07391

14. Remarks:
P/D CENTER OF NE1/4, S31, T6S, R24E.

15. Basis of Claim: LICENSE

Water Right Number: 23806

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED
JAN 26 1993

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
JAN 20 1993

SD-0601-2 Last Name: ACEQUIA

STATE

S E L -	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
	ACEQUIA INC						
A		C	A36-02193	02/25/1953	GROUNDWATER	4.260	01 IRR
A		C	A36-02194	02/25/1953	GROUNDWATER	3.180	01 IRR
A		C	A36-02195A	02/25/1953	GROUNDWATER	3.613	01 IRR
A		C	A36-02197	02/25/1953	GROUNDWATER	5.700	01 IRR
A		C	A36-02198	02/25/1953	GROUNDWATER	5.080	01 IRR
A		C	A36-02199	02/25/1953	GROUNDWATER	3.650	01 IRR
A		C	A36-02200	02/25/1953	GROUNDWATER	8.460	01 IRR
A		C	A36-11048	09/01/1954	GROUNDWATER	0.150	43 DOMEST 10 COMMER 04 STOCK
A		C	A36-11288	05/01/1983	GROUNDWATER	0.540	01 IRR
A		C	A36-11290	05/01/1983	GROUNDWATER	0.100	01 IRR
A		C	A36-11339	02/25/1953	GROUNDWATER	1.600	01 IRR
A		C	A36-02191	02/25/1953	GROUNDWATER	2.560	01 IRR
A		C	R36-07182	06/29/1971	GROUNDWATER	0.150	01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
JAN 20 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

09-Oct-1992

James P. Speck
PO Box 987
Ketchum, ID 83340

*see # A36-02121 for
Original Powers of Attorney*

RE: Confirmation of Response to Notice of Error and Change of Address
for Acequia Inc. & Estate of Rosemary Haley SRBA Claims.

Dear Mr. Speck:

This letter is intended to confirm my responses to your Notices of Error discussed in our October 7th meeting with Miles Clinton at my office.

Regarding your general concern about the season of use, the proposed recommendations are based on irrigation season of use standards adopted by the director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost. Additionally, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for a conditioned irrigation use outside the general irrigation season.

Regarding your general concern about the language in the recommendations which talks about "right includes a change in point of diversion", the Department includes such language in rights where the proposed legal description for the point of diversion is different than the legal description of the base water right. This situation may exist if there has been a physical change in the point of diversion or if it has been determined that the base water right location was incorrect even if there has been no physical change in the point of diversion.

Regarding your concerns about disallowal of several of the rights, these rights were recommended for disallow because generally it was determined by field examination and information gathered from the ASCS that there was a period of 5 years of non-use for these rights or that the acres claimed irrigated consisted of lava out crops that have never been farmed.

I confirm that based on your change of ownership letter and the power of attorney documents submitted we have changed the address of Acequia Inc. and have added you as attorney for all claims in the name of Acequia Inc. Additionally we have changed the name of the Rosemary Haley claims to that of the Estate of Rosemary Haley and have changed

RECEIVED
JAN 28 1993

Page 2
Oct 9, 1992

the address to that of Acequia Inc. and have also added you as attorney for all claims in the name of Rosemary Haley.

After our meeting and review of the files the following additional changes were made to the proposed recommendations:

36-02127 None 36-07850A None
36-02195A None 36-11340 None
36-02130A None 36-07041 None
36-02191 None 36-08106A None
36-02192 None 36-02193 None
36-11290 None 36-11288 None
36-02121 None 36-02194 None

36-02129 Reference to point of diversion change deleted.
36-07403 Reference to point of diversion change deleted.

36-07192 Disallowed since acres originally recommended covered under
36-02122.
36-02122 Deleted reference to 36-07192 in remarks.
36-02124 Deleted reference to 36-07192 in remarks.
36-02190 Deleted reference to 36-07192 in remarks.
36-07193 Deleted reference to 36-07192 in remarks.
36-02123 Deleted reference to 36-07192 in remarks.

If you still disagree with IDWR's recommendations, you will have the opportunity to file an objection to the Director's Report with the court. If you have further questions please feel free to contact our office.

Sincerely,



Allen D. Merritt, P.E.
Water Rights Supervisor

MICROFILMED
JAN 26 1993

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

September 24, 1992

RECEIVED

CERTIFIED MAIL P 059 723 341
RETURN RECEIPT REQUESTED

OCT 01 1992

RECEIVED

SEP 25 1992

Mr. Dave Shaw
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

Department of Water Resources
Boise, Idaho Office

Department of Water Resources

Re: Acequia, Inc. - Estate of Rosemary Haley

Dear Dave:

Enclosed you will find Notices of Error for certain water rights claimed by Acequia, Inc. and the Estate of Rosemary Haley in the Snake River Basin Adjudication. I have also enclosed copies of the Special Powers of Attorney whereby Acequia, Inc. and the Estate of Rosemary Haley have designated me their attorney-in-fact to act in these matters. Please note that the address used by Acequia, Inc. in filing its claims should no longer be used. Instead, the corporation's new address is designated on the Notices of Error (P.O. Box 1678, Ketchum, Idaho 83340).

The period of use for all of my client's irrigation water rights has been changed from the traditional period of March 15 through November 15 to April 1 through October 31. Is this same change being made for every irrigation right in Basin 36? If so, why?

As I mentioned, Ms. Haley passed away in February, 1992 and her records are somewhat in a state of disarray. I have not yet been able to locate her copies of the claims filed in the Adjudication nor any notes or records on the claims based upon beneficial use. I know she worked closely with Gary Funderberg in the Southern Region on many of the water rights matters for Acequia, Inc. I would like to arrange a meeting with an appropriate representative of the Department to discuss the Notices of Error and hopefully resolve many of the questions before the Department must file the Basin 36 Report - I understand this deadline to be November 1, 1992.

NOT RECORDED
JAN 26 1993

Mr. Dave Shaw
September 24, 1992
Page 2

I look forward to hearing from you. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD



James P. Speck

JPS\dmk
Enclosures
cc: Dr. Mike Haley (w/o encls.)

MICROFILMED
JAN 25 1993

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: A36-02191
Date Received: 1/18/1989
Receipt No: 5007363
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ACEQUIA INC. 208-726-8474
Address: P.O. DRAWER 226
SUN VALLEY, ID 83353

2. Date of Priority: FEB 25, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	24E	31	SW	NE	NE		MINIDOKA

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.560		

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

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

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	24E	31	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0

COPY

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	24E	31	SE	SE		IRR	40.0
Section Acres							160.0
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:
A36-07391

14. Remarks:
P/D CENTER OF NE1/4, S31, T6S, R24E.

15. Basis of Claim: LICENSE
Water Right Number: 23806

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: 1

For Organizations:

I do solemnly swear or affirm that I am president of Nequima Inc., that I have signed the foregoing document in the space below as president of Nequima Inc. and that the statements contained in the foregoing document are true and correct.

Rosemary Haley
Signature of Authorized Agent

president Nequima Inc.
Title and Organization

5/26/89
Date

State of Idaho

County of Trail Falls) SS.

Subscribed and sworn (or affirmed) before me this 26th day of May 19 89

[Signature]
Notary Public

Seal

Residing at Kinberly, Id.

My Commission Expires 6/30/92

[Faint stamp: JAN 23 1989]

NORLAND QUADRANGLE

IDAHO

7.5 MINUTE SERIES (ORTHOPHOTOQUAD)

280

281

282 40'

283 E R 24 E

284

600 000 FEET 113° 37' 30"

42° 52' 30"
440 000
FEET

R23E
R24E

A36-02191
A36-07391

40 40 well
40 40

449

448

T 6 S

T 7 S

447

446

4
N

T6S
T7S

Well

433

NORTH

NO. OF CLAIMS IN POLYGON

OBJECTION FILED

yes (season of use)CLAIM NUMBERS 36-02191 -7391DATE 6-12-97

TOTAL ACRES

AGENT KKCFROM RECOMMENDATION 160GEOGRAPHIC INFO SYSTEM 160.7

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	6S	24E	31	40	40	40	40													160
GIS				40.3	40	40	40.5													160.7
					40															
RECOM																				
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 6-12-97ATTRIBUTES OF B36-POU.SHP (130) 6-12-97B36-DBPOD.DBF 6-12-97ATTRIBUTES OF B36-POD.SHP (123) 6-12-97

P/O location not distinguishable on photo. Selected point based upon licensing exam map placement (Attached to claim file)

No adjustments made to Q Q polygons for P/U.

Data entry completed
6-12-97

Water Right Number - 36-02191 Prefix Translation: WATER RIGHT Old (D) Number - 23806

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

*** C - CURRENT OWNER ***

YOUNG STEVEN D 1 - RT 3 BOX 3263
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-532-4405

YOUNG ROY M 1 - RT 3 BOX 3263
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-532-4405

YOUNG MARIA 1 - RT 3 BOX 3263
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-532-4405

YOUNG CHERLYN 1 - RT 3 BOX 3263
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-532-4405

*** D - DIR RPT OWNER ***

SPECK JAMES P 1 - PO BOX 987
2 -
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-4421

ACEQUIA INC 1 - PO BOX 1678
2 -
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-8474

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

02/25/1953 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County

06S 24E 31 SW NE NE (67) MINIDOKA

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 2.560

Water right number - 36-02191

Prefix Translation: WATER RIGHT

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.560 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	24E	31	NE NE		40.0	01	IRRIGATION	(67) MINIDOKA
06S	24E	31	NW NE		40.0	01	IRRIGATION	(67) MINIDOKA
06S	24E	31	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
06S	24E	31	SE NE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 160.0

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07391

+ - - - - - Remarks - - - - - +

GEN USE OF THIS RIGHT WITH RIGHT NO. 36-07391 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.67 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 640 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 480 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-07391 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +

Date: 07/30/1991 User Id: WELLS Subject: COPIED FROM REMARKS
P/D CENTER OF NE1/4, S31, T6S, R24E.

Date: 09/28/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/25/92. CHANGED NOE FLAG FROM BLANK TO A.

CLAIM VERIFIED 8/2/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/08/1992 User Id: ROBERTSO Subject: ADDRESS CHANGE & NOTICE OF APPEARANCE ENTERED

Date: 10/08/1992 User Id: MERRITT Subject: RESPONDED TO NOE
MET WITH SPECK 10/7. NO CHANGE.

Date: 03/06/1996 User Id: JROBERTS Subject: OWNERSHIP CHANGE

Form received 3/1/96, copy of Warranty Deed FAXed today. Original owner Acequia - new owners Steven & Maria Young and Roy & Cherlyn Young. A36-02191 also changed this date. jr

Date: 03/11/1997 User Id: TFAWCETT Subject: ADDRESS CORRECTION
ROUTE NUMBER CORRECTED.

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

03/11/97 14:48:51
Page 3

Water right number - 36-02191

Prefix Translation: WATER RIGHT

+ - - Audit Fields - - +

03/11/97 TFAWCETT

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 01/26/1995	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 03/27/1995	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S007363	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	- C
				Notice of Error Flag	- B

COPY

1997 MAR 14 PM 3:45

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	SUBCASE NO. 36-02191, 36-02192,
	)	36-07391

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Acequia Inc
PO Drawer 226
Sun Valley ID 83353

Phone: 726-8474

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

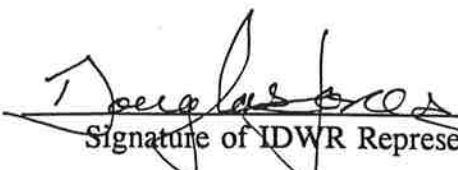
Steven D and Maria Young
Roy M and Cherilyn Young
Rt 3 Box 3263
Rupert ID 83350

Phone: 532-4405

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

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

DATED: 3/12/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3-14, 1997, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
James P Speck
Hogue Speck & Aanestad
PO Box 987
Ketchum ID 83340
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Steven D and Maria Young
Roy M and Cherilyn Young
Rt 3 Box 3263
Rupert ID 83350
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-12-1997
PAGE: A-1-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02191

NAME & ADDRESS: ROY M YOUNG
STEVEN D YOUNG
MARIA YOUNG
CHERLYN YOUNG
RT 3 BOX 3263
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 2.56 CFS

PRIORITY DATE: 02/25/1953

POINT OF DIVERSION: T06S R24E S31 SWNE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.56 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T06S R24E S31	NENE 40.0	NWNE 40.0	SWNE 40.0	SENE 40.0
	160.0 ACRES TOTAL				

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

USE OF THIS RIGHT WITH RIGHT NO. 36-07391 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.67 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 640 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 480 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-07391 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-11-1997
PAGE: A-1-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02192

NAME & ADDRESS: STEVEN D YOUNG
MARIA YOUNG
CHERLYN YOUNG
ROY M YOUNG
RT 3 BOX 3263
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 3.48 CFS
1280.0 AFY

PRIORITY DATE: 02/25/1953

POINT OF DIVERSION: T06S R24E S31 LOT 7 (SENESEW) Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.48 CFS 1280.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County
	T06S R24E S31	Lot 9 20.0 Lot 10 20.0 Lot 7 (NESEW) 40.0 Lot 8 (NWSW) 40.0 Lot 11 (SWSW) 40.0 Lot 12 (SESEW) 40.0 NESE 40.0 NWSE 40.0 SWSE 40.0
	320.0	ACRES TOTAL

CONSUMPTIVE USE: 960.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07391

NAME & ADDRESS: STEVEN D YOUNG
MARIA YOUNG
ROY M YOUNG
CHERLYN YOUNG
RT 3 BOX 3263
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.11 CFS

PRIORITY DATE: 10/12/1973

POINT OF DIVERSION: T06S R24E S31 SWNE Within MINIDOKA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.11 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T06S R24E S31	NENE 40.0	NWNE 40.0	SWNE 40.0	SENE 40.0
	160.0 ACRES TOTAL				

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

USE OF THIS RIGHT WITH RIGHT NO. 36-02191 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.67 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 640 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 480 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-02191 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE



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

March 14, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STEVEN D AND MARIA YOUNG
ROY M AND CHERILYN YOUNG
RT 3 BOX 3263
RUPERT ID 83350

RE: SRBA Claim(s) 36-02191, 36-02192, 36-07391

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a horizontal line.

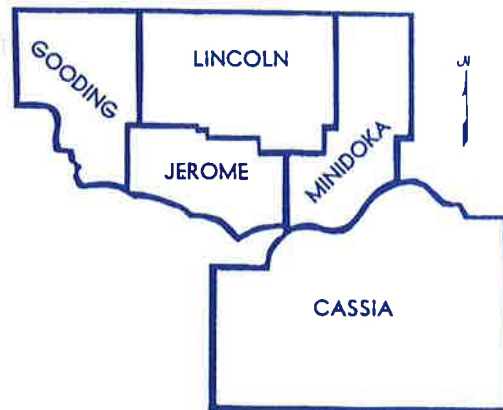
Trish Fawcett
Technical Records Specialist

/tf

cc: Acequia Inc.
c/o James P Speck

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO:
OFFICE:

Order #10652
Rupert

February 27, 1996

ATTENTION: JEANIE ROBERTSON
WATER RIGHTS AGENT
ADJUDICATION

IDAHO DEPARTMENT OF WATER RESOURCES
222 SHOSHONE ST. EAST
TWIN FALLS, IDAHO 83301

RECEIVED
MAR 01 1996
Department of Water Resources
Southern Region

Dear Jeanie:

Enclosed is another New Property Owner-Notice of Change of Water Right Ownership on Acequia, Inc. to Steven D. Young, etal.

Thanks for your help on this matter.

Very truly yours:
LAND TITLE AND ESCROW, INC.

Steve B. Porch
Steve B. Porch
Rupert Office Manager

enc.
pc: file

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 - FAX 878-4435

BOX 348, 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 438-0808 - FAX 438-1189

MICROFILMED
DEC 03 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAR 01 1996

DATE OF CLOSING: 1-16-96

LEGAL DESCRIPTION OF PROPERTY: Township 6 Range 01 24

Section 31 NE 1/4 of 1/4 of 1/4 Govt. Lot 1

Lot Block Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: 36-02191 and 36-07391

☐ Name and Address of Former Owner/Claimant(s)(Seller): Acequia Inc.

P.O. Drawer 226

Sun Valley, ID 83353-0226

☐ New Owner/Claimant (Purchaser):

Steven D. Young & Maria Young AND Roy M. Young &

Rt. 3 Box 3263

Rupert, ID 83350

☐ New Telephone Number: (208) 532-4405

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s)

Date 1-19-96

Date 1-19-96

☐ Signature of Former Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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DEC 03 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

COPY

(Space above line for Recorder's use)

RECORDED AT REQUEST OF
Land Title-Rupert
FILM NO. _____
36 JAN 19 15 : 49
MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE \$6.00 DEPUTY

421973

WARRANTY DEED

FOR VALUE RECEIVED, ACEQUILA, INC., an Idaho corporation, whose address is P.O. Box 226, Sun Valley, ID 83353 ("Grantor" whether one or more), hereby grants, bargains, sells and conveys unto STEVEN D. YOUNG and MARIA YOUNG, husband and wife, and ROY M. YOUNG and CHERLYN YOUNG, husband and wife, whose address is Route 3, Box 3263, Rupert, Idaho 83350 ("Grantee", whether one or more), that certain real property situated in Minidoka County, Idaho and described as follows:

NE $\frac{1}{4}$ of Section 31, Township 6 South, Range 24 East, B.M.,
Minidoka County, Idaho.

SUBJECT TO the following:

1. Liens for taxes and assessments not yet due and payable;
2. Reservations and exceptions in any patents from the United States or any patent or deed from the State of Idaho;
3. Building and zoning ordinances and regulations;
4. Covenants, conditions, rights-of-way, easements and restrictions of record if any as disclosed by the records of Minidoka County, Idaho;

TOGETHER WITH the following:

2.56 cfs of Water Right No. 36-02191 and 0.11 cfs of Water Right No. 36-07391 as recommended in the Directors Report for Reporting Area 3 in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576 (the "SRBA");

F:\WP5\DATA\ACEQUILA\ACEQUILA\YOUNG\WENTYDEED.001

-1-

MICROFILMED

DEC 03 1996

SUBJECT TO the final outcome of all proceedings in and the provisions, terms and conditions of the decree to be entered in the SRBA.

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the Grantor will warrant and defend the same from all lawful claims whatsoever. However, notwithstanding the description of the water rights set forth above, Grantor does not make any representation or warranty as to the amount, volume or any other element of such water rights.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the date set forth below.

"GRANTOR"

ACEQUILA, INC.

Date: 11/7/96

By:

Michael Haley
Michael Haley, President

DISTRICT OF COLUMBIA) ss.
)

On this 17th day of January, 1996, before me, the undersigned notary public in and for said state, personally appeared Michael Haley, known or identified to me to be the president of ACEQUILA, INC. and the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that said corporation executed the same.

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



Adriaan A. Schmidt

Notary Public for District of Columbia

Residing at: Edgewood, MD

Commission Expires:

My Commission
Expires 5/15/99

MICROFILMED

DEC 03 1996

1/16/96



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

April 23, 1996

STEVEN D & MARIA YOUNG
ROY M & CHERLYN YOUNG
RT 3 BOX 3263
RUPERT ID 83350

Re: Ownership Change for Adjudication Claim # 36-02191, 36-07391
ACEQUIA/YOUNG
36-07041, 36-11340
HALEY/YOUNG

Dear Mr. and Mrs. Young:

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claims are appurtenant, I have changed the Department's record(s) of the current owner as you requested.

I have enclosed copies of the adjudication claims A36-02191, A36-07391, A36-07041 and A36-11340 and also profile reports of 36-02191, 36-07391, 36-07041, and 36-11340 which show how the rights have been recommended in the Director's Report. (The C owner code refers to the Current owner and the D refers to the owner at the time the Director's Report was issued.) I am sure you are aware that the Standard Form 3 must be returned to the SRBA court in order for the court to change their records.

If you are represented by an attorney and wish to have his or her name in the file, please return the enclosed Notice of Appearance Form. If you have any questions, feel free to call me at the office.

Sincerely,

Jeanie Robertson
Sr. Water Rights Agent

/jr

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DEC 03 1996

Water Right Number - 36-02191

Prefix Translation: WATER RIGHT

Old (D) Number - 23806

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

*** C - CURRENT OWNER ***
YOUNG

STEVEN D

1 - RT X BOX 3263

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-532-4405

YOUNG

MARIA

1 - RT 3 BOX 3263

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-532-4405

YOUNG

ROY M

1 - RT 3 BOX 3263

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-532-4405

YOUNG

CHERLYN

1 - RT 3 BOX 3263

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-532-4405

*** D - DIR RPT OWNER ***
SPECK

JAMES P

1 - PO BOX 987

2 -

3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-726-4421

ACEQUIA INC

1 - PO BOX 1678

2 -

3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-726-8474

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/25/1953 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

06S 24E 31 SW NE NE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

10/31

2.560

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

03/06/96 14:14:01
Page 3

Water right number - 36-02191

Prefix Translation: WATER RIGHT

+ - - Audit Fields - - +

03/06/96 JROBERTS

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 01/26/1995	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 03/27/1995	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S007363	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	- C
				Notice of Error Flag	- B

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DEC 03 1995

RECEIVED

JAN 18 1996

Idaho Department of Water Resources

RECEIVED

MAR 23 1996

Department of Water Resources
Application Bureau

RECEIVED

APR 04 1996

Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order I Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

My name is _____

I am the claimant of _____
(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e. where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to L.C. §§ 42-1409(2), (3) and (6) (1986), filed a notice of claim asserting the right to the use of water or on whose behalf the

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The Substitution shall be filed by the new claimant/purchaser.

I am the new claimant/purchaser of 36-02191 and 36-07391

(Insert each water right number)
STEVEN D. YOUNG AND MARIA YOUNG
ROY M. YOUNG AND CHERLYN YOUNG

My name is _____

My address is ROUTE 3 BOX 3263 RUPERT, IDAHO 83350

My phone number is: Work (208) 532-4405 Home _____

The name and address of the prior claimant/seller who I wish to be substituted for are:

ACEQUIA, INC.
P.O. DRAWER 226
SUN VALLEY, IDAHO 83340-0226

Acequia, Inc.

By:

Signature of prior claimant/seller

Michael J. Haley, President

Signature of new claimant/purchaser

STEVEN D. YOUNG/ROY M. YOUNG

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name _____

Attorney of record for _____
(Identify party/claimant)

Attorney address and phone number: _____

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

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DEC 03 1996

VERIFICATION

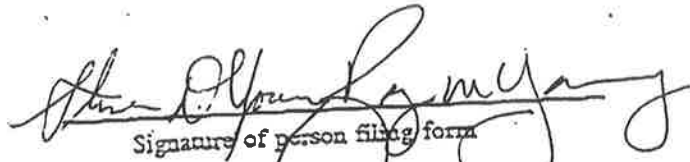
(To be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of IDAHO

County of MINIDOKA

STEVEN D. YOUNG/
ROY M. YOUNG being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.


Signature of person filing form
STEVEN D. YOUNG/ROY M. YOUNG

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on FEBRUARY 29, 1996
(Insert Date)

Notary Public for IDAHO
Residing at: RUPERT
My Commission expires: 5-1-99

INSTRUCTIONS FOR MAILING

Mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on MARCH 1, 1996, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

MR. JAMES P. SPECK
c/o HOGUE, SPECK & AANESTAD
P.O. BOX 987
KETCHUM, ID. 83340-0987

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

IMPROVED

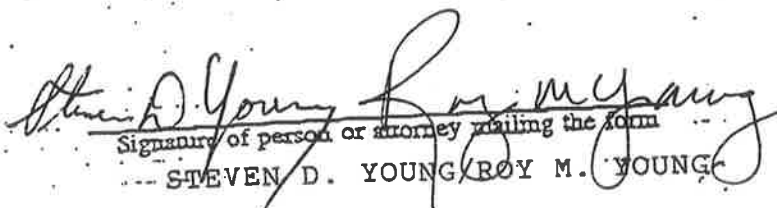
DEC 03 1996

5. One copy to:

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

6. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724


Signature of person or attorney mailing the form
STEVEN D. YOUNG ROY M. YOUNG

A. LYNNE KROGH
NICHOLAS B. SPENCER
Deputy Attorney(s) General
Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 327-7900

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

In Re SRBA	)	Subcase No. 36-02191
	)	
Case No. 39576	)	
	)	RESPONSE TO OBJECTION
	)	

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)

RESPONSE TO OBJECTION NO. 36-02191

MICROFILMED
PAGE 1
DEC 03 1996

2. Person who filed objection:

Name: ACEQUIA, INC.

Address: C/O JAMES P. SPECK
HOGUE, SPECK & AANESTAD
P.O. BOX 987
KETCHUM, ID 83340

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 83720
BOISE, ID 83720-0098

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 §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

(Over)

throughout the state based on a 75% chance of a 24°F 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 denies that it is estopped from recommending the standard season of use recommended for this water right. IDWR denies that it has waived its authority to recommend the standard season of use recommended for this water right, and affirmatively alleges it has a statutory duty to recommend the season of use for this right.

(Over)

RESPONSE TO OBJECTION NO. 36-02191

MICROFILMED
PAGE 3
DEC 03 1996

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. A36-02191.	4

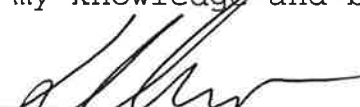
(Over)

VERIFICATION (Must be Completed)

State of IDAHO
County of ADA

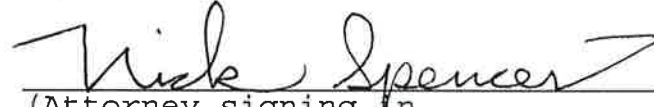
David B. Shaw, being first duly sworn, upon oath, deposes and says:

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.



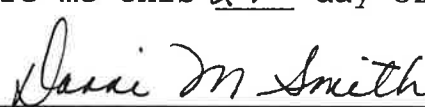
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 24th day of MARCH,
1995.



Notary Public for Idaho

Residing at: BOISE ID

My Commission expires: 12/5/2000

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 27TH day of MARCH, 1995, 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 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

HAND DELIVERY

(NBS)

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

see #3

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:

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

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 person filing response
or attorney mailing on Respondent's
behalf

(Over)

RECEIVED

FEB 01 1995

Department of Water Resources
Southern Region

RECEIVED

JAN 26 1995

OFFICE OF THE
ATTORNEY GENERAL

RECEIVED

JAN 27 1995

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 SRBA

Case No. 39576

Water Right No. 36-02191

STANDARD FORM 1

OBJECTION

INSTRUCTIONS

This form must be used to file an objection to a water right recommended in the director's report. ***Only one party/claimant may object to one water right per objection form.*** 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. If you do, the text must be on the front and back of each page exactly as it appears here. The objection must be **received** by the court on or before the deadline specified in the Notice of Filing the Director's Report that IDWR mailed to you. Follow the Instructions for Mailing this objection (Page 6) or the court will not accept it for filing. This form has been adopted by the court in ***SRBA Administrative Order 1*** (amended June 21, 1993), Section 4, which may be consulted for further information.

Any party filing 25 or more objections must make an appointment with the Clerk of the SRBA Court.

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 is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. ***Party/Claimant objecting:***

Name: Acequia, Inc.

Address: c/o James P. Speck
Hogue, Speck & Aanestad
P. O. Box 987
Ketchum, ID 83340

Phone: Work: (208) 726-4421
Home:

Briefly describe your interest in this water right: Claimant

If this objection is ***filed by an attorney:***

Attorney Name: James P. Speck

Attorney Address: Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, Idaho 83340

Attorney Phone No.: (208) 726-4421

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

2. ***Owner of the water right. You must identify the owner exactly as it appears in the Director's Report:***

Name: Acequia, Inc.

Address: P. O. Drawer 226
Sun Valley, ID 83353

II. STATEMENT OF THE OBJECTION

1. ☒ **Period of Year:** I object to the period of year when water is used or is necessary for the purpose stated.

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.

The Water Right is based upon a license issued by the Idaho Department of Water Resources ("IDWR") which did not specify or otherwise limit the period of use for the Water Right. The Water Right has historically been used from March 15 through November 15. Claimant and its predecessors have a vested interest in and have relied upon this period of use. IDWR is estopped from and has waived any right it may have had to change the period of use or recommend such change.

CHANGES TO THE DIRECTOR'S REPORT

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

The period of use should be changed to March 15 through November 15.

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.

Microfilmed
DEC 03 1996

VERIFICATION (Must be completed)

State of Idaho)
)
County of Blaine) ss.

James P. Speck, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection (as listed on Page 2, Section 1, "Party/Claimant Objecting"), as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

Signature of party/claimant filing objection

By: 15/
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: _____
(Insert Date)

15/
Notary Public for Idaho
Residing at _____
My Commission expires _____

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 all of the parties listed below in the Certificate of Mailing.

You must sign the Certificate of Mailing to show that you followed these steps.

MICROFILMED
DEC 03 1996

CERTIFICATE OF MAILING

I certify that on Jan. 25, 1995, I mailed the original and copies of this objection, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner's name: Acequia, Inc.

Owner's address: c/o James P. Speck
Hogue, Speck & Aanestad
P. O. Box 987
Ketchum, ID 83340

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

LSI

Signature of party/claimant or attorney

A. LYNNE KROGH
NICHOLAS B. SPENCER
Deputy Attorneys General
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098
Telephone: (208) 327-7920
FAX: (208) 327-7866

ATTORNEYS FOR THE IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 28 1994
Department of Water Resource
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 SRBA	)	IDWR'S REPLY TO MOTIONS OF
	)	ACEQUIA, INC., FOR LEAVE TO
	)	FILE LATE OBJECTIONS TO
Case No. 39576	)	RECOMMENDED WATER RIGHT NOS.
	)	36-02125, 36-02126, 36-02127,
	)	36-02128, 36-02129, 36-02130A,
	)	36-02191, 36-02192, 36-02193,
	)	36-02195A, 36-02197, 36-02198,
	)	36-02199, 36-02200, 36-07182,
	)	36-07192, 36-07391, 36-07403,
	)	36-07404, 36-07405, 36-07850A,
	)	36-07932, 36-08106A, AND
	)	36-11290

Descriptive Summary

This document constitutes IDWR's reply to the twenty-four motions filed by Acequia, Inc., for leave to file late objections to the season of use recommended for each of the above-enumerated recommended water rights. IDWR does not oppose the motions.

IDWR'S REPLY TO MOTIONS OF ACEQUIA, INC.
FOR LEAVE TO FILE LATE OBJECTIONS, Page 1

MICROFILMED
DEC 03 1996

Reply to Motions for Leave to File Late Objections

The Idaho Department of Water Resources (IDWR) does not oppose the twenty-four motions of Acequia, Inc. (Acequia), for leave to file late objections to the season of use recommended by IDWR for the water rights enumerated above--so long as the scope of those objections is limited to season of use as described in Acequia's motions.

However, IDWR requests, since the proposed objections were not attached to the motions for leave to file late objections, that if the Court should grant the motions it set a date certain by which the objections are to be filed. IDWR will respond to the objections within 60 days after their filing.

IDWR also notes that recommended water right number 36-02193 is based upon an accomplished transfer recommended pursuant to Idaho Code §42-1416A (1989) and recommended water right number 36-11209 is based upon an expansion recommended pursuant to Idaho Code §42-1416(2) (1985). Because of the bench ruling made by the Court on December 21, 1994, staying proceedings in presumption-based subcases pending resolution of Basin-Wide Issue 4, IDWR believes that further action on these two motions for leave to file late objections may have been stayed. However, IDWR does note that the objections which Acequia seeks to assert are not related directly to the presumption statutes themselves.

Therefore, IDWR requests that the Court, as part of its determination of the present motions, initially determine whether further action on the motions for leave to file late objections to

IDWR'S REPLY TO MOTIONS OF ACEQUIA, INC.
FOR LEAVE TO FILE LATE OBJECTIONS, Page 2

MICROFILMED
DEC 03 1996

recommended water right numbers 36-02193 and 36-11290 has been stayed, and also determine whether the present stay precludes the filing of those two objections.

DATED this 23RD day of December, 1994.


NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

CERTIFICATE OF SERVICE

I hereby certify that on the 23RD day of December, 1994, I served a true and correct copy of the foregoing IDWR'S REPLY TO MOTIONS OF ACEQUIA, INC., FOR LEAVE TO FILE LATE OBJECTIONS TO WATER RIGHTS on the each of the following persons by first class mail, postage prepaid, to the address or addresses listed below.

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 Resources Division
550 West Fort Street, Box 33
Boise, Idaho 83734

James P. Speck, Esq.
Hogue, Speck & Aanestad, P.A.
P.O. Box 987
Ketchum, Idaho 83340


NICHOLAS B. SPENCER
Deputy Attorney General
Idaho Department of Water Resources

IDWR'S REPLY TO MOTIONS OF ACEQUIA, INC.
FOR LEAVE TO FILE LATE OBJECTIONS, Page 3

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DEC 03 1996

NOTICE OF ERROR

X

—

RESPONSE

X

—

CORRECTED R PROOF

X

MICROFILMED
JAN 20 1993

Water Right Number - R36-02191

Prefix Translation: RESEARCH

Old (D) Number - 23806

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

*** A - ATTORNEY ***
SPECK

JAMES P

1 - PO BOX 987

2 -

3 -

City- KETCHUM

Phone - 208-726-4421

State- ID Zip- 83340

*** C - CURRENT OWNER ***
ACEQUIA INC

1 - PO BOX 1678

2 -

3 -

City- KETCHUM

Phone - 208-726-8474

State- ID Zip- 83340

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/25/1953 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

06S 24E 31 SW NE NE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 2.560+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.560 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

06S 24E 31 NE NE 40.0 01 IRRIGATION (67) MINIDOKA

06S 24E 31 NW NE 40.0 01 IRRIGATION (67) MINIDOKA

06S 24E 31 SW NE 40.0 01 IRRIGATION (67) MINIDOKA

06S 24E 31 SE NE 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 160.0

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07391

MICROFILMED
JAN 26 1993

Water right number - R36-02191

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +
USE OF THIS RIGHT WITH RIGHT NO. 36-07391 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.67 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 640 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 480 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-07391 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
Date: 07/30/1991 User Id: WELLS Subject: COPIED FROM REMARKS
P/D CENTER OF NE1/4, S31, T6S, R24E.
Date: 09/28/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/25/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 8/2/91. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/08/1992 User Id: ROBERTSO Subject: ADDRESS CHANGE & NOTICE OF APPEARANCE ENTERED
Date: 10/08/1992 User Id: MERRITT Subject: RESPONDED TO NOE
MET WITH SPECK 10/7. NO CHANGE.

+ - - Audit Fields - - +
10/08/92 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	- 10/08/1992	Old Judicial District	-
Claim Received Date	- 05/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S007363	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	- B

MICROFILMED
JAN 20 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

09-Oct-1992

James P. Speck
PO Box 987
Ketchum, ID 83340

RE: Confirmation of Response to Notice of Error and Change of Address
for Acequia Inc. & Estate of Rosemary Haley SRBA Claims.

Dear Mr. Speck:

This letter is intended to confirm my responses to your Notices of Error discussed in our October 7th meeting with Miles Clinton at my office.

Regarding your general concern about the season of use, the proposed recommendations are based on irrigation season of use standards adopted by the director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost. Additionally, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for a conditioned irrigation use outside the general irrigation season.

Regarding your general concern about the language in the recommendations which talks about "right includes a change in point of diversion", the Department includes such language in rights where the proposed legal description for the point of diversion is different than the legal description of the base water right. This situation may exist if there has been a physical change in the point of diversion or if it has been determined that the base water right location was incorrect even if there has been no physical change in the point of diversion.

Regarding your concerns about disallowal of several of the rights, these rights were recommended for disallow because generally it was determined by field examination and information gathered from the ASCS that there was a period of 5 years of non-use for these rights or that the acres claimed irrigated consisted of lava out crops that have never been farmed.

I confirm that based on your change of ownership letter and the power of attorney documents submitted we have changed the address of Acequia Inc. and have added you as attorney for all claims in the name of Acequia Inc. Additionally we have changed the name of the Rosemary Haley claims to that of the Estate of Rosemary Haley and have changed

MICROFILMED
JAN 26 1993

Page 2
Oct 9, 1992

the address to that of Acequia Inc. and have also added you as attorney for all claims in the name of Rosemary Haley.

After our meeting and review of the files the following additional changes were made to the proposed recommendations:

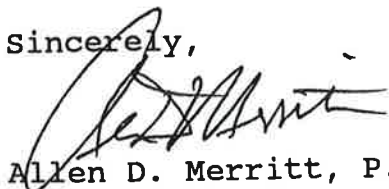
36-02127 None 36-07850A None
36-02195A None 36-11340 None
36-02130A None 36-07041 None
36-02191 None 36-08106A None
36-02192 None 36-02193 None
36-11290 None 36-11288 None
36-02121 None 36-02194 None

36-02129 Reference to point of diversion change deleted.
36-07403 Reference to point of diversion change deleted.

36-07192 Disallowed since acres originally recommended covered under
36-02122.
36-02122 Deleted reference to 36-07192 in remarks.
36-02124 Deleted reference to 36-07192 in remarks.
36-02190 Deleted reference to 36-07192 in remarks.
36-07193 Deleted reference to 36-07192 in remarks.
36-02123 Deleted reference to 36-07192 in remarks.

If you still disagree with IDWR's recommendations, you will have the opportunity to file an objection to the Director's Report with the court. If you have further questions please feel free to contact our office.

Sincerely,



Allen D. Merritt, P.E.
Water Rights Supervisor

MICROFILMED
JAN 20 1993

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

Please type or print clearly, fill out completely, and return to:

OCT 01 1992

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000

Department of Water Resources
Statehouse Mail

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-02191

RECEIVED

2. Name: ACEQUIA, INC.

SEP 25 1992

Address: P.O. Box 1678
KETCHUM, ID 83340

Department of Water Resources

Weekday Telephone Number: 208/726-4421

MICROFILMED

JAN 26 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

N/C

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on this copy.)

3. Describe the portion of proposed recommendation with which you disagree:

REMARKS ON ACCOMPLISHED CHANGE IN POINT OF DIVERSION.

4. Describe the changes you wish to have made in the proposed recommendation:

DELETE.

5. Describe why you disagree with the proposed recommendation:

POINT OF DIVERSION (WELL) HAS NOT CHANGED OR MOVED.

6. Date: 9/23/92

SIGNATURE

J-P. Spuck, attorney-in-fact
for Acquis, Inc.

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
JAN 5 1988

Water Right Number - R36-02191 Prefix Translation: RESEARCH Old (D) Number - 23806

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

*** C - CURRENT OWNER ***
ACEQUIA INC.1 - P.O. DRAWER 226
2 -
3 -
City- SUN VALLEY
Phone - 208-726-8474

State- ID Zip- 83353

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
02/25/1953 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

06S 24E 31 SW NE NE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 2.560+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.560 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
06S 24E 31 NE NE 40.0 01 IRRIGATION (67) MINIDOKA
06S 24E 31 NW NE 40.0 01 IRRIGATION (67) MINIDOKA
06S 24E 31 SW NE 40.0 01 IRRIGATION (67) MINIDOKA
06S 24E 31 SE NE 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 160.0

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07391

+ - - - - Remarks - - - - - +
USE OF THIS RIGHT WITH RIGHT NO. 36-07391 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.67 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 640 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 480 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-07391 IS ALSO DIVERTED THROUGH POINT OF

MICROFILMED

JAN 26 1993

Water right number - R36-02191

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
DIVERSION DESCRIBED ABOVE.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
C03 - RIGHT INCLUDES CHANGE IN POINT OF DIVERSION.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
Date: 07/30/1991 User Id: WELLS Subject: COPIED FROM REMARKS
P/D CENTER OF NE1/4, S31, T6S, R24E.

+ - - Audit Fields - - +
08/02/91 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	- 08/02/1991	Old Judicial District	-
Claim Received Date	- 05/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S007363	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C

MICROFILMED

JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:44
08/04/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02191

LAST: ACEQUIA INC.
ADDRESS: P.O. DRAWER 226
CITY: SUN VALLEY
PHONE NUMBER: 208-726-8474

FIRST:
STATE: ID ZIP: 83353

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: P/D CENTER OF NE1/4, S31, T6S, R24E.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 8/14/90

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: None

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED

JAN 26 1993

A. AJ CLAIM: # A36-02191 PRIORITY DATE: 02-25-1953 STAGE: L
B. WR RECORD: # 36-02191 PRIORITY DATE: 02-25-1953 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER N

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

REMARKS: _____

RECOMMENDED PRIORITY DATE:
02-25-1953

REVIEWED BY

AD

DATE

8/14/90

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02191	06S	24E	31	SW	NE	NE		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07391 NONE

WR RECORDS IN SAME 40 ACRE TRACT
36-07391

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02191	06S	24E	31		NE	NE		MINIDOKA
36-02191	06S	24E	31		NW	NE		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-07391

A36-07391 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

Correct as claimed

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

As Claimed

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

ADW

DATE:

8/14/90

MICROFILMED

JAN 26 1993

A. ROOT WATER RIGHT NUMBERS: A36-02191

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06S	24E	31	NE	NE		ACEQUIA INC.	A36-02191 740.0	36-02191 740.0	39.0		
						ACEQUIA INC.	A36-07391 /40.0	36-07391 /40.0		40	
06S	24E	31	NW	NE		ACEQUIA INC.	A36-02191 740.0	36-02191 740.0	37.0		
						ACEQUIA INC.	A36-07391 /40.0	36-07391 /40.0		40	
06S	24E	31	SW	NE		ACEQUIA INC.	A36-02191 740.0	36-02191 740.0	38.0		
						ACEQUIA INC.	A36-07391 /40.0	36-07391 /40.0		40	
06S	24E	31	SE	SE		ACEQUIA INC.	A36-02191 740.0	36-02191 740.0	10.0		
							A36-07391			40	
TOTAL ACRES							A36-02191	160.00	160.00	124.00	

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
Y

FIELD
EXAMINER
Y

PRESUMPTION FLAG:

REMARKS:

Appears f. se 2 data entry error on
license. Reviewed & ~~licensed~~ claimed

RECOMMENDATIONS:

TOTAL ACRES:

160

REVIEWED BY:

AD

DATE:

8/14/90

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02191 IRRIGATION	FROM 03-15 TO 11-15	2.560 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.560 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02191 IRRIGATION	FROM TO	2.560 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		2.560 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N(☐) Explain in remarks, below.

REMARKS:

MICROFILMED

JAN 20 1992

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.560 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.560 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

B. FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-07391

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02191	GROUNDWATER	ACEQUIA INC.	2.560	0.016		
A36-07391	GROUNDWATER	ACEQUIA INC.	0.110			

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 160 x 0.02 CFS/ACRE = 3.20 CFS
(Taken from p/u review)

1b. CALCULATIONS

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 AE/A

ACRES 160 x CONSUMPTIVE VOL. AE/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 480 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES 160 x DIVERSION VOL. AE/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 640 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

When combined with A36-02191 shall not exceed 2.67 cfs

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JAN 26 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CPS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE 2.560 EXAMINER <u>✓</u>	DATABASE 640 EXAMINER <u>640</u>	DATABASE 480.0 EXAMINER <u>✓</u>
TOTAL FOR THIS RIGHT		2.560		480.0

REVIEWED BY:

Adm

DATE:

8/14/92

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: 36-02191

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.560

EXAMINER

NA
CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02191	2.560	-		36-02191	2.560
TOTAL CFS		2.560				2.560

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
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: 

DATE: 8/14/90

NAME OF FIELD EXAMINER: _____ TITLE: _____

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JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:44
08/04/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02191

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			Adm				DB	
POINT OF DIV	Y			N			10-4-90	
SOURCE				N	1,5			
PLACE OF USE	Y			N	1,4,5,6			
DIV. AMOUNT CFS/VOLUME				N	6			
CONSUMPTIVE USE				N				
PURPOSES				N				
PERIOD OF USE	Y			N	6			
BASIS OF CLAIM				N				
REMARKS	Y			Y				

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAIP 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.

[illegible]

MICROFILMED
JAN 26 1993

0-22157
 0-22162
 0-22167
 0-22172
 0-23806
 0-23815
 0-23820

to dated
 and before

0-23806

T 6 S R 24 E.



Subdivisions - four

Area = 160 acres.

$Q = 2.56 \text{ sq.}$

This

1. ?

2. ?

3. 1

4. 1

5. 1

6. 1

7. 1

8. 1

9. 1

10. 1

11. 1

12. 1

13. 1

14. 1

15. 1

16. 1

17. 1

18. 1

19. 1

20. 1

21. 1

22. 1

23. 1

24. 1

25. 1

26. 1

27. 1

28. 1

29. 1

30. 1

31. 1

32. 1

State of Idaho License and Certificate of Water Right

Water Right No. 2-2222

Amount 2.52 c.f.s.

Water Right No. 2-2222

Priority February 25, 1953

I, THE STATE ENGINEER, do hereby

THE CAPITAL COMPANY

do hereby certify that

THE CAPITAL COMPANY, made application for a permit to appropriate the waters of the State of Idaho, dated February 25, 1953, in the State of Idaho, under Permit No. 2-2222, and that said permit, after Certificate of Completion of work, with a carrying capacity of 2.52 c.f.s., was issued thereunder on March 22, 1957, showing that said work was completed on the 22nd day of March, 1957, and that on the 22nd day of March, 1957, THE CAPITAL COMPANY was the owner of said water right.

THE STATE ENGINEER, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well for the purpose of irrigation.

THE STATE ENGINEER, under the Permit No. 2-2222 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 10 of Licenses at page 2222, on the 22nd day of March, 1957;

The right hereby confirmed dates from February 25, 1953;

The Point of Diversion is located in the SE 1/4 of Sec. 31, Tp. 6 S., R. 24 E., B. M. County Minidoka

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.52 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>6 S.</u>	<u>24 E.</u>	<u>31</u>	<u>NE 1/4 NE 1/4</u>	<u>40</u>	<u>40</u>
			<u>NE 1/4 SE 1/4</u>	<u>40</u>	<u>40</u>
			<u>SW 1/4 NE 1/4</u>	<u>40</u>	<u>40</u>
			<u>SE 1/4 NE 1/4</u>	<u>40</u>	<u>40</u>
			<u>Total number of acres irrigated -</u>	<u>- - -</u>	<u>-160</u>

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 22nd day of March, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

MICROFILMED
JAN 26 1993