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: **A36-02195A**
Date Received: 6/16/1989
Receipt No: S008283
Received By: _____

address change + NOA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

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
07S	24E	5	SE NE SE		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	3.613		

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

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	24E	4	NE SW		IRR	40.0
			NW SW		IRR	40.0
			SW SW		IRR	40.0
			SE SW		IRR	40.0

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JAN 20 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
						Section Acres	160.0
		5	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	160.0
						Total Acres	320.0

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:
NONE

14. Remarks:
THIS CLAIM IS BASED ON A 320/480 PORTION OF ORIGINAL LIC.

15. Basis of Claim: LICENSE

Water Right Number: 23813

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: _____

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JAN 20 1993

State of Idaho)
) SS.
County of _____)

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

of _____ 19 _____

_____
Notary Public

Seal

Residing at _____

My Commission Expires _____

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JAN 26 1993

SD-0601-2 Last Name: ACEQUIA STATE

SEL	First Name	OWN	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Use 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 26 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

see #A36-02121 for Original Powers of attorney

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 inwhich there is less than a 75% chance of a 24 degree F. frost. Additionally, since there are some years inwhich water can be beneficially used for irrigtion outside the irrigation season, the proposed Director's Report includes a general provision which provides for a conditioned irrigtion 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 decription 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

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JAN 20 1993

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

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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
OCT 01 1992
Department of Water Resources

RECEIVED
SEP 25 1992
Department of Water Resources

CERTIFIED MAIL P 059 723 341
RETURN RECEIPT REQUESTED

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

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.

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JAN 26 1993

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.)

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JAN 26 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: **A36-02195A**
Date Received: 1/18/1989
Receipt No: 5008283
Received By: AM

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

COPY

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
07S	24E	5	SE	NE	SE		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	3.613		

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

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   NONE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07S	24E	4	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
07S	24E	4	SE	SW		IRR	40.0
						Section Acres	160.0
		5	NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	160.0
						Total Acres	320.0

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:
NONE

14. Remarks:
THIS CLAIM IS BASED ON A 320/480 PORTION OF ORIGINAL LIC.

15. Basis of Claim: LICENSE
Water Right Number: 23813

16. Signature(s)

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

Number of attachments: 1

For Organizations:

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

Title

Organization

Title

Organization

Tracy Haley
Signature of Authorized Agent

President Acequia Inc
Title and Organization

6/16/89
Date

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 16th day of June 19 89

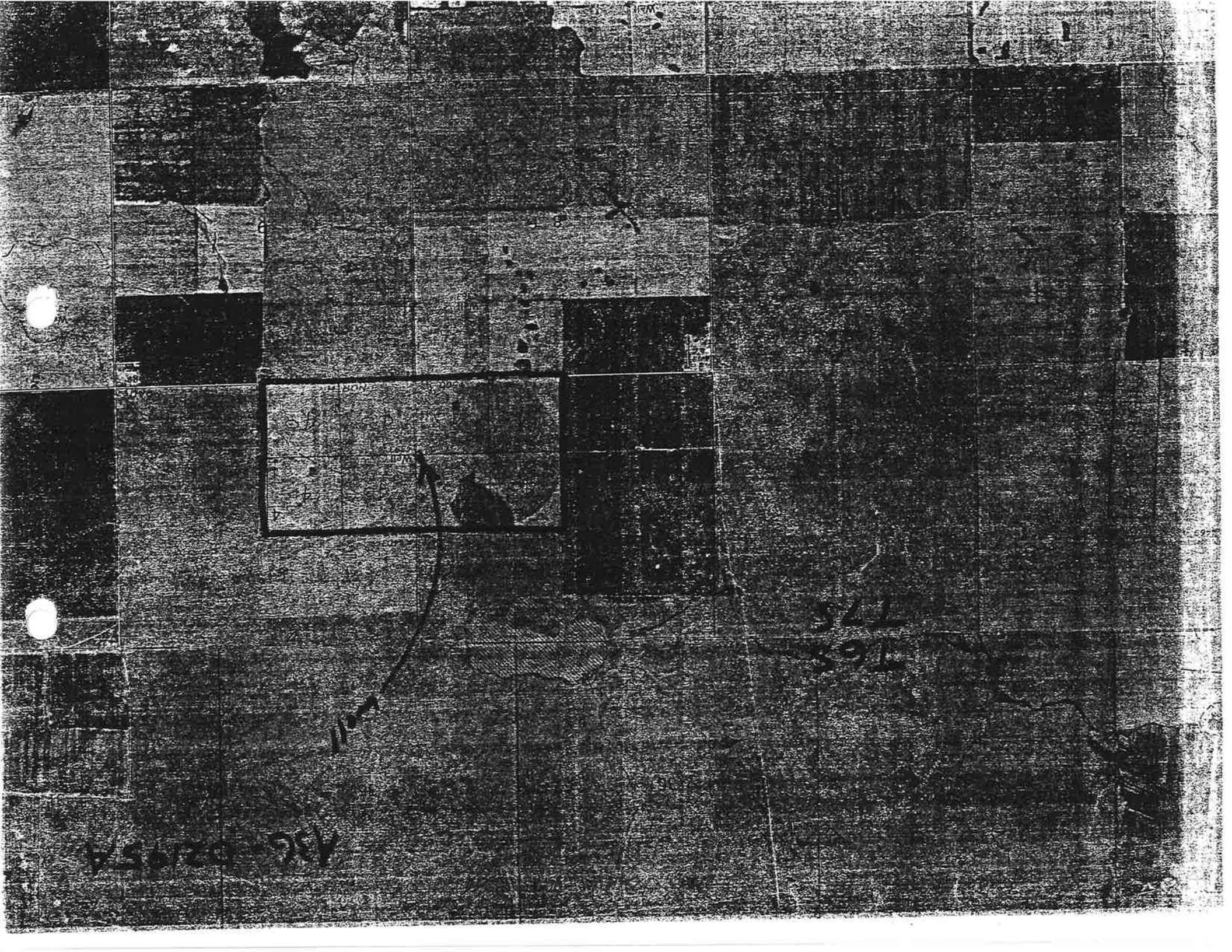
Notary Public

Seal

Residing at Kimberly, Id

My Commission Expires 6/30/90

RECEIVED JAN 26 1989



District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

December 3, 2001

Acequia Inc.
PO Box 226
Sun Valley, ID 83353

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 36-02195A. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order***, in combination with the ***Partial Decree*** that was issued for this water right on July 15, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of this water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued on the same date that the ***Partial Decree*** was originally issued.

Sincerely,

Diana Delaney
Case Administrator

2001 DEC -3 PM 4:31
FILED
CLERK DIST. SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA	)	**Water Right 36-02195A**
Case No. 39576	)	**ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT IN PARTIAL DECREE and INCORPORATING INTO PARTIAL DECREES AN EXPRESS STATEMENT REGARDING GENERAL PROVISIONS, *NUNC PRO TUNC***

A ***Partial Decree*** was entered for the above-captioned irrigation water right on July 15, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the ***Partial Decree*** for the above-captioned water right is hereby amended and decreed to contain the following:

> This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the ***Partial Decree*** was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the ***Partial Decree***.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated December 3, 2001.

Roger Burdick

ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

NO. OF CLAIMS IN POLYGON ___

CLAIM NUMBERS 36-02195A _____ _____

_____ _____ _____

_____ _____ _____

DATE 5/30/98

AGENT DF

TOTAL ACRES

FROM RECOMMENDATION 320

GEOGRAPHIC INFO SYSTEM 336

336

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
RECOM	7S	24E	4									40	40	40	40					160
GIS						.2				2.6	2.3	39.8	39.8	39.3	39		4.1	3.8		170.9
Rounding						0				3	2	40	40	39	39		4	4		171
RECOM	7S	24E	5													40	40	40	40	160
GIS						5.1	4.4			[illegible]						39.7	39.4	37.6	39.3	165.5
						5	4									40	39	38	39	165
RECOM																				
GIS																				
RECOM																				
GIS																				

UPDATED

B36-DBPOU.DBF ✓

B36-DBPOD.DBF ✓

UPDATED

ATTRIBUTES OF B36-POU.SHP 69 5/30/97

ATTRIBUTES OF B36-POD.SHP 76 5/30/97

→ POU Discrepancy

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. 36-02195A
	)	
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)

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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. |X| 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)

MICROFILMED
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.

|X| 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. A36-02195A.	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: Nick Spencer
(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

MICROFILMED
DEC 03 1996

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

Nick Spencer
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 19 1995
Department of Water Resources
Adjudication Bureau

RECEIVED
JAN 18 1995
OFFICE OF THE
ATTORNEY GENERAL

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

In Re SRBA	)	**Water Right No. 36-02197**
	)	
Case No. 39576	)	**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.

MICROFILMED
DEC 03 1996

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.

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VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

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: /s/
(Attorney signing in representative capacity)

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

/s/
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.

CERTIFICATE OF MAILING

I certify that on 1/17, 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

/s/
Signature of party/claimant or attorney

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DEC 03 1996

RECEIVED
DEC 28 1994
Department of Water Resource
Southern Region Office

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

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 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**
Case No. 39576	

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.

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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

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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

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DEC 5 1994

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED
JAN 26 1993

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

MICROFILMED JAN 2 6 1993

Water Right Number - R36-02195A Prefix Translation: RESEARCH Old (D) Number - 23813

Last Name	First Name	Address
*** A - ATTORNEY ***		
SPECK	JAMES P	1 - PO BOX 987 2 - 3 - City- KETCHUM State- ID Zip- 83340 Phone - 208-726-4421
*** C - CURRENT OWNER ***		
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: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
07S	24E	5	SE NE SE		(67)	MINIDOKA

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	10/31	3.610	1280.00

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
3.610	1280.00	960.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	24E	4	NE SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	4	NW SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	4	SW SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	4	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	5	NE SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	5	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	5	SW SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	5	SE SE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 320.0

Diversion Means - WELL & PUMP

Non-Irrigation Use -

MICROFILMED
JAN 26 1993

Water right number - R36-02195A   Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

+ - Remarks - +

No Remarks found.

+ - Old Water Right Numbers - +

3602195

+ - 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: 07/29/1991 User Id: WELLS Subject: COPIED FROM REMARKS
THIS CLAIM IS BASED ON A 320/480 PORTION OF ORIGINAL LIC.
Date: 08/13/1992 User Id: WORSTELL Subject: SPLIT FROM 36-02195
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 8/13/92. 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	- 06/16/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S008283	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	- B

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 inwhich there is less than a 75% chance of a 24 degree F. frost. Additionally, since there are some years inwhich water can be beneficially used for irrigtion outside the irrigation season, the proposed Director's Report includes a general provision which provides for a conditioned irrigtion 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 decription 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

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

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JAN 26 1993

NOTICE OF ERROR FORM

AUG-24-1992

RECEIVED
OCT 01 1992
Department of Water Resources
Southern Region Office

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

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

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: 36-02195A

RECEIVED
SEP 25 1992
Department of Water Resources

2. Name: ACEQUIA, INC.

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

Weekday Telephone Number: 208/726-4421

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JAN 20 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 the copy.)

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

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.

6. Date: 9/23/92

SIGNATURE J. D. Speth, attorney-in-fact for Acequia, Inc.

R PROOF ✓

CVR ✓

MAPS

PHOTOS

MISC ✓

MICROFILMED
DEC 2 0 1993

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

VERIFIED ADM

MICROFILMED JAN 26 1993

Water Right Number - R36-02195A   Prefix Translation: RESEARCH   Old (D) Number - 23813

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

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

1 - P.O. DRAWER 226
2 -
3 -
City- SUN VALLEY   State- ID   Zip- 83353
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
07S	24E	5	SE NE SE			(67) MINIDOKA

+ - Water Use - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	3.610	1280.00

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
3.610	1280.00	960.0	

+ - Place of Use - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	24E	4	NE SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	4	NW SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	4	SW SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	4	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	5	NE SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	5	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	5	SW SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	5	SE SE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 320.0

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - Remarks - +
No Remarks found.

Water right number - R36-02195A   Prefix Translation: RESEARCH

+ - Old Water Right Numbers - +

+ - Old Water Right Numbers - +
3602195

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

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

+ -Comments- +
Date: 07/29/1991 User Id: WELLS   Subject: COPIED FROM REMARKS
THIS CLAIM IS BASED ON A 320/480 PORTION OF ORIGINAL LIC.

+ - - 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	- 06/16/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S008283	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C

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JAN 2 0 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:44
08/04/90

PAGE: 1

GENERAL INFORMATION

CLAIM NUMBER: A36-02195A

LAST: ACEQUIA INC. FIRST:
ADDRESS: P.O. DRAWER 226
CITY: SUN VALLEY STATE: ID ZIP: 83353
PHONE NUMBER: 208-726-8474

OWNER CODE: C

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	Y	

CLAIM REMARKS: THIS CLAIM IS BASED ON A 320/480 PORTION OF ORIGINAL LIC.

MICROFILMED
JAN 26 1993

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Rose Mary Haley — Miles Haley PHONE NUMBER: (___) 726-9773

DATE OF FIELD EXAM: __/__/__ APPOINTMENT MADE: Y(___) N(___) TIME: ____:____ A(___) P(___)

ACCOMPANIED BY:_____ PHONE NUMBER: (___) ___-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A36-02195A

A. AJ CLAIM: # A36-02195A PRIORITY DATE: 02-25-1953 STAGE: L

B. WR RECORD: # 36-02195 PRIORITY DATE: 02-25-1953 STAGE: L

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	N	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 ADM DATE 8/13/90

POINT OF DIVERSION REVIEW SHEET

CLAIM NUMBER: A36-02195A

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02195A	07S	24E	5	SE	NE	SE		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
NONE	NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-07183 — No claim filed
36-07849 — No claim filed.

SOURCE: GROUNDWATER

TRIB:

MICROFILMED JAN 26 1993

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02195	07S	24E	5		NE	SE		MINIDOKA
36-02195	07S	24E	8		NE	NE		MINIDOKA
36-02195	07S	24E	8		SE	NE		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

36-07183
36-07849
36-07306B
36-07493B

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A36-02195B	NONE
A36-07493B	
A36-07306B	

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	N
DUE TO SOURCE DISCREPANCY? (Y/N)	N	N

REMARKS:

water rights split. P/D appears to be consistent with the way the right has been split.

POINT OF DIVERSION REVIEW SHEET CONTINUED CLAIM NUMBER: A36-02195A

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
7S.	24E.	5	SE	NE	SE		Minidoka

SOURCE: GROUNDWATER TRIB:

REVIEWED BY: AD DATE: 8/13/90

PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A36-02195A

A. ROOT WATER RIGHT NUMBERS: A36-02195A
A36-02195B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES		LANDSAT DATA	FIELD EXAM.	RECOM. ACRES
07S	24E	4	NE	SW		ACEQUIA INC. CAPITAL CO. CLINTON , VERNON B.	A36-02195A 740.0	- 36-02195 36-07849	740.0 /40.0 /40.0	40.0		40.0
07S	24E	4	NW	SW		ACEQUIA INC. CAPITAL CO. CLINTON , VERNON B.	A36-02195A 740.0	- 36-02195 36-07849	740.0 /40.0 /40.0	40.0		40.0
07S	24E	4	SW	SW		ACEQUIA INC. CAPITAL CO. CLINTON , VERNON B.	A36-02195A 740.0	- 36-02195 36-07849	740.0 /40.0 /40.0	40.0		40.0
07S	24E	4	SE	SW		ACEQUIA INC. CAPITAL CO. CLINTON , VERNON B.	A36-02195A 740.0	- 36-02195 36-07849	740.0 /40.0 /40.0	40.0		40.0
07S	24E	5	NE	SE		ACEQUIA INC. CAPITAL CO. CLINTON , VERNON B. CLINTON , VERNON B.	A36-02195A 740.0	- 36-02195 36-07183 36-07849	740.0 /40.0 /40.0 /40.0	37.0		40
07S	24E	5	NW	SE		ACEQUIA INC. CAPITAL CO. CLINTON , VERNON B. CLINTON , VERNON B.	A36-02195A 740.0	- 36-02195 36-07183 36-07849	740.0 /40.0 /40.0 /40.0	38.0		40
07S	24E	5	SW	SE		ACEQUIA INC. CAPITAL CO. CLINTON , VERNON B. CLINTON , VERNON B.	A36-02195A 740.0	- 36-02195 36-07183 36-07849	740.0 /40.0 /40.0 /40.0	37.0		40
07S	24E	5	SE	SE		ACEQUIA INC. CAPITAL CO. CLINTON , VERNON B. CLINTON , VERNON B.	A36-02195A 740.0	- 36-02195 36-07183 36-07849	740.0 /40.0 /40.0 /40.0	39.0		40
			TOTAL ACRES			A36-02195A	320.00		320.00	311.00		320

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

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POU DISCREPANCY? (Y/N)	Y	Y

MICROFILMED JAN 26 1993

PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A36-02195A

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 320

REVIEWED BY: ADM DATE: 8/13/90

PURPOSES REVIEW SHEET

CLAIM NUMBER: A36-02195A

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02195A	IRRIGATION	FROM 03-15 TO 11-15	3.613 CFS
		TOTAL DIVERSION RATE/VOLUME CLAIMED	3.613 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02195	IRRIGATION	FROM TO	5.420 CFS
		TOTAL DIVERSION RATE/VOLUME CLAIMED	5.420 CFS

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JAN 26 1993

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

split

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(✓) N(___)

RECOMMEND TO WR STANDARDS OR OTHER? Y(___) N(___) Explain in remarks, below.

REMARKS:

DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER: A36-02195A

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(___) N(✓)

AJ TOTAL CLAIMED DIVERSION RATE: 3.613 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.420 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?

	DATABASE	FIELD EXAMINER
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)	Y	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: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

Claim based on porportional share of original record.

DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER: A36-02195A

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 320 x 0.02 CFS/ACRE = 6.4 CFS
(Taken from p/u review)

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

1b. CALCULATIONS

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 960.0 AF/A

ACRES 320 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 960 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 320 x DIVERSION VOL. AF/A FOR AREA ~~1280~~ 4 =

TOTAL DIVERSION VOLUME 1280 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(✓)

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

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DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER: A36-02195A

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
IRRIGATION	03-15	11-15	3.613	✓		1280	960.0	✓
TOTAL FOR THIS RIGHT			3.613				960.0	

REVIEWED BY: AR DATE: 8/13/90

BASIS OF CLAIM REVIEW SHEET

CLAIM NUMBER: A36-02195A

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	( )	( )
FORFEIT/ABANDON	(✓)	( )
ADDITIONAL DIV. AMOUNT	(✓)	( )

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02195

TOTAL DIVERSION RATE OF WR SPLITS — DATABASE 5.420 — EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-02195	A36-02195A	3.610	-		36-02195	5.420
A36-02195	A36-02195B	1.810	-		36-02195	5.420
	TOTAL CFS	5.420				5.420

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N) — DATABASE N Y

IF NO, is the written review sheet attached? (Y/N) — FIELD EXAMINER _____

REMARKS:

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AUTHENTICATION:

SIGNATURE: _____ DATE: 8/13/90

NAME OF FIELD EXAMINER: Allen Merritt TITLE: Water Rights Supervisor.

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QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02195A

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			AD				DB 10-4-90	
POINT OF DIV	Y				2			
SOURCE								
PLACE OF USE	Y				2,4			
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-				6			
PURPOSES								
PERIOD OF USE	Y				6			
BASIS OF CLAIM	Y							
REMARKS	Y							

"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.

(7-91)

SYSTEM CLAIM NUMBERS 36-02954

AGENT INITIALS KKC

DATE 7-29-91

CLAIM NO. OR ENTRY ORDER	REMARK CODE	ENTRY DATA	CONDITION CODE	STAGE OR STATUS	PRESUMPTION CODE
					C
			C03		
			[redacted]		
			~~C05~~	~~No~~	

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