

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

RECEIVED

DEC - 7 2001

Department of Water Resources

Important Information About Your Water Right

December 3, 2001

Mary Jane Heida
Tom Heida
460 - 5th Ave E
Wendell, ID 83355

36-2228B

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 36-02228A. 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 December 29, 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 4:32
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	)	Water Right 36-02228A
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 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.

A handwritten signature in cursive script, reading "Roger Burdick", is written over a horizontal line.

ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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

Important Information About Your Water Right

December 3, 2001

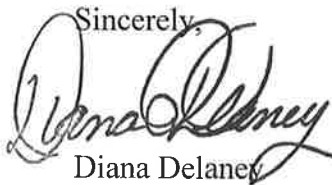
Mary Jane Heida
Tom Heida
460 – 5th Ave E
Wendell, ID 83355

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 36-02228B. 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 December 29, 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 4:32
T-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	)	Water Right 36-02228B
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A ***Partial Decree*** was entered for the above-captioned irrigation water right on December 29, 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.

A handwritten signature in cursive script, reading "Roger Burdick", is written over a horizontal line.

ROGER BURDICK

Presiding Judge

Snake River Basin Adjudication

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

3
12/5

☐ First-class Air Mail
☐ Certified Mail
☐ Registered Mail
☐ Insured Mail
☐ Return Receipt
☐ Signature Required
☐ Signature Restricted
☐ Signature Restricted Order
☐ Signature Restricted Order



COPY

270 DEC 21 AM 11:34

CLERK OF DISTRICT COURT
TWIN FALLS, 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

Case No. 39576

) SUBCASE NO. 36-02228A, 36-02228B
) 36-02493B, 36-07597A,
) 36-07597B, 36-07682
) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING

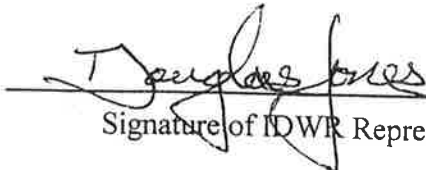
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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: 12/18/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 12/21, 2000, 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:
Grace Madalena
919 11th Ave N
Buhl ID 83316
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Tom Heida
Mary Jane Heida
460 5th Ave E
Wendell ID 83355
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 LAW

12/18/2000

RIGHT NUMBER: 36-2228A

NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 1.58 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07597A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.28 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 456 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-
02493B, 36-07682, & 36-02493C

PRIORITY DATE: 07/13/1953

POINT OF DIVERSION: T08S R14E S36 SESESW Within GOODING County
T08S R14E S36 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	3-15 11-15	1.58 CFS

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>			
T08S R14E S36	NESW	37	T08S R14E S36
T08S R14E S36	SESW	39	SWSW 38

114 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-07597A IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE
DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS
MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED
ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-02493B, 36-07682, &
36-02493C

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

12/18/2000

RIGHT NUMBER: 36-2228B

NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 0.4 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07597B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.58 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 316 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228A, 36-07597B, 36-
02493B, 36-07682, & 36-02493C

PRIORITY DATE: 07/13/1953

POINT OF DIVERSION: T08S R14E S36 SESEW Within GOODING County
T08S R14E S36 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.40 CFS

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>			
T08S R14E S36	NWSE	40	T08S R14E S36 SWSE 39

79 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-07597B IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 79 ACRES IN A SINGLE IRRIGATION SEASON

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE
DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS
MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED
ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228A, 36-07597B, 36-02493B, 36-07682, &
36-02493C

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

12/18/2000

RIGHT NUMBER: 36-2493B

NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 0.36 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07682 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.56 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 312 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-
02228A, 36-07682, & 36-02493C

PRIORITY DATE: 06/28/1961

POINT OF DIVERSION: T08S R14E S36 SESESW Within GOODING County
T08S R14E S36 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 10-31	0.36 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15
AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT
ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE
IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>			
T08S R14E S36	NESE	39	T08S R14E S36 SESE 39

78 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-07682 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 78 ACRES IN A SINGLE IRRIGATION SEASON

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-02228A, 36-07682, & 36-02493C

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

12/18/2000

RIGHT NUMBER: 36-7597A

NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 0.7 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02228A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.28 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 456 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-02228A, 36-02228B, 36-07597B, 36-
02493B, 36-07682, & 36-02493C

PRIORITY DATE: 01/13/1976

POINT OF DIVERSION:	T08S R14E S36	SESESW	Within GOODING County
	T08S R14E S36	SESWSW	Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.70 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15
AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT
ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE
IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>			
T08S R14E S36	NESW	37	T08S R14E S36
T08S R14E S36	SESW	39	SWSW 38

114 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-02228A IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 114 ACRES IN A SINGLE IRRIGATION SEASON

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED
ABOVE. OTHER RIGHT NOS.: 36-02228A, 36-02228B, 36-07597B, 36-02493B, 36-07682, &
36-02493C

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

12/18/2000

RIGHT NUMBER: 36-7597B

NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 1.18 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02228B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.58 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 316 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-02228A, 36-
02493B, 36-07682, & 36-02493C

PRIORITY DATE: 01/13/1976

POINT OF DIVERSION: T08S R14E S36 SESESW Within GOODING County
T08S R14E S36 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	1.18 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15
AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT
ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE
IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>			
T08S R14E S36	NWSE	40	T08S R14E S36 SWSE 39

79 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-02228B IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 79 ACRES IN A SINGLE IRRIGATION SEASON

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-02228A, 36-02493B, 36-07682, & 36-02493C

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

12/18/2000

RIGHT NUMBER: 36-7682
NAME AND ADDRESS: MARY JANE HEIDA
TOM HEIDA
460 5TH AVENUE E
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 1.24 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02493B IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 1.56 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 312 AF
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-
02493B, 36-02228A & 36-02493C

PRIORITY DATE: 02/14/1977

POINT OF DIVERSION: T08S R14E S36 SESEW Within GOODING County
T08S R14E S36 SESWSE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.24 CFS

PLACE OF USE:

IRRIGATION Within GOODING County

T08S R14E S36	NESE	39	T08S R14E S36	SESE	39
---------------	------	----	---------------	------	----

78 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-02493B IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 78 ACRES IN A SINGLE IRRIGATION SEASON

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE
DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS
MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.
RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED
ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-02493B, 36-02228A &
36-02493C



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

December 22, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TOM HEIDA
MARY JANE HEIDA
460 5TH AVE E
WENDELL ID 83355

RE: SRBA Claim(s) 36-02228A, 36-02228B, 36-02493B,
36-07597A, 36-07597B, 36-07682

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,

Trish Fawcett
Technical Records Specialist

cc: Grace Madalena

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 36-2228B
Date Received: 7/15/88
Receipt No:
Received By:

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

1. Name of Claimant(s)

TOM HEIDA Phone: (208)536-2189
460 5TH AVENUE E
WENDELL ID 83355

MARY JANE HEIDA Phone: (208)536-2189
460 5TH AVENUE E
WENDELL ID 83355

2. Date of Priority: 07/13/1953

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
08S	14E	36	SW SE	GOODING
08S	14E	36	SE SW	GOODING

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	4/01	11/01	0.4	

7. Total Quantity Appropriated is:
0.4 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	14E	36	NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	39
					Section Acres	79
					Total Acres	79

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

TRANS. 3171. IRRIGATES 193 ACRES ALONG WITH A36-07597A AND A36-02228A & B WITH
A TOTAL OF 2.0 CFS PUMPED FROM 2 WELLS
THIS CLAIM IS PART OF TRACT 2
ADDRESS CHANGE 8/15/90 BY JG

12-5-00, FM: OWNERSHIP CHANGE COMPLETED PER REQUEST RECEIVED 10-28-99.

15. Basis of Claim: License

G-28871

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
OCT 28 1999
Department of Water Resources
Southern Region

1. Water Right No(s): 36-2228A, 36-2228B, 36-7597B, 36-02493C, and 36-07682
 Adjudication Claim No(s): 36-7597A, 36-02493B *VD*

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question. WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Grace V. Madalena, individually and as Trustee of the Joseph John Madalena Testamentary Trust
919 11th Avenue North, Buhl, ID 83316

4. New Owner/Claimant(s) Tom Heida and Mary Jane Heida
 Name Connector (Check one): ☐ and ☐ or ☐ and/or
 New Mailing Address 460 5th Avenue East
 City, State and ZIP Code Wendell, ID 83355
 New Telephone Number (208) 536-2189

5. Date you acquired the property 10-27-99

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner *Tom Heida* Date 10-27-99
 or Claimant(s) *Mary Jane Heida* Date 10-27-99
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

Jim

WARRANTY DEED

For Value Received

Grace V. Madalena, individually and as Trustee under the Last Will and Testament of Joseph John Madalena, deceased

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

Tom Heida and Mary Jane Heida, husband and wife
Address: 460 5th Avenue East, Wendell, ID 83355

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

SEE EXHIBIT "A" attached hereto:

TOGETHER WITH *Idaho Department of Water Resources* water right Nos. **36-2228A, 36-2228B, 36-7597A, 36-7597B, 36-02493B, 36-02493C, and 36-07682.**

This property is being conveyed without North Side Canal Company water shares.

SUBJECT TO:**All reservations in patents or deeds in the chain of title.**

Taxes for 1999 and subsequent years, which are a lien, but not yet due and payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Power Line Easement given by North Side Farms to Idaho Power Company, a corporation, dated June 2, 1973, recorded June 21, 1973 as Instrument Number 045934, Gooding County records, affecting Beginning at the North ¼ corner of 321, Township 8 South, Range 15 East Boise Meridian, thence a 20' strip of land adjacent to the ¼ line and in the NW¼ of the NE¼ and extending South approximately 900 ft..

Power Line Easement given by John Madalena and Grace Madalena to Idaho Power Company, a corporation, dated December 9, 1975, recorded February 18, 1976 as Instrument Number 58249, Gooding County records, affecting N½SW¼ of Section 36, Township 8 South, Range 14 East Boise Meridian.

Easement by and between John Madalena and Grace Madalena, husband and wife, Grantors, and West Point Highway District No. 4, Grantee, dated April 30, 1993, recorded May 18, 1993 as Instrument Number 152713, Gooding County records.

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

Dated: October 27, 1999

Grace V. Madalena
Grace V. Madalena

Grace V. Madalena
Grace V. Madalena, as Trustee of the Joseph John Madalena Testamentary Trust U/W dated 02-07-1991

183046

STATE OF IDAHO COUNTY OF GOODING

Filed for record of Grantor, and Grantee

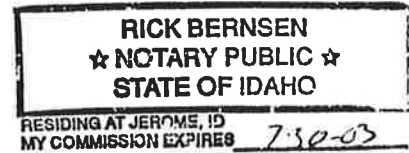
40. 1. 22
October 99 \$12.00

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 27th day of **October, 1999**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Grace V. Madalena**, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

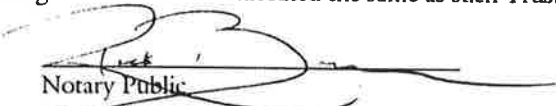

Notary Public

Residing at: Jerome, ID
My Commission expires: 7-30-03



STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 27th day of **October, 1999**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Grace V. Madalena**, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Joseph John Madalena Testamentary Trust U/W Dated 02-07-1991, and acknowledged to me that she executed the same as such Trustee.


Notary Public

Residing at: Jerome, ID
My Commission expires: 7-30-03

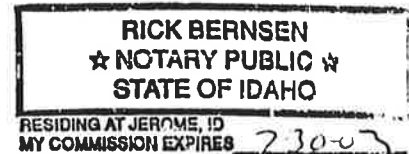


EXHIBIT "A"

Order Number: G-28871

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 36: A parcel of land located in the S½, and more particularly described as follows:

Commencing at the Southwest corner of said Section 36, from which the West one quarter (W¼) corner of said Section 36 bears North 00°00'00" East, 2642.87 feet, said Southwest corner of Section 36 being the TRUE POINT OF BEGINNING;

Thence North 00°00'00" East along the West boundary of the SW¼ of said Section 36 for a distance of 1016.02 feet to the center of an irrigation coulee;

Thence along the Center of the irrigation coulee on the following courses:

North 71°05'47" East, 28.11 feet;
North 36°53'39" East, 14.97 feet;
North 31°00'59" East, 75.70 feet;
North 28°26'33" East, 53.08 feet;
North 27°46'19" East, 117.97 feet;
North 38°06'50" East, 34.90 feet;
North 43°58'10" East, 53.99 feet;
North 41°04'46" East, 95.48 feet;
North 38°56'38" East, 26.00 feet;
North 29°15'51" East, 29.07 feet;
North 17°56'14" East, 45.18 feet;
North 08°34'29" East, 38.15 feet;
North 31°12'49" East, 29.07 feet;
North 31°11'57" East, 22.32 feet;
North 01°10'26" East, 39.83 feet;
North 18°09'40" East, 38.91 feet;
North 53°56'22" East, 44.71 feet;
South 86°09'06" East, 40.48 feet;
South 73°30'45" East, 51.33 feet;
South 54°51'47" East, 60.44 feet;
South 49°56'58" East, 51.05 feet;
South 38°39'31" East, 57.31 feet;
South 39°42'56" East, 30.07 feet;
South 56°13'18" East, 46.79 feet;
South 59°44'27" East, 58.80 feet;
South 73°30'47" East, 43.80 feet;
North 83°33'00" East, 45.84 feet;
North 66°58'14" East, 40.49 feet;

-Continued-

CONTINUATION

EXHIBIT "A"

Order Number: G-28871

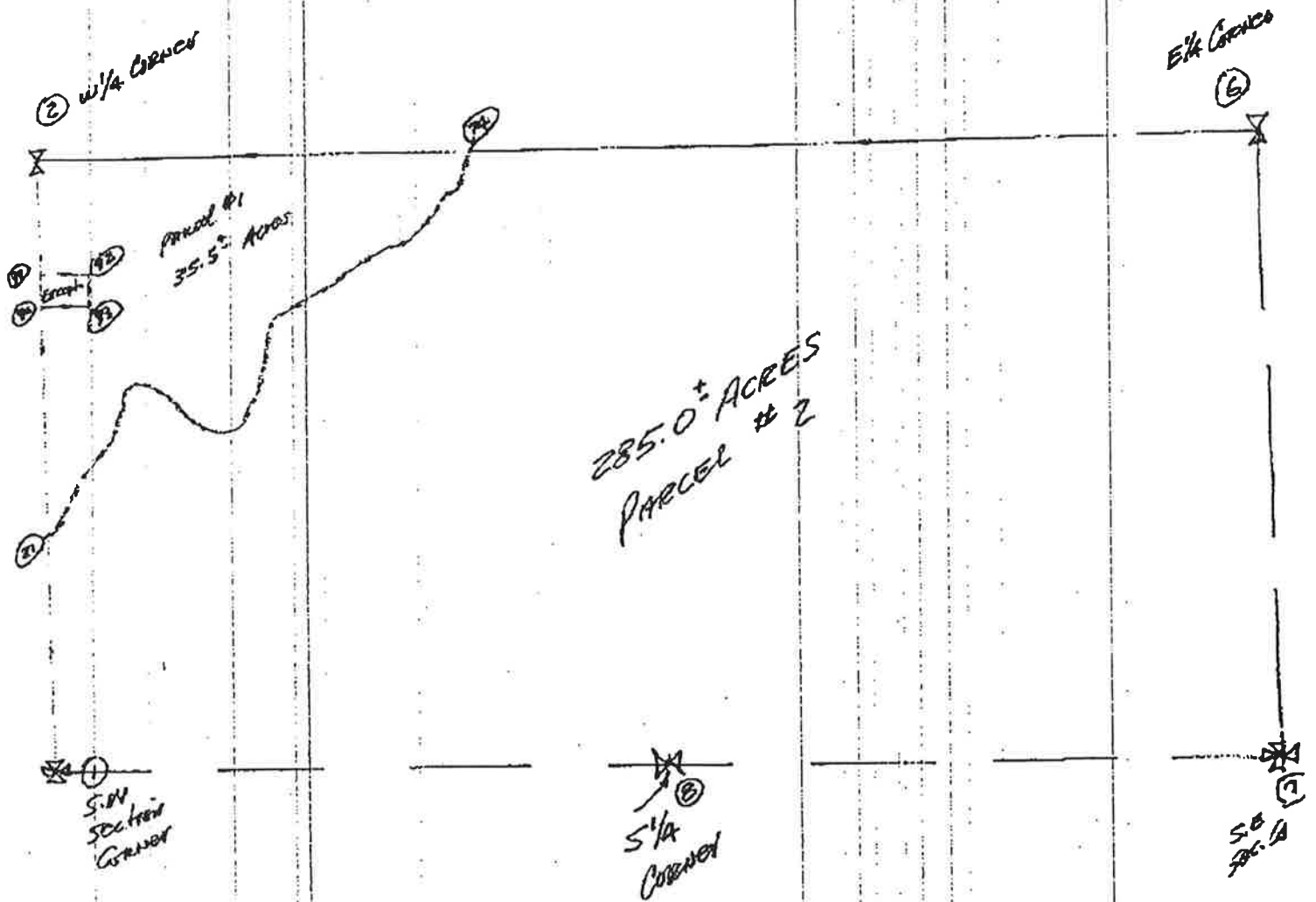
North 45°18'26" East, 35.82 feet;
North 25°20'56" East, 80.53 feet;
North 31°02'29" East, 50.07 feet;
North 24°27'39" East, 34.46 feet;
North 07°26'22" East, 65.79 feet;
North 20°27'50" East, 42.99 feet;
North 10°56'04" East, 69.34 feet;
North 08°58'58" East, 84.53 feet;
North 19°47'47" East, 42.10 feet;
North 46°09'39" East, 31.39 feet;
North 67°36'36" East, 29.22 feet;
North 60°35'56" East, 143.63 feet;
North 64°53'51" East, 118.99 feet;
North 44°51'14" East, 71.83 feet;
North 60°40'32" East, 191.52 feet;
North 83°51'50" East, 48.71 feet;
North 64°43'06" East, 54.32 feet;
North 44°35'36" East, 48.28 feet;
North 45°47'15" East, 117.43 feet;
North 25°47'44" East, 47.93 feet;
North 40°09'20" East, 36.00 feet;
North 62°41'45" East, 43.74 feet;
North 52°51'00" East, 17.12 feet;
North 23°23'40" East, 62.50 feet;
North 17°23'08" East, 11.28 feet to a point on the North boundary of the SW¼ of said Section 36:

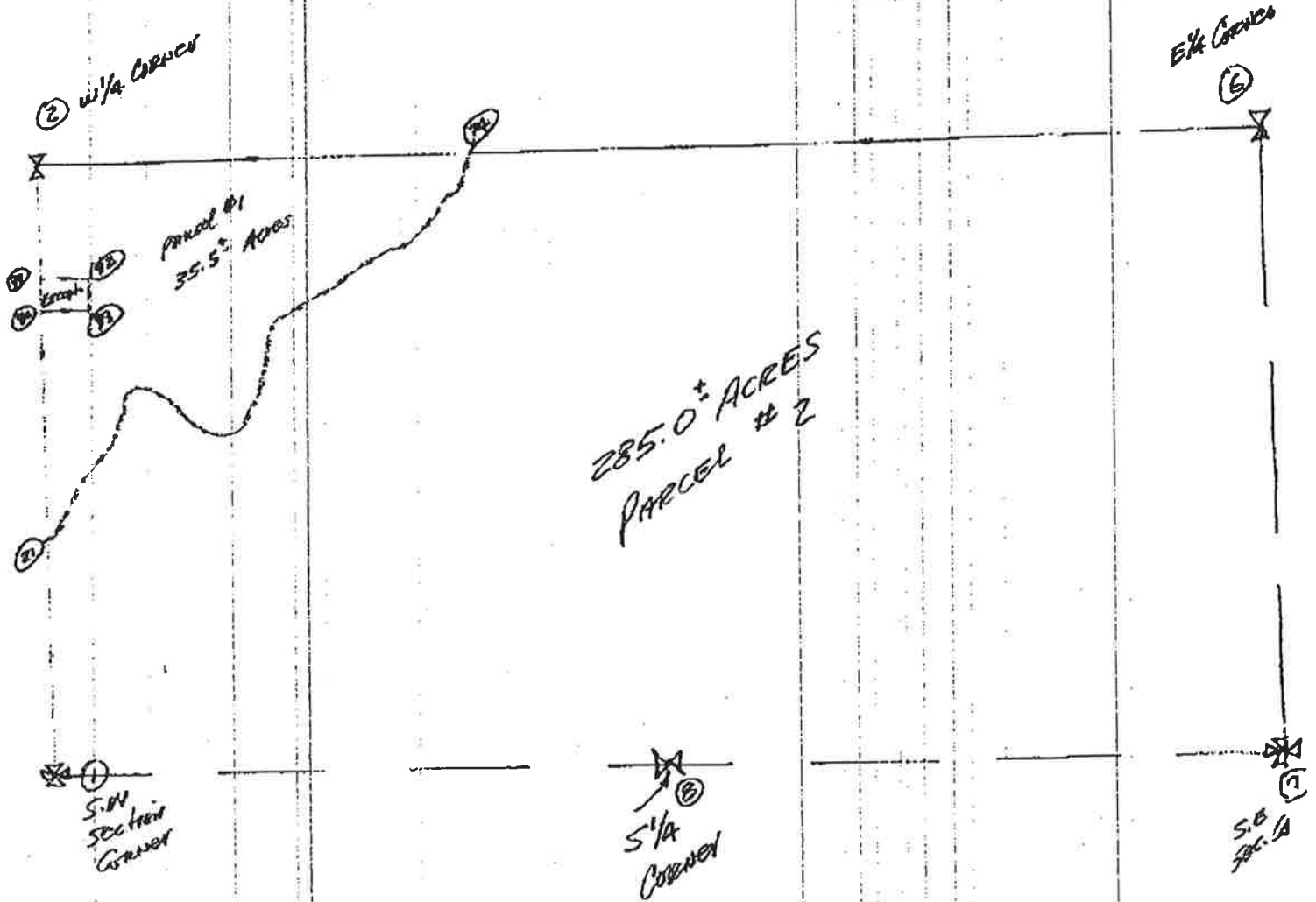
Thence South 89°57'41" East along the North boundary of the S½ of said Section 36 for a distance of 3406.72 feet to the East one quarter (E¼) corner of said Section 36, also being the Northeast corner of the S½ of said Section 36;

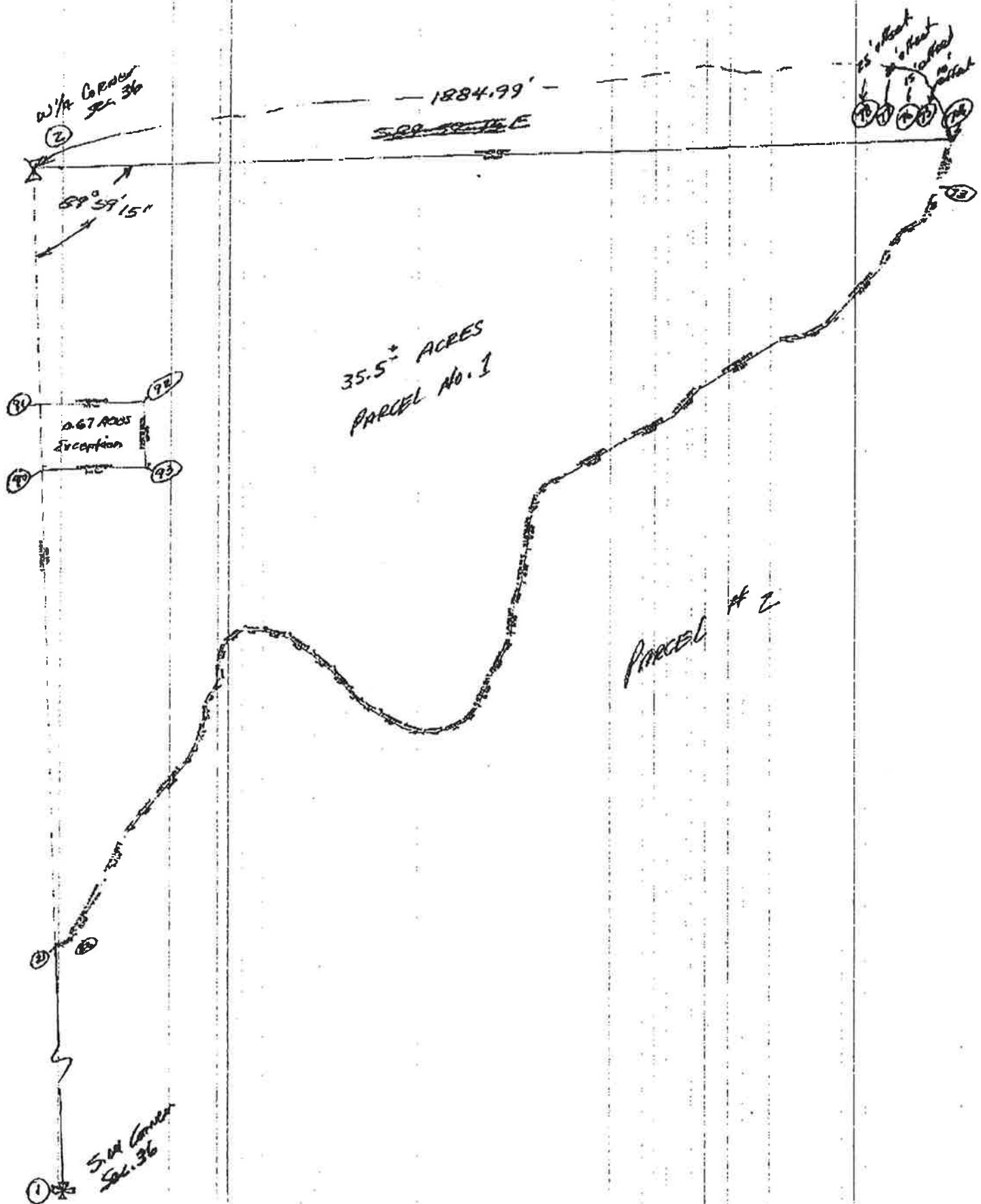
Thence South 00°04'20" East along the East boundary of the SE¼ of said Section 36 for a distance of 2643.97 feet to the Southeast corner of said Section 36;

Thence North 89°52'22" West along the South boundary of the SE¼ of said Section 36 for a distance of 2647.39 feet to the South one quarter (S¼) corner of said Section 36;

Thence South 89°58'25" West along the South boundary of the SW¼ of said Section 36 for a distance of 2647.39 feet to the TRUE POINT OF BEGINNING.







State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-07682

Priority: February 14, 1977

Maximum Diversion Rate: 1.24 CFS
Maximum Diversion Volume:¹ 312.0 AF

This is to certify, that JOHN MADALENA
GRACE V. MADALENA

919 11TH AVE. N.
BUHL, ID 83316

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 14, 1977; and has submitted Proof of Beneficial Use on January 25, 1982. An examination indicates that the works have a diversion capacity of 4.280 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.24 CFS	312.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 36, Township 08S, Range 14E
SESW , Sec. 36, Township 08S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	14E	36	NESE 39	SESE 39		78

Total number of acres irrigated: 78

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 36-07682

CONDITIONS/REMARKS:

6. The maximum combined rate of diversion under this right & Rights 36-7597, 36-2493B & 36-2228 shall not exceed 4.28 cfs.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 19th day of April, 1990.

Acting for R. Keith Higginson, Director

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C016017

Date: 03/30/90
Time: 12:13:27

Received
From: MADALENA, JOHN/GRACE

Type of Payment	Program Acct Class	Amount
APPLICATION FOR AMENDMENT (3607682)	0610199 1238 6390	\$20.00

Total

\$20.00

CHECK 10069

Idaho Department of Water Resources

Region: STATE

Signature: C. Hong

State of Idaho
Department of Water Resources

RECEIVED
MAR 30 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-07682

Department of Water Resources

Date of Priority: February 14, 1977

Maximum Diversion Rate:
Maximum Diversion Volume:¹

1.24 CFS
~~3.1~~ AF

Allow 312.0*

Comes now

JOHN MADALENA
GRACE V. MADALENA

RT. 1
WENDELL, ID 83355

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-07682, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	1.24 CFS	Allow 312.0* ~~3.1~~ AF

LOCATION OF POINT(S) OF DIVERSION: SWSE, Sec. 36, Township 08S, Range 14E
SESW, Sec. 36, Township 08S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S 14E 36	NESE 39	SESE 39		78
Total number of acres irrigated:				78

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Paul Lela, this 29 day of March, 1990.

John Madalena
(Signature)

tkw 4/11/90

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-07682

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 ✓ Received by C. Wong Date 3/30/90 # CO16017

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 36-07682 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. The maximum combined rate of diversion under this right & Rights 36-7597, 36-2493B & 36-2228 shall not exceed 4.28 cfs.

Witness my hand this 19th day of April, 1990.

Acting for

R. Keith Higginson, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08276

Priority: June 6, 1985

Maximum Diversion Rate:

0.14 CFS

This is to certify, that JOHN MADALENA
919 11TH AVE N
BUHL ID 83316

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 6, 1985; and
has submitted Proof of Beneficial Use on May 9, 1989. An examination indicates
that the works have a diversion capacity of 4.280 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.14 CFS	
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		SESW , Sec. 36, Township 08S, Range 14E SWSE , Sec. 36, Township 08S, Range 14E GOODING County	

<u>PLACE OF USE:</u>	<u>IRRIGATION</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
<u>TWN RGE SEC</u>					
08S 14E 36		NESW 37	NWSW 7	SWSW 38	121
		SESW 39			

Total number of acres irrigated: 121

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The following rights are also diverted through the points of diversion described above: 36-02228A, 36-02228B, 36-02493B, 36-02493C, 36-07597A, 36-07597B and 36-07682.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
7. This right is limited to the irrigation of 7 acres within the place of use described above in a single irrigation season.

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 36-08276

CONDITIONS OF APPROVAL AND REMARKS

8. This right when combined with Rights 36-02228A and 36-07597A and all other rights shall provide no more than .02 cfs per acre nor exceed an annual diversion volume of 28 af for the lands above.
9. Use of this right with the rights listed below is limited to a total combined diversion rate of 2.42 cfs, a total combined annual diversion volume of 484 af, and to the irrigation of a combined total of 121 acres in a single irrigation season.
10. The combined rights include: 36-02228A and 36-07597A.
11. Use of this right with the rights listed below is limited to a total combined diversion rate of 4.28 cfs. The combined rights include: 36-02228A, 36-02228B, 36-02493B, 36-02493C, 36-07597A, 36-07597B and 36-07682.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 6th
day of September, 1995.


KARL J. DREHER, Director

Acting to.



State of Idaho
Department of Water Resources

RECEIVED

AUG 24 1995

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08276

Department of Water Resources
No ✓

Date of Priority: June 6, 1985 Maximum Diversion Rate: 0.14 CFS
Comes now JOHN MADALENA
919 11TH AVE N
BUHL ID 83316

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 36-08276, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.14 CFS	

LOCATION OF POINT(S) OF DIVERSION:
SESW , Sec. 36, Township 08S, Range 14E
SWSE , Sec. 36, Township 08S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	14E	36	NESW 37	NWSW 7	SWSW 38	121
			SESW 39			

Total number of acres irrigated: 121

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Buhl, Ida this 22 day of Aug, 1995
919 11th Ave N
Grace Madalena
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08276

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = \$50.00 Receipted by Ruby # C033488 Date 9/1/95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 36-08276 with the following;

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The following rights are also diverted through the points of diversion described above: 36-02228A, 36-02228B, 36-02493B, 36-02493C, 36-07597A, 36-07597B and 36-07682.
5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
6. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
7. This right is limited to the irrigation of 7 acres within the place of use described above in a single irrigation season.
8. This right when combined with Rights 36-02228A and 36-07597A and all other rights shall provide no more than .02 cfs per acre nor exceed an annual diversion volume of 28 af for the lands above.
9. Use of this right with the rights listed below is limited to a total combined diversion rate of 2.42 cfs, a total combined annual diversion volume of 484 af, and to the irrigation of a combined total of 121 acres in a single irrigation season.
10. The combined rights include: 36-02228A and 36-07597A.
11. Use of this right with the rights listed below is limited to a total combined diversion rate of 4.28 cfs. The combined rights include: 36-02228A, 36-02228B, 36-02493B, 36-02493C, 36-07597A, 36-07597B and 36-07682.

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

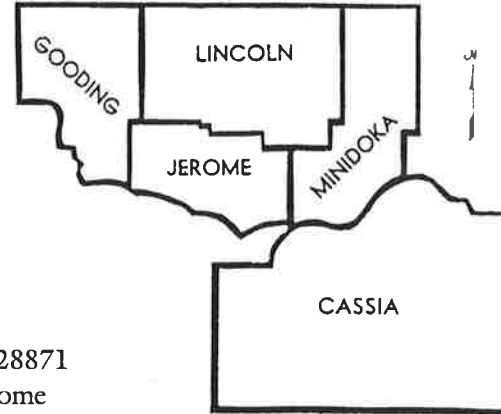
WATER RIGHT NO. 36-08276

Witness my hand this 6th day of September, 1985.


Acting for KARL J. DREHER, Director

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-28871
OFFICE: Jerome

October 28, 1999

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RECEIVED

OCT 28 1999

Department of Water Resources
Southern Region

RE: MADELANA/HEIDA

To Whom It May Concern:

In connection with the above referenced file, enclosed herewith you will find the following:

1. *Copy of Warranty Deed* recorded October 27, 1999 as Instrument No. 183046 under Goodin County Records.
2. **Plat Map.**
3. *Original Notice of Change of Water Right Ownership* dated October 27, 1999.
4. *Original Water Right License* for Water Right No. 36-07682 and a *copy of the Application for Amendment.*
5. *Original Water Right License* for Water Right No. 36-08276 and a *copy of the Application for Amendment.*

Please transfer these water rights as indicated on the Warranty Deed.

Thank you for your assistance!! Should you have any questions regarding this matter, please do not hesitate to contact our office at 208-324-3357.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Jenni Stippich
Escrow Department

Enclosures

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

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

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

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

The undersigned hereby acknowledges receipt of the above listed items this 28 day of October, 1999.

BY: C. H. H.

AJ5809NP
No. R36-08276

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GRACE V MADALENA	06/06/1985	IRRIGATION	04-01 10-31	0.140 CFS	28.00 AFA
C	JOHN MADALENA					
	919 11TH AVE NORTH			TOTAL DIVERSION:	0.140 CFS	28.00 AFA
	BUHL ID 83316					
	(208) 543-6775					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R14E S36 SESW SWSE

GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM											
08S	14E	36	:																	:	121.0											
																				:	37	07	38	39	:					:	121.0	
																				:	TOTAL ACRES										:	121.0

POU County: GOODING

Other Rights: SEE REMARKS

Remarks: QNT USE OF RIGHT NOS. 36-02228A, 36-07597A AND 36-08276 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.42 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 484 AF.
USE OF RIGHT NOS. 36-02228A, 36-02228B, 36-02493B, 36-02493C, 36-07597A, 36-07597B, 36-07682, AND 36-08276 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.28 CFS.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 7 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF RIGHTS 36-02228A, 36-07597A AND 36-08276 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 121 ACRES IN A SINGLE IRRIGATION SEASON.

GEN THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER THIS RIGHT.
THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD,

AJ5809NP
No. R36-08276

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 2

Remarks: TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT
THE APPROVAL OF THE DEPARTMENT.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-02228A, 36-02228B, 36-02493B,
36-02493C, 36-07597A, 36-07597B, AND 36-07682.

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

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

Comments: Date: 06/26/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS
ADDRESS CHANGE 8/15/90 BY JG.
FIELD EXAM MADE 8/9/90 BY D.J. RVW 6/26/91

Date: 07/15/1992 User-ID: CHRISTEN Subject: BASIS FOR RECOMMENDATION
FIELD VERIFICATION FOR LICENSING WAS CONDUCTED ON 8-10-90 BUT THE
RIGHT HAS NOT BEEN LICENSED AS OF THIS DATE. THEREFORE, THIS
CLAIM IS RECOMMENDED AS PERMITTED. THE CHANGES FOUND DURING
THE FIELD VERIFICATION ARE IGNORED FOR ADJUDICATION
RECOMMENDATIONS. KKC 7-15-92.

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

Date: 03/12/1998 User-ID: TFAWCETT Subject: AMENDED CLAIM/LICENSE
CLAIM AMENDED TO CONFORM TO LICENSE.

Audit: 12/12/97 SCLELLAN 03/11/98 TFAWCETT 03/13/98 TFAWCETT 07/15/99 KCHRISTE
07/16/99 KCHRISTE

DATE: 10/29/99
PAGE: 1

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag: Presumption Flag:	

AJ5809NP
No. R36-07682

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 2

=====

Comments: Date: 06/25/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS
ADDRESS CHANGE 8/15/90 BY JG.

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 07/14/99 KCHRISTE 07/15/99 CWU-DSHA

AJ5809NP
No. R36-02228A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN MADALENA	07/13/1953	IRRIGATION	03-15 11-15	1.580 CFS	
C	GRACE V MADALENA					
	919 11TH AVE NORTH					
	BUHL ID 83316			TOTAL DIVERSION:	1.580 CFS	
	(208) 543-6775					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R14E S36 SESESW SESWSE

GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
08S	14E	36	:																	:	114.0
																				TOTAL ACRES	114.0

POU County: GOODING

Other Rights: SEE REMARKS

Conditions of Approval:

- S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 36-07597A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.28 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 456 AF.

USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.:
36-07597A, 36-02228B, 36-07597B, 36-02493B, 36-07682, & 36-02493C

POU1 USE OF THIS RIGHT WITH RIGHT NO. 36-07597A IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B,
36-07597B, 36-02493B, 36-07682, & 36-02493C.

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

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

AJ5809NP
No. R36-02228A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 2

=====

Comments: Date: 08/05/1991 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
TRANSFER 3171.
THIS CLAIM IS PART OF TRACT 1.
ADDRESS CHANGE 8/15/90 BY JG.

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 07/13/99 KCHRISTE 07/15/99 CWU-DSHA

AJ5809NP
No. R36-02228B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GRACE V MADALENA	07/13/1953	IRRIGATION	03-15 11-15	0.400 CFS	
C	JOHN MADALENA					
	919 11TH AVE NORTH					
	BUHL ID 83316					
	(208) 543-6775					
				TOTAL DIVERSION:	0.400 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R14E S36 SESESW SESWSE

GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
08S	14E	36	:																	:	
			:															40	39	:	79.0
			:															TOTAL ACRES		:	79.0

POU County: GOODING

Other Rights: SEE REMARKS

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 36-07597B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.58 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 316 AF.

USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228A, 36-07597B, 36-02493B, 36-07682, & 36-02493C

POU1

USE OF THIS RIGHT WITH RIGHT NO. 36-07597B IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 79 ACRES IN A SINGLE IRRIGATION SEASON.

EXP

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228A, 36-07597B, 36-02493B, 36-07682, & 36-02493C.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: C

AJ5809NP
No. R36-02228B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 4

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Comments: Date: 02/19/1992 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
TRANS. 3171. IRRIGATES 193 ACRES ALONG WITH A36-07597A AND
A36-02228A & B WITH A TOTAL OF 2.0 CFS PUMPED FROM 2 WELLS.
THIS CLAIM IS PART OF TRACT 2.
ADDRESS CHANGE 8/15/90 BY JG.

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*NAME/ADDRESS STANDARDIZED TO AVOID DUPLICATE MAILING LABELS

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 07/13/99 KCHRISTE 07/15/99 CWU-DSHA

AJ5809NP
No. R36-07597A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN MADALENA	01/13/1976	IRRIGATION	04-01 11-01	0.700 CFS	
C	GRACE V MADALENA					
	919 11TH AVE NORTH					
	BUHL ID 83316					
	(208) 543-6775					
				TOTAL DIVERSION:	0.700 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08S R14E S36

SESESW

SESWSW

GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---	
08S	14E	36	:					:					:	37		38	39	:					:	114.0	
																							TOTAL ACRES		114.0

POU County: GOODING

Other Rights: SEE REMARKS

Conditions of Approval:

- S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 36-02228A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.28 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 456 AF.

USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.:
36-02228A, 36-02228B, 36-07597B, 36-02493B, 36-07682, & 36-02493C

USE

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER NOVEMBER 1 UNDER THIS REMARK IS
SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR
LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A
PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POU1

USE OF THIS RIGHT WITH RIGHT NO. 36-02228A IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 114 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-02228A, 36-02228B,

AJ5809NP
No. R36-07597A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 2

Remarks: 36-07597B, 36-02493B, 36-07682, & 36-02493C.

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

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

Comments: Date: 08/05/1991 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
TRANSFER 3171.
THIS CLAIM IS USED ON TRACT 1.
ADDRESS CHANGE 8/14/90 BY JG.

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 06/23/99 KCHRISTE 07/16/99 KCHRISTE 07/20/99 CWJ-DSHA

DATE: 10/29/99
PAGE: 3

EXP RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION

AJ5809NP
No. R36-07597B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 4

Remarks: DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B,
36-02228A, 36-02493B, 36-07682, & 36-02493C.

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

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

Comments: Date: 06/26/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS
TRANS. 3171. IRRIGATES 193 ACRES ALONG WITH A36-07597A AND
A36-02228A&B WITH A TOTAL OF 2.0 CFS PUMPED FROM 2 WELLS.
THIS CLAIM IS PART OF TRACT 2 OF TRANS. 3171.
ADDRESS CHANGE 8/14/90 BY JG.

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*NAME/ADDRESS STANDARDIZED TO AVOID DUPLICATE MAILING LABELS

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 06/23/99 KCHRISTE 07/16/99 KCHRISTE 07/20/99 CWU-DSHA

AJ5809NP
No. R36-02493B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GRACE V MADALENA	06/28/1961	IRRIGATION	04-01 10-31	0.360 CFS	
C	JOHN MADALENA 919 11TH AVE NORTH BUHL ID 83316 (208) 543-6775					
TOTAL DIVERSION:					0.360 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R14E S36 SESESW SESWSE

GOODING County

Place of use Legal Description for: IRRIGATION

												NE				NW				SW				SE																													
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM																								
---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	:	---																								
08S	14E	36	:									:									:						:	78.0																									
																											39																										78.0
																											TOTAL ACRES																										

POU County: GOODING

Other Rights: SEE REMARKS

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
- S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 36-07682 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.56 CFS AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 312 AF.
USE OF THIS RIGHT WITH RIGHT NOS. LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.28 CFS. OTHER RIGHT NOS.: 36-07597A, 36-02228B, 36-07597B, 36-02228A, 36-07682, & 36-02493C

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 36-07682 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 78 ACRES IN A SINGLE IRRIGATION SEASON.

AJ5809NP
No. R36-02493B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 2

Remarks: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXP RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE. OTHER RIGHT NOS.: 36-07597A, 36-02228B,
36-07597B, 36-02228A, 36-07682, & 36-02493C.

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

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

Comments: Date: 02/19/1992 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
TRANS. 2055.
ADDRESS CHANGE 8/14/90 BY JG.

Date: 08/14/1992 User-ID: WORSTELL Subject: SPLIT FROM 36-02493A

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 06/23/99 KCHRISTE 07/15/99 KCHRISTE 07/16/99 JROBERTS

AJ5809NP
No. R36-02493C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN MADALENA	06/28/1961	IRRIGATION	04-01 10-31	2.380 CFS	536.00 AFA
C	GRACE V MADALENA 919 11TH AVE NORTH BUHL ID 83355 (208) 543-6775					
TOTAL DIVERSION:					2.380 CFS	536.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R14E S36 SESESW SESWSE

GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	14E	1	:	01-35	02-20															:	55.0
09S	15E	6	:							03-39	04-37	06-03								:	79.0
TOTAL ACRES																				:	134.0

POU County: GOODING

Other Rights: NONE

Conditions of Approval:

- S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.
- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.28 CFS. COMBINED RIGHT NOS.:
36-07597A, 36-02228B, 36-07597B, 36-02493B, 36-07682, & 36-02228A

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK
IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY
OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE
A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-07597A, 36-02228B, 36-07597B,
36-02493B, 36-07682, & 36-02228A.

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

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

AJ5809NP
No. R36-02493C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/99
PAGE: 4

=====
Comments: Date: 06/25/1991 User-ID: WORSTELL Subject: COPIED FROM REMARKS
TRANSFER 3169
ADDRESS CHANGE 8/14/90 BY JG.

Date: 08/14/1992 User-ID: WORSTELL Subject: SPLIT FROM 36-02493A

Date: 01/30/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.

*NAME/ADDRESS STANDARDIZED TO AVOID DUPLICATE MAILING LABELS

Date: 12/12/1997 User-ID: SCLELLAN Subject: REFORMAT UPDATE
REFORMAT UPDATE

Audit: 07/13/99 KCHRISTE 07/15/99 KCHRISTE 07/16/99 JROBERTS

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: A36-02228B
Date Received: 7/15/1988
Receipt No: S000963
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN MADALENA 208-536-2356
Address: RT. 1 BOX 290
3560AS 1600E
WENDELL, ID 83355

AND/OR

Name: GRACE MADALENA 208-536-2356
Address: RT. 1 BOX 290
3560AS 1600E
WENDELL, ID 83355

2. Date of Priority: JUL 13, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	14E	36	SE	SW	SE		GOODING
			SW	SE			GOODING

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A36-02228B

Page 1

Date: 07/15/88

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JAN 26 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	14E	36	NW	SE		IRR	40.0
			SW	SE		IRR	39.0
						Section Acres	79.0
						Total Acres	79.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
SEE REMARKS

14. Remarks:
TRANS. 3171. IRRIGATES 193 ACRES ALONG WITH A36-07597A AND
A3602228A & B WITH A TOTAL OF 2.0 CFS PUMPED FROM 2 WELLS.
THIS CLAIM IS PART OF TRACT 2.

15. Basis of Claim: LICENSE
Water Right Number: 24294

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: _____
Grace Madalena Date: 7-15-88

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of July 19 88 Lou White
Notary Public

Seal

Residing at T.F.
My Commission Expires 5/95

RECEIVED

AUG 14 1990

Department of Water Resources
Southern Region Office

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A36-10212, 10213 A36-02473B, 02473C
A36-07597A, 07597B A36-07682
A36-02228A, 02228B A36-08276

[] Old Mailing Address: John & Grace V. Madalena
Rt. 1 Box 290
Wendell, ID 83355

[] New Mailing Address: John & Grace V. Madalena
919 11th Ave. North
Buhl, ID 83316

New Telephone Number: (208) 543-6775

[] Signature of Claimant: Grace V Madalena **X**

Date: 8-13-90 **X**

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8/15/90 By: AG

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 8/15/90 By: AG

MICROFILMED
JAN 20 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
JAN 20 1

Comments: Date: 02/19/1992 User-ID: CHRISTENSubject: COPIED FROM REMARKS
TRANS. 3171. IRRIGATES 193 ACRES ALONG WITH A36-07597A AND
A36-02228A & B WITH A TOTAL OF 2.0 CFS PUMPED FROM 2 WELLS.
THIS CLAIM IS PART OF TRACT 2.
ADDRESS CHANGE 8/15/90 BY JG.

S **VERIFIED BY**

UNRECORDED
MICROFILMED
JAN 20 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:53:40
06/30/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02228B

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				N				
POINT OF DIV	Y			Y	6	2nd review by KFC 2-19-92		
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			N				

"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.

MICROFILMED
JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:53:40
06/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02228B

LAST: MADALENA
ADDRESS: RT. 1 BOX 290
3560-A S. 1600 E.
CITY: WENDELL
PHONE NUMBER: 208-536-2356

FIRST: GRACE V.
STATE: ID ZIP: 83355

OWNER CODE: C

LAST: MADALENA
ADDRESS: RT. 1 BOX 290
3560-A S. 1600 E.
CITY: WENDELL
PHONE NUMBER: 208-536-2356

FIRST: JOHN
STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: TRANS. 3171. IRRIGATES 193 ACRES ALONG WITH A36-07597A AND
A36-02228A & B WITH A TOTAL OF 2.0 CFS PUMPED FROM 2 WELLS.
THIS CLAIM IS PART OF TRACT 2.

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JAN 26 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
JAN 26 1993

A. AJ CLAIM: # A36-02228B PRIORITY DATE: 07-13-1953 STAGE: L
B. WR RECORD: # 36-02228B PRIORITY DATE: 07-13-1953 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:

*claimed priority
matches licensed priority
accept as claimed
KKC*

=====

RECOMMENDED PRIORITY DATE:
07-13-1953

REVIEWED BY

lw

DATE

7/21/90

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JAN 26 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
~~A36-02228B~~	~~08S~~	~~14E~~	~~36~~		~~SE~~	~~SW~~		
A36-02228B	08S	14E	36	SE	SW	SE		GOODING GOODING

Both P/Ds OK

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
A36-02228A NONE
A36-02493C
A36-07597B
A36-08276
A36-02493B
A36-07597A
A36-07682

WR RECORDS IN SAME 40 ACRE TRACT

36-02228A
36-02493A
36-07597B
36-08276
36-07682
36-02493B
36-07597A

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02228B	08S	14E	36		SE	SW		GOODING
36-02228B	08S	14E	36		SW	SE		GOODING

OTHER WR RECORDS WITH SAME WR POD

36-02228A
36-02493A
36-07597B
36-08276
36-07682
36-02493B
36-07597A

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX
A36-02228A NONE
A36-02493C
A36-07597B
A36-08276
A36-02493B
A36-07597A
A36-07682

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

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JAN 26 1993

REMARKS:

P/D
~~Recommend according to approved transfer~~

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JAN 20 1998

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>85</u>	<u>14E</u>	<u>36</u>	<u>SE</u>	<u>SE</u>	<u>SW</u>	<u>KKC</u>	
			<u>SE</u>	<u>SW</u>	<u>SE</u>	<u>—</u>	<u>47</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: 2W

DATE: 7/21/90

A. ROOT WATER RIGHT NUMBERS: A36-02228A
A36-02228B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	14E	36	NW	SE		MADALENA , GRACE V. MADALENA , JOHN	A36-02228B /40.0 A36-07597B /40.0	36-02228B /40.0 36-07597B /40.0	39.0		
08S	14E	36	SW	SE		MADALENA , GRACE V. MADALENA , GRACE V. MADALENA , JOHN	A36-02228B /39.0 A36-07597A /39.0	36-02228B /39.0 36-07597A / 1.0 36-07597B /19.0	41.0		
TOTAL ACRES						A36-02228B	79.00	79.00	80.00		79

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
N

PRESUMPTION FLAG:

REMARKS:

*Recommend as a P-P/U.
see attachments for
system analysis.
KKC*

RECOMMENDATIONS:

TOTAL ACRES: 79 OK

REVIEWED BY: lw

DATE: 7/21/90

MICROFILMED
JAN 23 1997
439

A. AJ CLAIMED USES:

PURPOSES
A36-02228B IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
.400 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.400 CFS

B. WR RECORDED USES:

PURPOSES
36-02228B IRRIGATION

MONTH/DAY
FROM TO

DIVERSION QUANTITY
1.980 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.980 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE
N
Y
Y

FIELD
EXAMINER

~~N~~
~~N~~
~~N~~

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

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JAN 26 1993

10-31
Sept 5 standards
KK C

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 0.400 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.980 CFS

See transfer 3171

0.40 is OK
KKE

*** 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?

FIELD
DATABASE EXAMINER
Y N

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: ~~SEE REMARKS~~

~~A36-07597B~~ *See remarks*

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02228B	GROUNDWATER	MADALENA , GRACE V.	0.400	0.005		
A36-07597B	GROUNDWATER	MADALENA , JOHN	1.300	0.016		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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JAN 20 1993

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 79 x 0.02 CFS/ACRE = 1.58 CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 237.0 AF/A

ACRES 79 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 237 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 79 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 316 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

A36-07597B used on same acre
The max div rate under this right + rights
A36-07682, 07597B + 02493B shall not exceed 4.28 cfs
+ 02228A,
A36-07597B } combined limits
02228B }
79 acres
237 cons use
316 AF/A

*See also
attached narrative
KKC*

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JAN 20 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 0.400 ✓	DATABASE EXAMINER 316	DATABASE EXAMINER 237.0
TOTAL FOR THIS RIGHT		0.400		237.0

REVIEWED BY:

lw

DATE:

8/10/90

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JAN 20 1993

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

NAME OF FIELD EXAMINER: _____ TITLE: _____

Madalena

2-19-1992

P/9 1/

6111 IN 36-2228A

System 1	SYSTEM 2	SYSTEM 3	SYSTEM 4
A36-2228A	A36-2228B	A36-2493B	A36-2493C
A36-7597A	A36-7597B	A36-7682	
A36-8276	#1	licensed for 2 P/Ds in 1980	#1
#1 references 7597B	#2	#2	#2
CLAIM P/D			
ACRES	78	78	134

P/D #	LOCATION	CAPACITY
#1	S-36, SE SE SW	2.71 CFS
#2	S-36, SE SW SE	1.57 CFS
	TOTAL	4.28 CFS

RATE AND LOCATION VERIFIED
BY LICENSING FIELD EXAM FOR
PERMIT 36-7682 ON 5-30-86

The original field exams and transfers state that both PDs are tied together to irrigate the acres under all 4 systems. The transfers separated acres per Quarter Quarter tracts (see map). I recommend both P/Ds be recognized on all rights. The P/U is recommended by a system by system basis. Permissible P/U is recommended within each system but Not Across Systems.

allocations did. The ^{approved} transfer separated the systems while tying them together.

not license 36-8276.

Recommend no partitioning

of water from

the recommended

System 1 analysis

The recommended div rate for A36-2228A and A36-7597A are the rates calculated in transfer 3171.

Recommend as claimed. The Diversion rate for A36-8276 is based upon the licensing field exam for this claim, recommend as licensed.

This system div rate limiter is the sum of the rates for each claim. see Remark EØ1

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JAN 29 1992

System 1 analysis cont.

for 36-2228A

(RE: transfer 3171)

Data from transfer = 1.58 CFS div rate

P/U = 114 Acres

P/D = one well/tied to the other well.

for 36-7597A

Data from transfer = 0.70 CFS div rate

P/U = 114 Acres (same as above)

P/D = one well/tied to the other well

for 36-8276

Data from licensing field exam

14 CFS div rate

P/U = 7 Acres (new acres)

P/D = one well

Calculations

For EØ1

total Acres = 121

 $121 \times 4 = 484$ AFA $\times 3 = 363$ AFA $1.58 + 0.70 + 14 = 2.42$ CFSvs $121 \text{ Acres} \times 0.02 = 2.42$ CFS

For EØ8 list all claims

tied into the two P/Ds.

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JAN 26 1993

System 2 analysis

P/U for these claims is also based upon transfer 3171. The recommended P/U and div rates ^{use} ~~are~~ data from that transfer.

The system limiter in Remark EØ1 is the sum of the recommended div rates. and the system limiter in EØ8 is the system capacity.

Calculations

for 36-2228B

Data from transfer = .40 CFS

P/U = 79 Acres

P/D = one well/tied to the other well

Adj claim = both wells tied together.

for 36-7597B

Data from transfer = 1.18 CFS

P/U = 79 Acres

P/D = one well/tied to the other well

Adj claim = both wells tied together.

System total = .4 CFS + 1.18 CFS = 1.58 CFS

VS 79A * 0.02 CFS = 1.58 CFS

KØ6 remark not needed both rights cover all of the P/U independently.

EØ1 = 1.58 CFS

EØ8 required.

79A * .4 = 316 AFA

* 3 = 237 AFA

Total Acres = 79

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JAN 26 1993

System 3 analysis

P/U & div rate based upon transfer 2055.
 The claimed 20 A & 0.36 CFS was approved on 4-15-77
 Claimed use was found during Adj review. accept
 right as claimed (P/U & div rate). 2nd P/D is tied
 into this system, therefore, an amendment to the P/D is
 required.

36-7682 was licensed for 78 acres (includes
 the 20 A from 36-2493B) bringing the recommended total
 div rate (when combining both rates to 1" per acre.

Recommendation is for rate & acres to be
 recommended as claimed within a permissible P/U
 of 78 acres. 36-7682 is recommended for the full 78
 acres as this right brings the overlapping acres up to
 an inch/Acre.

Calculations

for 36-2493B

data from transfer 2055

div rate = 0.36 CFS

P/U = 20 Acres

P/D = 1 well

the 2 P/D's are recommended based upon previous
 analysis.

for 36-7682

data from license (issued 4-19-90)

div rate = 1.24 CFS

P/U = 78 Acres

P/D = 2 wells

combined rates

36 CFS + 1.24 CFS = 11.60 CFS

VS: 78 A * .02 = 1.56 CFS

(FOR EP1)

78 * 4 = 312

* 3 = 234

System 4 analysis

The system is one claim covering 134 acres from two wells. The transfer 3169 indicates only 1 P/D but this claim and other related claims tie both wells in Sec 36 together. Therefore I recommend the P/D as claimed.

The transfer recognizes 134 acres with a div rate of 2.38 CFS. The claim matches. I recommend the P/U & div rate as claimed.

There is a P/D overlap requiring Remark code

EØ8 : "data"

4.28 CFS

36-7597A, ~~36-8276~~, 36-2228A, 36-2228B
36-7597B, 36-2493B, and 36-7682

still a permit, rate not bound
by this rate.

SYSTEM 1
36-2228A
36-7597A
36-8276

SYSTEM 2
36-2228B
36-7597B

1.58

SYSTEM 3
36-2493B
36-7682

1.56

SYSTEM 4
36-2493C

2.38

P/D

P/D

LOT 2

LOT 1

LOT 4

LOT 3

LOT 6

REFILMED

GOODING CO
TWIN FALLS CO

REMARK AND CONDITION CODE WORKSHEET

SYSTEM CLAIM NUMBERS

36 2228B36 7597BAGENT
INITIALSKKC

DATE

CLAIM NO.
OR ENTRY
ORDERREMARK
CODE

ENTRY DATA

CONDITION
CODESTAGE
OR
STATUSPRESUMPTION
CODE36-2228BE0136-7597BC03C1.58CFS316 AFA237 AFA79 AcresE084.28CFS 36-7597A, 36-827A36-2228A, 367597B, 362493B36-7682 & 36-2493C36-7597BE0136-2228BC03C1.58CFS316 AFA237 AFA79 AcresE08modify to switch this claimW/ 36-2228B

Permit not
bound by div rate
reflected from remarks
KKC
7-16-42

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To Change the Point of Diversion and/or the Place of Use

A. DESCRIPTION OF RIGHT AS RECORDED

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Original Owner

8. Lands irrigated or place of use Both in Gooding Co.

Total number of acres to be irrigated

47. To what number of years has any part of this water right undergone a period of five or more consecutive years

No

If yes, describe condition: REMARKS

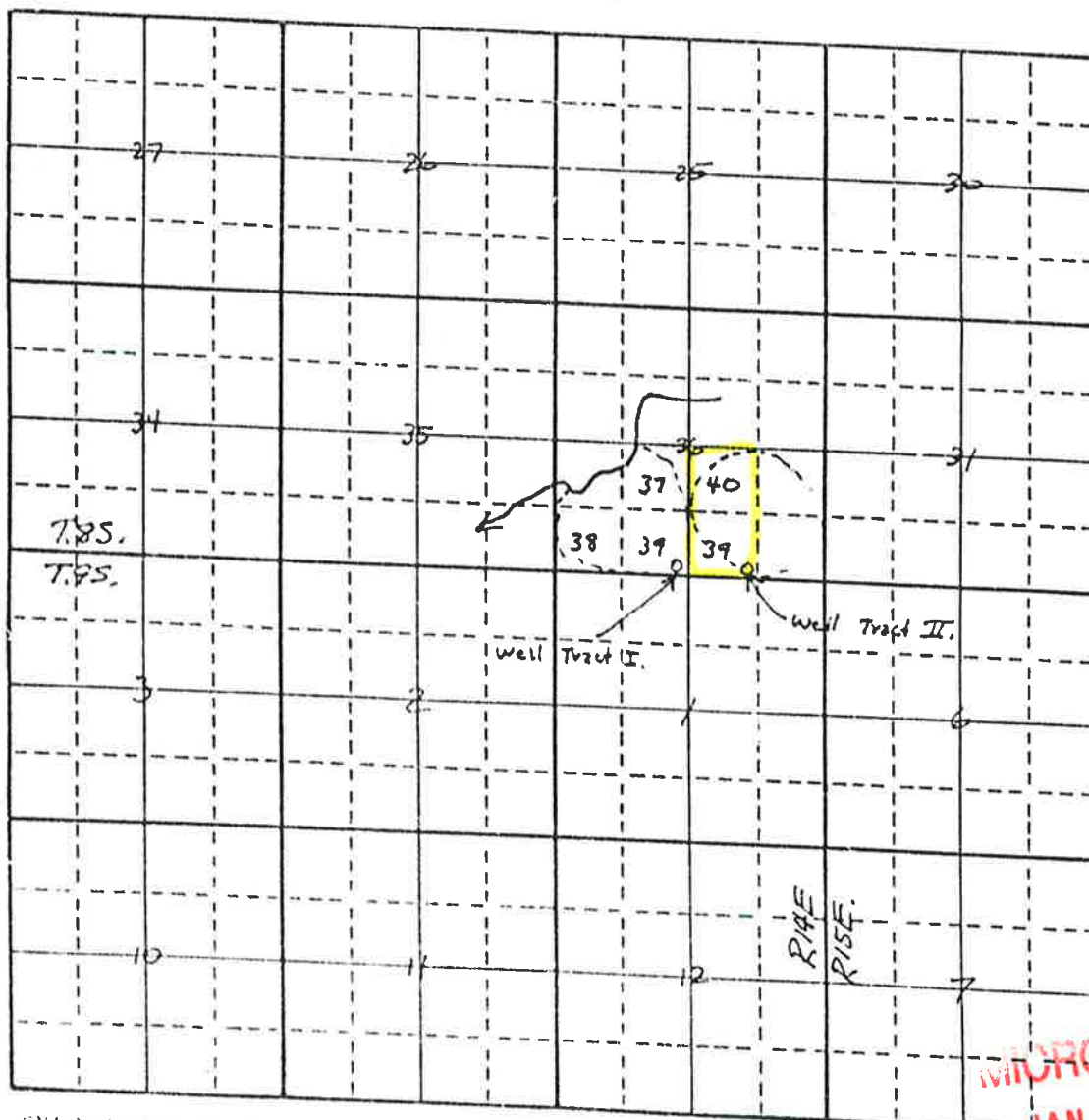
MICROFILMED

c. Describe the lands and use to which the right will be transferred:

TWP	RANGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			Tract I.																
85.	14E.	36									37		38	39					114
			Tract II.																
85.	14E.	36															40	39	79

Total number of acres to be irrigated 193

4. Describe any other water rights used for the same purpose as described above None on these lands; wells do provide water for additional lands.
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



STATE OF OREGON, DEPT. OF AGRICULTURE, DRAWING DIVISION

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JAN 26 1993

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 6 day of June, 19 85

John M. deCora
(Signature of Applicant)

Loren O. Halmer
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2228/7597 and said application is hereby APPROVED subject to the following limitations and conditions:

Witness my hand this 27th day of August, 19 85

J. Glen Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by ADM Date 6/6/85 Protest filed by _____
Prelim. check by J Fee 50.00
Received by ADM Date 5/21/85 # 35358
Published in Ocala, County Leader
Pub. dates 7/16 7/23/85
Watermaster recommendation requested on N/A
rec'd _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by JIM

MICROFILMED
JAN 26 1996

*Permit also
excluded from
final recom.
KRC 7-16-92*

SEC 36	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
FOUND ACRES		8S	14E	36									37	7	38	39	39	40	39	39	278	
RECOMMENDED	SYSTEM 1			36									37	7	38	39					114	~~121~~
	SYSTEM 2			36														40	39			79
	SYSTEM 3			36													39			39		78

SEC 1	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
FOUND ACRES		9S	14E	1	35	20															55	
RECOMMENDED	SYSTEM 1				35	20																55

SEC 6	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
FOUND ACRES		9S	15E	6					39	37	3										79	
RECOMMENDED	SYSTEM 4								39	37	3											79

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

TOTAL IRRIGATED ACRES 412

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JAN 20 1992