

Water Right Number - 36-02269B		Prefix Translation: WATER RIGHT	Old (D) Number - 25195
+ - - - - Last Name - - - - +	+ - First Name - - +	+ - - - - Address - - - - - +	
*** C - CURRENT OWNER ***			
GILLETTE	RANDY	1 - 750 WEST 750 NORTH 2 - 3 - City- PAUL Phone - 208-532-4138	State- ID Zip- 83347
GILLETTE	CINDY	1 - 750 WEST 750 NORTH 2 - 3 - City- PAUL Phone - 208-532-4138	State- ID Zip- 83347
GILLETTE	PERRY	1 - 750 WEST 750 NORTH 2 - 3 - City- PAUL Phone - 208-532-4138	State- ID Zip- 83347
GILLETTE	GAIL	1 - 750 WEST 750 NORTH 2 - 3 - City- PAUL Phone - 208-532-4138	State- ID Zip- 83347
GILLETTE	JERRY	1 - 750 WEST 750 NORTH 2 - 3 - City- PAUL Phone - 208-532-4138	State- ID Zip- 83347
GILLETTE	ROANNE	1 - 750 WEST 750 NORTH 2 - 3 - City- PAUL Phone - 208-532-4138	State- ID Zip- 83347
*** D - DIR RPT OWNER ***			
ANTONE	STEVE	1 - 1141 LINK ST 2 - 3 - City- RUPERT Phone - 208-436-3927	State- ID Zip- 83350
*** O - ORIGINAL OWNER ***			
ANTONE	HELEN M	1 - 2 - 3 - City- X Phone - 208-000-0000	State- ID Zip- 0
+ - - Priority Date - - +	+ - - Region - - - +	+ - - Stage - - - +	+ - - Status - - - - +
09/28/1954	17 SOUTHERN	L - LICENSE	
+ - - - - Source - - - - - +	+ - - - - Tributary - - - - - +		
GROUNDWATER			

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Prefix Translation: WATER RIGHT

Point of Diversion					
Twn	Rng	Sec	Tract	Lot	RFlg
08S	23E	19	SW NW NE	1	(67) MINIDOKA

Code		Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION			04/01	10/31		1.890	
+ - Total Div. Rate - +		+ - Total Div. Volume - +				+ - Total Consumptive Use - +	+ - KW Usage - +
1.890						0.0	

Place of Use									
Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
08S	23E	19	NE NE		38.0	01	IRRIGATION	(67)	MINIDOKA
08S	23E	19	NW NE	1	43.0	01	IRRIGATION	(67)	MINIDOKA
08S	23E	19	SW NE	2	41.0	01	IRRIGATION	(67)	MINIDOKA
08S	23E	19	SE NE		40.0	01	IRRIGATION	(67)	MINIDOKA
Total Acres:					162.0				

+ - - Diversion Means - ONE WELL WITH PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07212B

+	-	Remarks
GEN	RIGHT NO. 36-07212B IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.	
	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.	
	USE OF THIS RIGHT WITH RIGHT NO. 36-07212B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.89 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 648 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 486 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 162 ACRES IN A SINGLE IRRIGATION SEASON.	

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+-----+----- Old Water Right Numbers -----+
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Conditions of Approval	
M01	A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE - MAINTAINED AS A PART OF THE DIVERTING WORKS.
C05	RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO - SECTION 42-1425, IDAHO CODE.

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Prefix Translation: WATER RIGHT

+ - Decree Date - +
00/00/0000

LOCATED IN THE NORTH ONE-HALF OF SECTION 19. SECTION 19 IS ONLY IN 36-02269 SECT. 18 HAD 134 ACRES AND SECT. 19 HAD 142 ACRES. AT 18. NOW 36-02269A HAS 150 ACRES AND 36-02269B HAS 126 ACRES.

THE TIME OF THE SPLIT, 16 ACRES WERE MOVED FROM SECT. 19 TO SECT. 18.
AN EXTENSIVE EXPLANATION OF THIS SPLIT IS CONTAINED IN THE FILE.

Date: 07/25/1996 User Id: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE FROM ANTONE TO GILLETTE. WARRANTY DEED SUBMITTED

07/25/96 TFAWCETT

Court Report Filing	- 11/02/1992	Field Inspection Made	- 10/30/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 02/28/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C005608	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

July 26, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Randy and Cindy Gillette
Perry and Gail Gillette
Jerry and Roanne Gillette
750 West 750 North
Paul ID 83347

RE: SRBA Claim(s) A36-02269A, A36-07212B

Dear Claimants:

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

Also enclosed is your copy of the Notice of Completed Administrative Proceeding the department filed with the SRBA Court. This conforms with Administrative Order 11 which requires IDWR to report to the court all changes to claims in basins where a Director's Report has been filed.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

cc: Steve Antone

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DEC 04 1996

COPY

1996 JUL 26 PM 3:17

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

FILED
NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-02269B

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

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

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Steve Antone
1141 Link St
Rupert ID 83350

Phone: 436-3927

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Randy and Cindy Gillette
Perry and Gail Gillette
Jerry and Roanne Gillette
750 West 750 North
Paul ID 83347

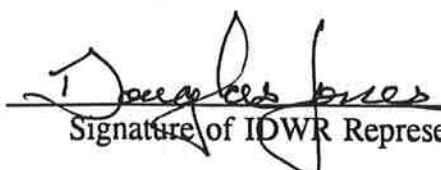
Phone: 532-4138

The Claimant has filed Objections or Responses to the following water rights: None

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 Transfer 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: 7/26/96


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 26, 1996, 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:
Steve Antone
1141 Link St
Rupert ID 83350
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Randy and Cindy Gillette
Perry and Gail Gillette
Jerry and Roanne Gillette
750 West 750 North
Paul ID 83347
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

1994 JUL 26 PM 3:17

RIGHTS FROM: SOURCE: GROUNDWATER

DISTRICT COURT-SPRA
TWIN FALLS CO., IDAHO
FILED

RIGHT NUMBER: 36-022698

NAME & ADDRESS: RANDY GILLETTE
CINDY GILLETTE
PERRY GILLETTE
GAIL GILLETTE
JERRY GILLETTE
ROANNE GILLETTE
750 WEST 750 NORTH
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.89 CFS

PRIORITY DATE: 09/28/1954

POINT OF DIVERSION: T08S R23E S19 LOT 1 (SWNWNE)

Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USE
IRRIGATIONPERIOD OF USE
Irrigation SeasonQUANTITY
1.89 CFS

PLACE OF USE:

IRRIGATION

Within MINIDOKA County

T08S R23E S19
162.0 ACRES TOTAL

NENE 38.0 Lot 1 (NWNE) 43.0 Lot 2 (SWNE) 41.0

SENE 40.0

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.RIGHT NO. 36-072128 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.USE OF THIS RIGHT WITH RIGHT NO. 36-072128 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.89 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 648 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 486 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 162 ACRES IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.MICROFILMED
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PARSONS, SMITH, STONE & FLETCHER

WILLIAM A. PARSONS
RICHARD K. SMITH
RANDOLPH C. STONE
WM. KENT FLETCHER

ATTORNEYS AT LAW
137 WEST 13TH STREET
P. O. BOX 910
BURLEY, IDAHO 83318

TELEPHONE
(208) 678-8382
FAX NO.
(208) 678-0146

July 10, 1996

Idaho Department of Water
Resources
1301 North Orchard
Boise, Idaho 83701

RECEIVED

JUL 19 1996

Department of Water Resources
Southern Region

RECEIVED

JUL 11 1996

Department of Water Resources

Gentlemen:

Enclosed is Notice of Change of Water Right Ownership form
from Steve Antone to Gillettes.

Please handle appropriately.

Thank you for your assistance in this matter.

Very truly yours,

William A. Parsons
William A. Parsons *W.A.P.*

WAP:rt
Enc.

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

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JUL 11 1996

Department of Water Resources

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 8 S Range 23 E., B./M
Section 19, E 1/2 NE 1/4 of 1/4 of 1/4 Govt. Lot _____, BM.

Lot 1 and 2, Block _____, Subdivision/Townsite _____.

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

See copy of Deed attached

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

Department of Water Resources
Southern Region

- [] Water Right Number(s)

Assigned by IDWR: 36-07212B and 36-02269B

- [] Name and Address of Former Owner/Claimant(s)(Seller):

Steve Antone

1141 Link St., Rupert, Idaho 83350

- [] New Owner/Claimant (Purchaser):

Randy and Cindy Gillette, Perry and Gail Gillette

- [] New Mailing Address:

and Jerry and Roanne Gillette

Route 2, Box 2517, Paul, Idaho 83347

- [] New Telephone Number:

(208) 532-4138

- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes Xno
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached:

Warranty Deed (copy)

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

- [] Signature of New Owner/Claimant(s)

Randy Gillette Jerry Gillette Cindy Gillette Roanne Gillette

Date 6-18-96

Date

- [] Signature of Former Owner/Claimant(s):

Steve Antone

Date 6-18-96

Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

RECORDED

DEC 14 1996

JUL 11 1996

Department of Water Resources

WARRANTY DEED

1 THIS INDENTURE, made this 18 day of June,
2 1996, between STEVE ANTONE, a married man, contracting with his
3 sole and separate property, of 1141 Link St., Rupert, Idaho
4 83350, ("Grantor"), and RANDY GILLETTE and CINDY GILLETTE,
5 husband and wife; PERRY GILLETTE and GAIL GILLETTE, husband and
6 wife; and JERRY GILLETTE and ROANNE GILLETTE, husband and wife,
7 whose address is Route 2, Box 2517, Paul, Idaho 83347, a/k/a
8 750 West 750 North, Paul, Idaho 83347, ("Grantee").
9

W I T N E S S E T H:

10 That the Grantor for and in consideration of the sum
11 of Ten Dollars (\$10.00), lawful money of the United States of
12 America, and other good and valuable consideration, to the
13 Grantor in hand paid by the Grantee, the receipt whereof is
14 hereby acknowledged, has granted, bargained, and sold and by
15 these presents does grant, bargain and sell, convey and confirm
16 unto the Grantee, and to the heirs and assigns of Grantee
17 forever, all of the following described real estate situated in
18 the County of Minidoka, State of Idaho, to-wit:
19

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

21 Section 19: Lot 1, Lot, 2, and the East Half of
22 the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$).

23 SUBJECT TO: 1996 taxes, levies and
24 assessments, Power Line Easement to Idaho
Power Company, recorded as Instrument No.
204556, records of Minidoka County, Idaho

25 TOGETHER with all water rights, including,
26

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1 but not limited to Water Rights identified
2 as numbers 36-07212B, and 36-02269B.

3 TOGETHER with all and singular the tenements,
4 hereditaments and appurtenances thereunto belonging or in
5 anywise appertaining, the reversion and reversions, remainder
6 and remainders, rents, issues and profits thereof, and all
7 estate, right, title and interest in and to said property as
8 well in law as in equity of the Grantor.

9 TO HAVE AND TO HOLD, all and singular the above-
10 mentioned and described premises, together with appurtenances
11 unto the Grantee and to the heirs and assigns of Grantee
12 forever.

13 The Grantor shall and will warrant and by these
14 presents will forever defend the said premises in the quiet and
15 peaceable possession of the Grantee, and the heirs and assigns
16 of Grantee against all and every person and persons whomsoever
17 lawfully claiming the same, except as aforesaid.

18 IN WITNESS WHEREOF, the Grantor has executed this
19 Deed the day and year first above written.

20 Steve Antone

21
22 STATE OF IDAHO)
23 County of Cassia) ss

24 On this 18 day of June, in the year of 1996,
25 before me, the undersigned, a Notary Public in and for said
26 State, personally appeared STEVE ANTONE, known or identified to

me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

William A. Parsons

Notary Public for Idaho

Residing at _____

My commission expires on _____

WILLIAM A. PARSONS
NOTARY PUBLIC
STATE OF IDAHO

Residing at Burley, Idaho
My Commission Expires 7/29/98

PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

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Page 3 - Warranty Deed

MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 9 - DEPUTY *JS*

'96 JUL 9 08 31

FILM NO. _____

RECORDED AT REQUEST OF
Parsons, Smith, Stone, et al

424872

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CONVERSATION MEMORANDUM

NAME OF PARTY JERRY GILLET
EMPLOYEE COREY SKINNER

DATE 01/16/96
FILE A36-02269, A, B
A36-07212, A, B

RE: _____

TODAY MR. GILLET CAME IN INQUIRING
ABOUT WATER RIGHTS AND ADJUDICATION CLAIMS
FOR STEVE ANTONE ON PROPERTY IN SECTION 19,
T08S, R23E. HE WAS INQUIRING ABOUT THE
SOUTHERN END OF THE ANTONE FARM. I GAVE
HIM PROFILE REPORTS OF ALLOCATIONS LICENSES
36-0712 AND 36-02269 AND ADJ PROFILE REPORTS
OF 36-0712 B AND 36-02269 B. I ALSO PROVIDED
HIM SOME DIVERSION RATES (AS RECORDED IN
DIRECTOR'S REPORT FOR BASIN 36) FOR THE NORTH
END OF THE ANTONE PLACE (SECTION 18 & 17
T08S, R23E, 36-0712 A AND 36-02269 A).

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NO. OF CLAIMS IN POLYGON _____

CLAIM NUMBERS 36-2269B 7212BDATE 7-16-97AGENT KKCTRANSFER NUMBER noneOBJECTION FILED noneTOTAL ACRES FROM RECOMMENDATION 162GEOGRAPHIC INFO SYSTEM 16

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
RECOM	85	23E	19	38	43	41	40													162
GIS				37.4	43	42.2	39.9													162
RECOM																				
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				

UPDATED

B36-DBPOU.DBF

7-16

POLYGON #

UPDATED

ATTRIBUTES OF B36-POU.SHP 1877-16

B36-DBPOD.DBF

7-16ATTRIBUTES OF B36-POD.SHP 1997-16*poly.com reviewed on 6/14**P/U within 5%**P/D on GIS Matches Recommendation*

P/U CONFLICT yes () no (X)

P/D CONFLICT yes () no (X)

SENT FOR DECREE yes () no ()

ready for decree

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

Southern
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JUL 12 1996
Department of Water Resources

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

July 11, 1996

Modified
as 07-17-96

Mr. David Tuthill
Idaho Department of Water Resources
Post Office Box 83720
Boise, ID 83720-0098

Re: SRBA Case No. 39576
Standard Form 3 (SF3)

RECEIVED
JUL 26 1996

Dear Mr. Tuthill:

Department of Water Resources
Southern Region

Enclosed please find the following:

1. **Original** SF3 - Consent to Substitution of Party for water right(s) 36-07212B and 36-00269, submitted by Randy, Cindy, Perry, Gail, Jerry and Roxanne Gillette.

I am forwarding this document to you pursuant to the *SRBA Administrative Order 11, Order Establishing Procedures for Incorporating Completed IDWR Administrative Proceedings in the SRBA.*

Thank you and if you should have any questions, please do not hesitate to call the SRBA Court at (208) 736-3011.

Very truly yours,

Tiffany M. Hudak
Tiffany M. Hudak
Chief Deputy Clerk

:tmh
Encl:

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OCT 13 1995

PARSONS, SMITH, STONE
& FLETCHER

RECEIVED

JUL 26 1996

Department of Water Resources
Southern Region

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

In Re SRBA

Case No. 39576

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

INSTRUCTIONS FOR USE

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

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

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

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

CHANGE IN ADDRESS

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

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

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

My name is _____

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

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

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

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

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

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

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

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

I am the new claimant/purchaser of 36-07212B and 36-0269B

(Insert each water right number)

My name is RANDY GILLETTE, CINDY GILLETTE, PERRY GILLETTE, GAIL GILLETTE, JERRY GILLETTE, ROANNE GILLETTE

My address is 750 West 750 North, Route 2, Box 2517, Paul, Idaho 83347

My phone number is: Work 532-4138 Home

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

Steve Antone - 1141 Link Street, Rupert, Idaho 83350

Steve Antone
Signature of prior claimant/seller

Randy Gillette, Jerry Gillette, Cindy Gillette, Roanne Gillette, Perry Gillette, Gail Gillette
Signature of new claimant/purchaser

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

Attorney name

Attorney of record for
(Identify party/claimant)

Attorney address and phone number:

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

VERIFICATION

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

State of IDAHO

County of CASSIA

RANDY GILLETTE, CINDY GILLETTE, PERRY GILLETTE, GAIL GILLETTE, JERRY GILLETTE and ROWANNE GILLETTE

_____, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

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

Randy Gillette Cindy Gillette Perry Gillette
Jerry Gillette Rowanne Gillette
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on

July 8, 1996
(Insert Date)

WILLIAM A. PARSONS
NOTARY PUBLIC
STATE OF IDAHO
Residing at Burley, Idaho
My Commission Expires 7/29/98

William Parsons
Notary Public for _____

Residing at: _____

My Commission expires: _____

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on May ~~July~~ 9, 1996, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

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

Steve Antone
1141 Link St.
Rupert, Idaho 83350

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

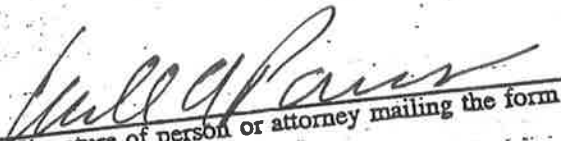
One copy to:

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

One copy to:

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

PARSONS, SMITH, STONE & FLETCHER


Signature of person or attorney mailing the form

Water Right Number - R36-02269B

Prefix Translation: RESEARCH

Old (D) Number - 25195

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

ANTONE

STEVE

1 - 1141 LINK ST

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-3927

*** O - ORIGINAL OWNER ***

ANTONE

HELEN M.

1 -

2 -

3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

+ - - Priority Date - - +

09/28/1954

+ - - Region - - - +

17 SOUTHERN

+ - - Stage - - - +

L - LICENSE

+ - - Status - - - - +

+ - - - - Source - - - - - +

GROUNDWATER

+ - - - - Tributary - - - - - +

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

TwN Rng Sec Tract Lot RFlg County

08S 23E 19 SW NW NE 1 (67) MINIDOKA

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

01 - IRRIGATION

03/15

11/15

1.890

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.890 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

08S 23E 19 NE NE 38.0 01 IRRIGATION (67) MINIDOKA

08S 23E 19 NW NE 43.0 01 IRRIGATION (67) MINIDOKA

08S 23E 19 SW NE 2 41.0 01 IRRIGATION (67) MINIDOKA

08S 23E 19 SE NE 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 162.0

+ - - Diversion Means - ONE WELL WITH PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07212B

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Water right number - R36-02269B

Prefix Translation: RESEARCH

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

RIGHT NO. 36-07212B IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 126 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-07212B IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.89 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 648 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 486 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 162 ACRES IN A SINGLE IRRIGATION SEASON.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED
- AS A PART OF THE DIVERTING WORKS.

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

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

No Comments Found

+ - - Audit Fields - - +

11/27/91 MERRITT

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 10/30/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 11/27/1991	Old Judicial District	-
Claim Received Date	- 02/28/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C005608	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:08:34
08/17/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02269

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								SW Keen 10-30-91
POINT OF DIV	Y		S.W. Keen 4-25-91	Yes	6	S.W. Keen 5-14-91	S.W. Keen 5-14-91	
SOURCE								
PLACE OF USE	Y		S.W. Keen 4-25-91	Yes	1,2,4,6	S.W. Keen 5-14-91	S.W. Keen 5-14-91	
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
AAPP 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.

- This claim is recommended as R36-02269A and R36-02269B.
Please refer to the attached memo.

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Z status

See Right Nos. 36-02269A and 36-02269B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:08:34
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02269

LAST: ANTONE
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: HELEN M.

STATE: ID ZIP: 0

LAST: ANTONE
ADDRESS: 1141 LINK ST.
CITY: RUPERT
PHONE NUMBER: 208-436-3927

FIRST: STEVE

STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

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CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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JAN 26 1993

A. AJ CLAIM: # A36-02269 PRIORITY DATE: 09-28-1954 STAGE: L
B. WR RECORD: # 36-02269 PRIORITY DATE: 09-28-1954 STAGE: L

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

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

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
09-28-1954

REVIEWED BY _____ DATE _____

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02269	08S	23E	18	NW	SW	SE	4	MINIDOKA
A36-02269	08S	23E	19	SW	NW	NE	1	MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07212 NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-07212

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02269	08S	23E	18		SW	SE	4	MINIDOKA
A36-02269	08S	23E	19		NW	NE	1	MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

36-07212

A36-07212 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
S.W. Keen

REMARKS:

Points of diversion on claim match the p.o.d.s on the maps submitted with the claim and the map on the approved application for transfer. The map submitted by the field examiner for license 36-07212 also confirms these p.o.d. locations.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>8S</u>	<u>23E</u>	<u>18</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>4</u>	<u>Minidoka</u>
<u>8S</u>	<u>23E</u>	<u>19</u>	<u>SW</u>	<u>NW</u>	<u>NE</u>	<u>1</u>	<u>Minidoka</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: S.W. Keen

DATE: 4/26/91

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A. ROOT WATER RIGHT NUMBERS: A36-02269

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	23E	18	NE	SE		ANTONE , STEVE ANTONE , STEVE	A36-02269 /30.0 A36-07212 /40.0	36-02269 /30.0 36-07212 /40.0	39.0	38	37
08S	23E	18	NW	SE	3	ANTONE , STEVE ANTONE , STEVE	A36-02269 /37.0 A36-07212 /43.3	- /37.0 36-07212 /43.0	44.0	42	41 +4
08S	23E	19	NE	NE		ANTONE , STEVE ANTONE , STEVE	A36-02269 /37.0 A36-07212 /40.0	36-02269 /37.0 36-07212 /40.0	39.0	38	33 -4
08S	23E	19	NW	NE	1	ANTONE , STEVE ANTONE , STEVE	A36-02269 /38.0 A36-07212 /43.3	- /38.0 36-07212 /43.0	44.0	43	34
08S	23E	19	SW	NE	2	ANTONE , STEVE ANTONE , STEVE ANTONE , STEVE	A36-02269 /34.0 A36-11107 / A36-07212 /43.2	- /34.0 - /Domestic 36-07212 /43.0	43.0	41	30 -4
08S	23E	19	SE	NE		ANTONE , STEVE ANTONE , STEVE	A36-02269 /33.0 A36-07212 /40.0	36-02269 /33.0 36-07212 /40.0	39.0	38	29 -4
08S	23E	18	SW	SE	4	ANTONE , STEVE ANTONE , STEVE	A36-02269 /32.0 A36-07212 /43.2	- /32.0 36-07212 /43.0	46.0	41.5	31 +4
08S	23E	18	SE	SE		ANTONE , STEVE ANTONE , STEVE	A36-02269 /35.0 A36-07212 /40.0	36-02269 /35.0 36-07212 /40.0	42.0	38.5	39 +4
TOTAL ACRES						A36-02269	276.00	135.00	336.00	320	276

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
S.W. Keen

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PRESUMPTION FLAG:

REMARKS:

See Memo describing split.
Recommended as A36-02269A and A36-02269B.

RECOMMENDATIONS:

TOTAL ACRES: 276REVIEWED BY: S.W. KeenDATE: 4/25/91

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02269 IRRIGATION	FROM 03-15 TO 11-15	4.670 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.670 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02269 IRRIGATION	FROM 03-15 TO 11-15	4.670 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.670 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	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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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 4.670 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.670 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?

FIELD

DATABASE EXAMINER

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

N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-07212

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02269	GROUNDWATER	ANTONE , STEVE	4.670	0.016		
A36-07212	GROUNDWATER	ANTONE , STEVE	2.590	0.007		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-11107	DOMESTIC	ANTONE , STEVE	FROM 01-01 TO 12-31	.040 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ 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 = 828.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ 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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=====

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 4.670 _____	DATABASE EXAMINER _____	DATABASE EXAMINER 828.0 _____
TOTAL FOR THIS RIGHT		4.670		828.0

RECOMMENDATIONS:=====

REVIEWED BY: _____ DATE: _____

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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: 36-02269

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	4.670	_____	

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02269	4.670	-		36-02269	4.670
TOTAL CFS		4.670				4.670

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
Y	_____

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

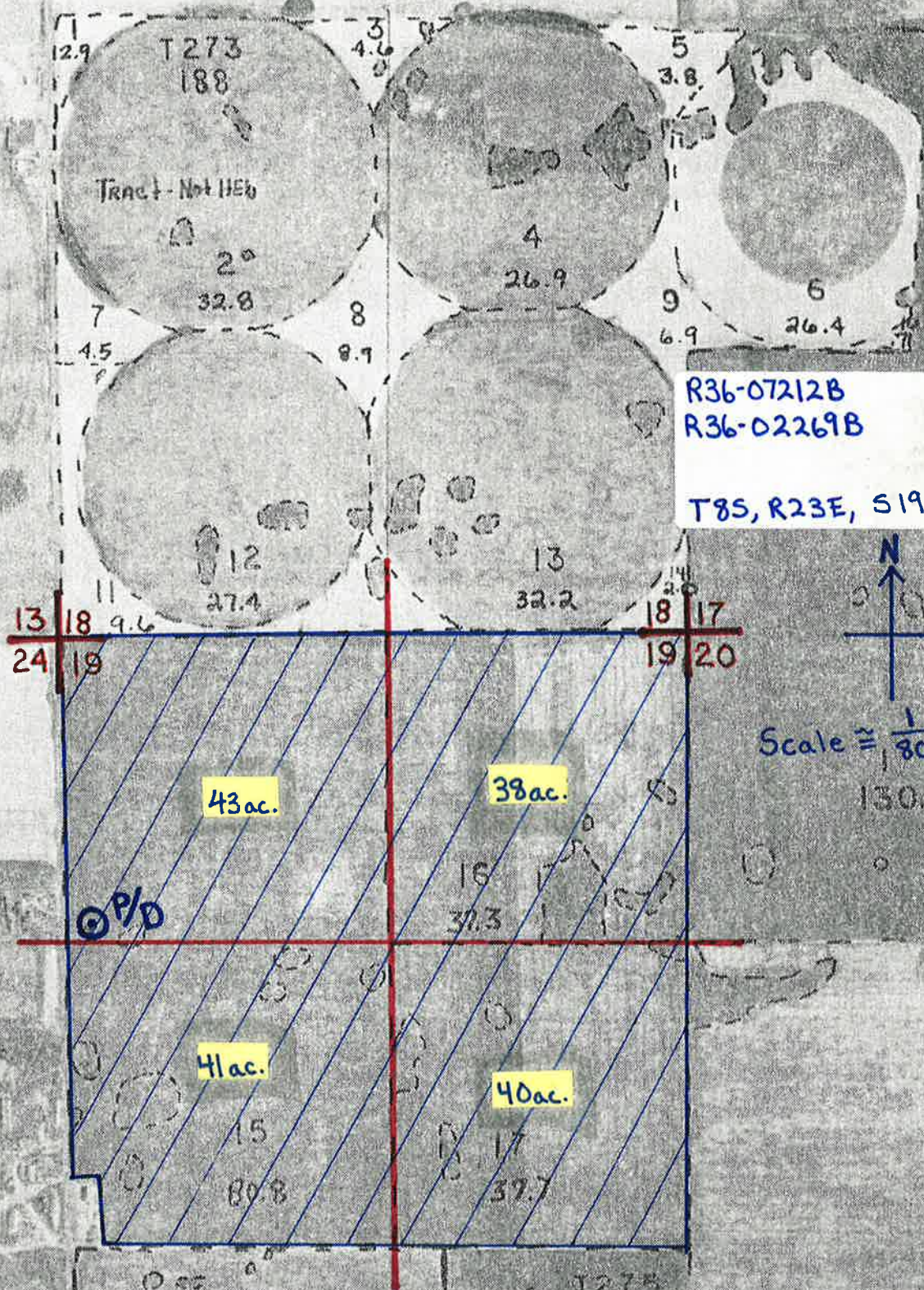
TITLE: _____

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NOT TO SCALE

136-07212B
A36-02269B



R36-07212B
R36-02269B

T8S, R23E, S19

Scale $\approx \frac{1}{8046}$
130.8

T 8S

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CLAIMANT'S NAME: Steve Antone (436-3927) DATE: 4/25/91
COUNTY: Minidoka
EMPLOYEE: S.W. Keen

12:45 p.m. - I called Mr. Antone to ask him how he distributed the water from his two points of diversion. He told me that the water from the well at 8S 23E Sect. 18 NW⁴ SW⁴ SE⁴ (Lot 4) provides ~~the~~ water for his property in sections 17 and 18. The well at 8S 23E Sect. 19 SW⁴ NW⁴ NE⁴ provides water for only that part of his property which is in Section 19.

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*** MEMORANDUM ***

AGENT: S.W. KEEN
DATE: OCTOBER 31, 1991
RE: SPLIT OF 36-02269 AND 36-07212

LICENSES

36-02269

PRIORITY = 1954
RATE = 4.67 CFS
CAPACITY = 4.67 CFS
ACRES = 134 IN SEC. 18
142 IN SEC. 19

P.D. = LOT 4 SEC. 18

TRANSFER = ADDED P.D. IN
(1972) LOT 1 SEC. 19

36-07212

PRIORITY = 1971
RATE = 2.59 CFS
CAPACITY = 4.97 CFS
ACRES = 166.5 IN SEC. 18
166.5 IN SEC. 19
30.0 IN SEC. 17
P.D. = LOT 4 SEC. 18
(3.08 CFS)
LOT 1 SEC. 19
(1.89 CFS)

In 1954, 36-02269 was licensed with one p.d. for 276 acres. The 1972 transfer added the p.d. in Sec. 19. The field examiner's report for 36-07212, dated 7-19-73, indicates that the well in Sec. 18 irrigated acres in Sec. 17 & 18, and the well in Sec. 19 irrigated acres only in Sec. 19. The delivery systems from the two wells were not connected at that time.

SRBA CLAIMS

Both rights were claimed exactly as they were licensed.

INVESTIGATION FINDINGS

Acreage = 166 in Sec. 18
30 in Sec. 17
162 in Sec. 19
358

The delivery systems are still not connected. (See the memo dated 4/25/91 describing a telephone conversation with Mr. Antone.)

RECOMMENDATION PROBLEM

How can we preserve the 1954 priority for 4.67 cfs, ensure that 3/4 inch of water is available to each acre, and not exceed the diversion capacity of 4.97 cfs for both wells?

RECOMMENDATIONS

Creation of four rights as follows:

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	Priority	Acres	Rate (cfs)	Pt. Div.	P/U
36-02269A	1954	150	2.78	Lot 4	18
36-02269B	1954	126	1.89	Lot 1	19
36-07212A	1971	46	.69	Lot 4	17&18
36-07212B	1971	36	.54	Lot 1	19

CALCULATIONS

The numbers in the recommendations were calculated as follows:

1. The primary limiting factor is the 1.89 cfs production capacity of the well in Lot 1 of Sec. 19. (See the field examiner's report in 36-07212.) Only 126 acres can be irrigated at 3/4 inch/acre with 1.89 cfs. Therefore, 36-02269B received 1.89 cfs and 126 acres.

$$1.89 \text{ cfs} \div .015 \text{ in/acre} = 126 \text{ acres}$$
2. Because 36-02269 originally contained 276 acres, and only 126 acres could be watered in Sec. 19, 150 acres were allocated to Sec. 18 (36-02269A).

$$276 \text{ acres} - 126 \text{ acres} = 150 \text{ acres.}$$

In essence, sixteen acres were shifted from Sec. 19 to Sec. 18 in order to preserve a delivery of 3/4 inch per acre.
3. 36-02269 originally contained 4.67 cfs. 36-02269B received 1.89 cfs, so 36-02269A got 2.78 cfs.

$$4.67 \text{ cfs} - 1.89 \text{ cfs} = 2.78 \text{ cfs.}$$

2.78 cfs is adequate to supply 3/4 inch to the acre on 150 acres.

$$2.78 \text{ cfs} \div 150 \text{ acres} = .019 \text{ cfs/acre}$$
4. 36-07212A and 36-07212B received the irrigated acres not covered under 36-02269A or 36-02269B. (See Findings.) Therefore, 36-02269A and 36-07212A each have a permissible place of use of 191 acres, and together they can irrigate exactly 191 acres. Rights 36-02269B and 36-07212B have a

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permissible place of use of 162 acres, and together they can do exactly 162 acres.

5. The cfs rates allotted to 36-07212A and 36-07212B are based upon 3/4 inch per acre.

$$46 \text{ acres} * .015 \text{ cfs/acre} = .69 \text{ cfs}$$

$$36 \text{ acres} * .015 \text{ cfs/acre} = .54 \text{ cfs}$$

However, the irrigation systems are not capable of producing these diversion rates in addition to those of 36-02269A and 36-02269B. Therefore, 36-02269A and 36-07212A are limited in Remarks to a total diversion rate of 3.08 cfs, which is the diversion capacity of the well. Similarly, 36-02269B and 36-07212B must be limited to a total diversion rate of 1.89 cfs.

$$(3.08 \text{ cfs} \div 191 \text{ acres} = .016 \text{ cfs/acre})$$

$$(1.89 \text{ cfs} \div 162 \text{ acres} = .012 \text{ cfs/acre})$$

(.01 cfs/acre under sprinkler irrigation constitutes beneficial use.)

6. No limits on diversion volume are necessary.

$$3.08 \text{ cfs} * 1.984 * 245 \text{ days} = 1497 \text{ af}$$

$$191 \text{ acres} * 4 \text{ af/acre} = 764 \text{ af}$$

$$1.89 \text{ cfs} * 1.984 * 245 \text{ days} = 919 \text{ af}$$

$$162 \text{ acres} * 4 \text{ af/acre} = 648 \text{ af}$$

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