

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)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 37-21222

NAME AND ADDRESS: LORETTA M STANDAL
N STANLEY STANDAL JR
609 RIVER RD
BLISS, ID 83314

SOURCE: SPRING TRIBUTARY: SNAKE RIVER

QUANTITY: 4.00 CFS

PRIORITY DATE: 04/02/1973

POINT OF DIVERSION: T06S R13E S17 NESESE Within Gooding County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	4.00 CFS

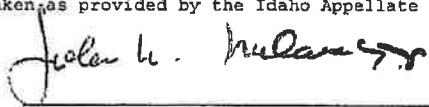
PLACE OF USE: Fish Propagation Within Gooding County
T06S R13E S17 LOT 3 (SESW) LOT 3 (SWSE)

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. I.C. SECTION 42-1412(6).

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.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

09/12/2005

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

RIGHT NUMBER: 37-21222

NAME AND ADDRESS: LORETTA M STANDAL
609 RIVER RD
BLISS ID 83314

N STANLEY STANDAL JR
609 RIVER RD
BLISS ID 83314

SOURCE: SPRING TRIBUTARY: SNAKE RIVER

QUANTITY: 4.000 CFS

Right Nos. 37-21222 and 37-21319 are limited to a total combined rate of diversion of 6.00 cfs.

PRIORITY DATE: 04/02/1973

POINT OF DIVERSION:

T06S R13E S17 NESESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	4.000 CFS

PLACE OF USE: FISH PROPAGATION Within GOODING County

T06S R13E S17 Lot 3 SESW T06S R13E S17 Lot 3 SWSE

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 - License

This right is a split from former right 37-7217.

Facility volume = 206,520 cubic ft.
Points of rediversion from Montana Mining Co. ditch located with SESE, NWSE, S17, T06S, R13E.

Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of effluent discharge.

Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 32F.

Source is also known as Montana Mining Company Ditch Spring No. 9.

04/06/2005

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

RIGHT NUMBER: 37-21222

NAME AND ADDRESS: LORETTA M STANDAL
609 RIVER RD
BLISS ID 83314

N STANLEY STANDAL
609 RIVER RD
BLISS ID 83314

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 4.000 CFS

Right nos. 37-21221 and 37-21222 are limited to a total combined rate of diversion of 4.26 cfs.

PRIORITY DATE: 04/02/1973

POINT OF DIVERSION:

T06S R13E S17 NESESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	4.000 CFS

PLACE OF USE: FISH PROPAGATION Within GOODING County

T06S R13E S17 Lot 3 SESW

T06S R13E S17 Lot 3 SWSE

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: License

Facility volume = 206,520 cubic ft.
Points of redirection from Montana Mining Co. ditch located with SESE, NWSE, S17, T06S, R13E.

Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 32F.

Source is also known as Montana Mining Company Ditch Spring No. 9.

This right is a split from former right 37-7217.

Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of effluent discharge.

37-21222

37-21319

cf 3-2-05

Split of license 37-7217 *

Standal's ponds appear to receive 4.00 cfs

Black Canyon Farms' ponds appear to receive 2.00 cfs

By splitting facility volume

Standal's ponds

$$\frac{206,520 \text{ ft}^3}{280,832 \text{ ft}^3} = 73.5\% \quad 4.41 \text{ cfs}$$

Black Canyon Farms' ponds

$$\frac{74,312 \text{ ft}^3}{280,832 \text{ ft}^3} = 26.5\% \quad 1.59 \text{ cfs}$$

See field exam map for License 37-7217.

Map shows 4 cfs of license supplies fish ponds purchased by Standal, and 2 cfs of license supplies fish ponds retained by Black Canyon Farms.

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 37-21222
Date Received: 1/22/2004
Receipt No:
Received By:

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

1. Name of Claimant(s)

N STANLEY STANDAL Phone: (208)837-4970
LORETTA M STANDAL 609 RIVER RD
BLISS ID USA 83314

2. Date of Priority: 04/02/1973

3. Source: SPRINGS Trib. to: MONTANA MINING DITCH

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	13E	17	SE SE	GOODING	

5. Description of diverting works:

Diverted from springs, through Montana Mining Ditch, through headgate and pipeline to first set of Fish ponds. Water is returned to unnamed creek and re-diverted into a second set of fish ponds near the farmstead then returned to the creek. Water is re-diverted out of the creek for use in the last fish pond located in SE1/4SW1/4 Section 17.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
FISH PROPAGATION		01/01	12/31 5	

7. Total Quantity Appropriated is:
5 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
06S	13E	17	SE SW	FISH PROPAGATION	
			SW SE	FISH PROPAGATION	

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:

This is a split water right for the fishponds on the property I bought from Lynn Stevenson on 4-15-2003.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-7217.

15. Basis of Claim: License

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 37-21222Date Received 1-22-04Receipt Number 5026441

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

Please type or print clearly

1. Name of Claimant (s) N. Stanley and Loretta M. Standal Phone (208) 837-4970
Mailing Address 609 River Road, Bliss ID Zip 83314

2. Date of Priority (Only one (1) per claim) 04-02-1993

3. Source of water supply (a) Springs
which is tributary to (b) Montana Mining Ditch then Snake River

4. a. Location of existing point of diversion is: Township 6S Range 13E Section 17,
SE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Gooding

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Diverted From Springs, Through Montana Mining Ditch, Through headgate and Pipeline to first set of Fish Ponds. Water is returned to unnamed creek and re-diverted into a second set of fish ponds near the farmstead then returned to the creek. Water is re-diverted out of the creek for use in the last fish pond located in SE 1/4 SW 1/4 Section 17.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Fish Propagation purposes from 1-1 to 12-31 amount 5.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Fish Propagation

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	13E	17												H				H	

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Gooding

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

beneficial use Claim For Fish Propagation or None ()

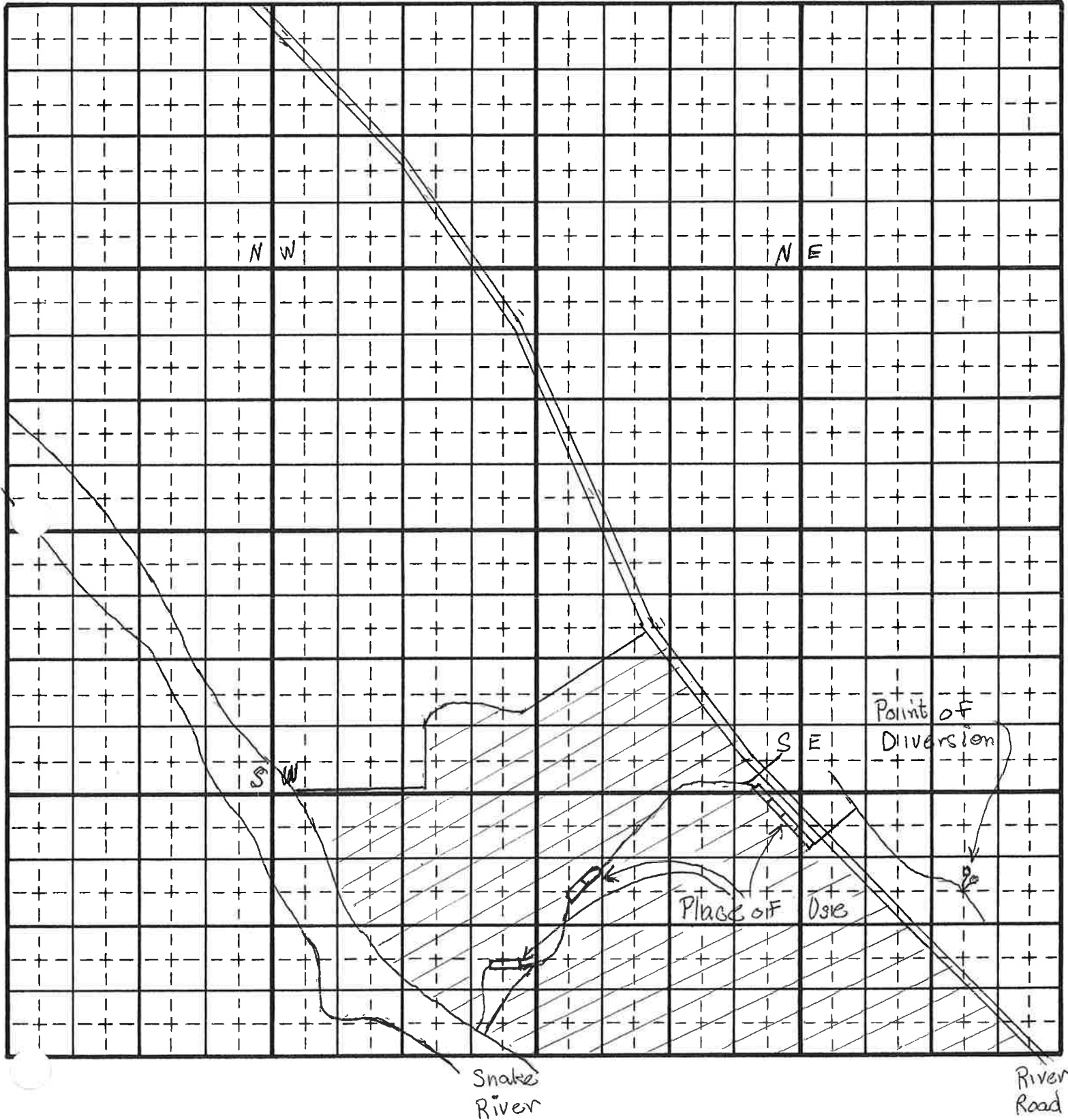
14. Remarks: This is a split water right For the Fish ponds on the property
I bought From Lynn Stevenson on 4-15-2003.

Last Name Standal Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: $\frac{1}{8}$ inches equals 1 mile This map Shows all of Section 17 T6S. R13E



Last Name Standal

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-07217 Priority Date 04-02-1973
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) N. Stanley Standal Date 1-22-2004
Yvette M Standal Date 1-22-2004

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho or _____)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 22nd day of January 19 2004



Notary Public Stacey Clark

Residing at Hagerman, ID 83332

My Commission Expires 1-14-2005

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Standal Ident. Number _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7217 Priority April 2, 1973 Amount 6.0 cfs

THIS IS TO CERTIFY, that Lynn E. Stevenson
of Bliss, Idaho, has complied with the terms and conditions of Permit
No. 37-7217 issued pursuant to Application for Permit dated April 2, 1973,
and has submitted proof to the Department of Water Resources on April 27, 1978,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 6.57 cfs of water from a spring
tributary to Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Fish Propagation</u>	from <u>January 1</u> to <u>December 31</u>	at <u>6.0</u> cfs and	<u>N/A</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 6.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
N/A acre feet per year, said waters to be diverted within the SE4SE4 Section 17,
Twp 6S, Rge 13E in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	13E	17																	
		18																	

MICROFILMED

Total number of acres irrigated _____

MAR 06 1987

CONDITIONS OF APPROVAL

a. Modifications to or variance from this license must be made within the limits of Section 42-222, **Idaho Code**, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 32F.

Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of effluent discharge.

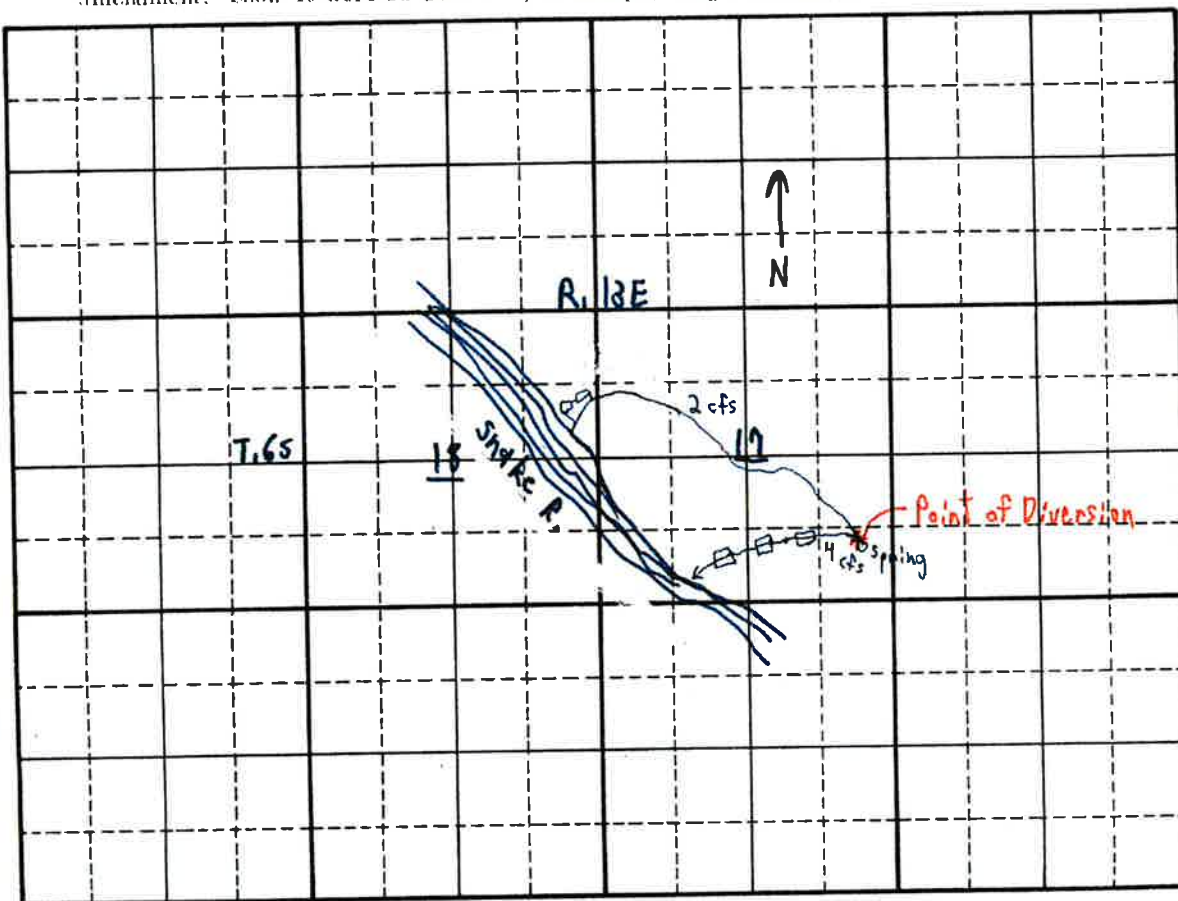
Facility Volume = 280,832 cubic feet.

Points of redirection from the Montana Mining Co. ditch are located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, Twp 6S, Rge 13E.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 27TH day of JANUARY, 1987.


Director

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at June Falls, Idaho this 27th day of April, 19 78.

Lynn E. Stevenson
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Operations Bureau

I, L. GLEN SAXTON, Chief, XXXXXX of the Department of Water Resources

hereby APPROVE this application for amendment on Permit No. 37-7217.

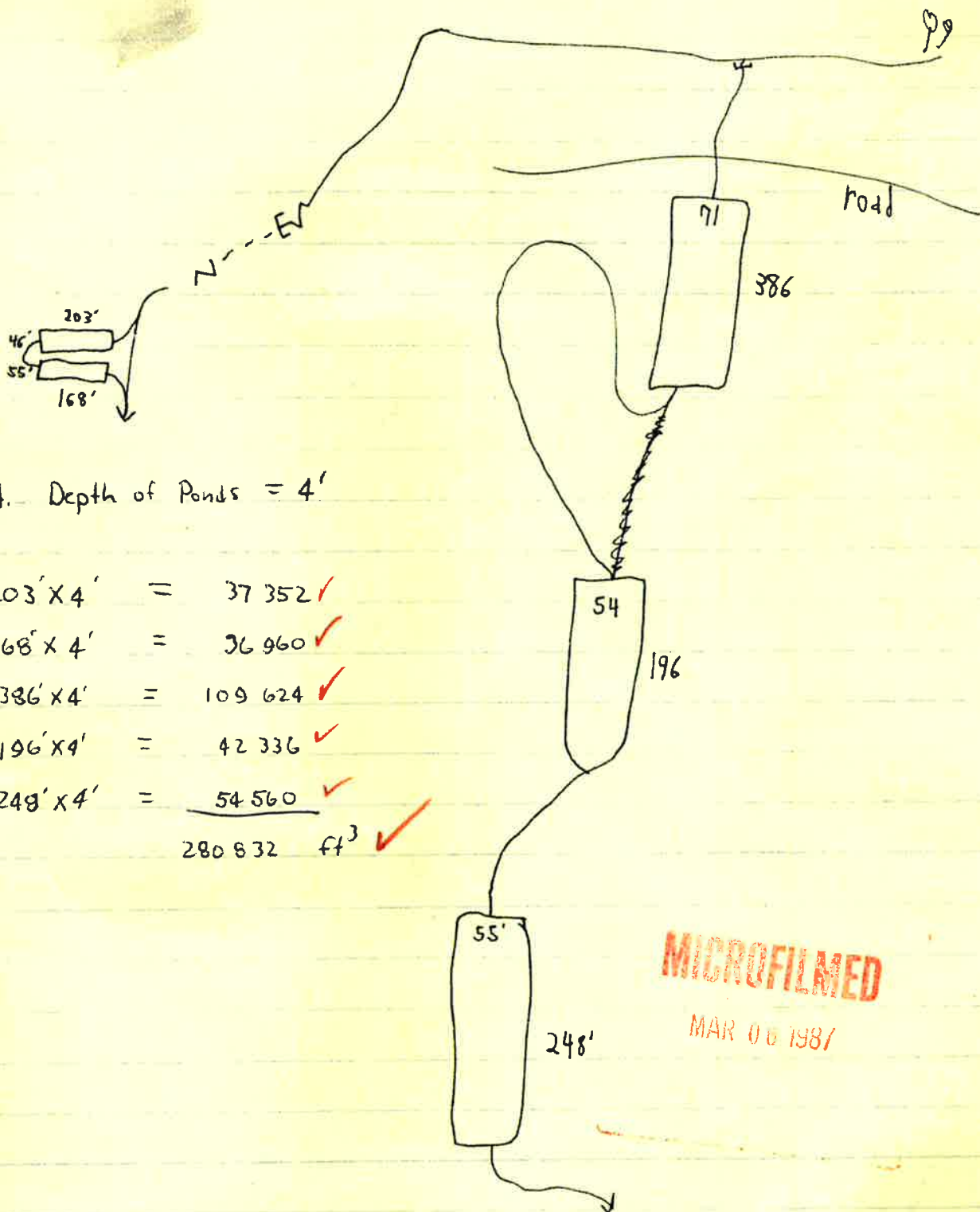
Witness my hand this 25th day of July, 19 78.

L. Glen Saxton
L. GLEN SAXTON

Chief, Operations Bureau

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MAR 06 1987



MICROFILMED
MAR 00 1987