

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: **A36-02403**
Date Received: 7/13/1988
Receipt No: C001839
Received By: _____

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

1. Name: IDAHO AG INC 208-436-0292
Address: PO BOX 123
RUPERT ID 83350

2. Date of Priority: OCT 12, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	22E	13	NW	NE			LINCOLN
			SE	NE			LINCOLN

5. Description of diverting works:
TWO DEEP WELLS CONNECTED BY MAINLINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.760		

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

8. Total consumptive use is 264.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	22E	13	SE	NE		IRR	5.0
			NE	SE		IRR	10.0
			NW	SE		IRR	36.0
			SW	SE		IRR	32.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	22E	13	SE	SE		IRR	5.0

Section Acres 88.0

Total Acres 88.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:

TRANS. 1825.

*** CHANGE OF OWNERSHIP BASED UPON WARRANTY DEED SUBMITTED
SHOWING OWNERSHIP FOR 36-07883; A PERMIT. THE PERMIT COMPLETELY
OVERLAPS THIS CLAIM. KKC 6-26-92

15. Basis of Claim: LICENSE

Water Right Number: 28213

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

MICROFILMED

JAN 28 1993

RECEIVED

FEB 15 1991

Department of Water Resources
Southern Region Office

IDAHO AG
P.O. BOX 123
RUPERT, IDAHO

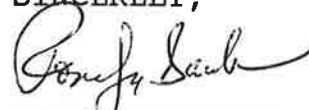
JIM STANTON
DEPARTMENT OF WATER RESOURCES
222 SHOSHONE STREET EAST
TWIN FALLS, IDAHO 83330

MR. STANTON:

ENCLOSED PLEASE FIND A COPY OF THE WARRANTY DEED FOR THE
WATER RIGHTS WE DISCUSSED OVER THE PHONE LAST WEEK.

IF YOU HAVE ANY QUESTIONS OR IF I CAN BE OF FURTHER
ASSISTANCE PLEASE CONTACT ME AT 436-0292.

SINCERELY,



RANDY BAUSCHER

MICROFILMED

JAN 28 1993

154539

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the

Land Title Error

JAN 02 91

at 30 minutes 11:11 AM
recorded by *Marilyn Harris*
for 2725
By Hand

RECEIVED

SEP 15 1991

Department of Land Resources
Sourthern Region Office

394934

SPECIAL WARRANTY DEED AND BILL OF SALE

THIS INDENTURE, made this 7th day of December, 1990,
between THE TRAVELERS INSURANCE COMPANY, a Connecticut
corporation, the Grantor, and IDAHO AG., INC., an Idaho
corporation, whose address is Route 3, Box 88, Rupert, Idaho
83350, the Grantee,

W I T N E S S E T H:

That the said Grantor, for and in consideration of the
payment to it of TEN DOLLARS (\$10.00) AND OTHER VALUABLE
CONSIDERATION, by the said Grantee, the receipt and sufficiency
whereof are hereby acknowledged, has granted, bargained, and
sold, and by these presents does grant, bargain, sell, convey an
confirm unto the said Grantee, and to its successors and assigns
forever, the following described real estate situate in the
Counties of Lincoln and Minidoka, State of Idaho, to-wit:

TRIPLE J RANCH

REAL PROPERTY

Township 7 South, Range 24 East, Boise Meridian,
Minidoka County, Idaho

Section 5: S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$
Section 8: N $\frac{1}{2}$; SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 9: NW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$

PERSONAL PROPERTY

- 1 - 200 H.P. U.S. Electric Vertical Motor - SN# 83-08330-168
- 1 - 150 H.P. U.S. Electric Vertical Motor - SN# 1103098
- 1 - 250 H.P. General Electric Vertical Motor -
SN# CMJ 303113
- 1 - 300 H.P. General Electric Vertical Motor -

MICROFILMED

JAN 28 1993

- SN# KKJ 1009127
- 1 - 75 H.P. Marathon Horizontal Electric Motor -
SN# AA-96222-31-8
 - 1 - 75 H.P. U.S. Electric Horizontal Motor -
SN# CA96600-1226-6
 - 1 - Wintroath Deep-Well Turbine Pump - SN# 7275
 - 1 - Jacuzzi Deep-Well Turbine Pump - SN# WTD-70
 - 2 - Layne & Bowler Deep-Well Turbine Pumps -
SN# 45-521 & SN# (missing)
 - 1 - Peerless Horizontal Booster Pump - SN# 73 LI 8057
 - 1 - Aurora Horizontal Booster Pump - SN# 74-1771

Together with all wiring, switch panels, column, shafting, tubing, bowls, suction pipe cones, valves, etc., used in conjunction with or pertaining to the above listed pumps and motors.

- Approximately 5,280 feet of 12" Buried Steel Mainline w/risers
- Approximately 2,640 feet of 10" Buried Steel Mainline w/risers
- Approximately 3,940 feet of 4½" Buried Steel Mainline w/risers
- Approximately 3,960 feet of 8" Portable Aluminum Mainline w/risers
- Approximately 5,280 feet of 6" Portable Aluminum Mainline w/risers
- Approximately 1,320 feet of 5" Portable Aluminum Mainline w/risers
- Approximately 3,960 feet of 4" Buried PVC Mainline w/risers

- 2 - 1/4 mile Gifford Hill Pivots - complete
- 2 - 1/4 mile Gifford Hill pivots - complete
- 5 - 1/4 mile A & M Side Roll Wheel Lines - complete
- 11 - 1/4 mile Western Side Roll Wheel Lines - complete
- 1 - 800 feet A & M Side Roll Wheel Line - complete
- Approximately 34,320 feet of 4" Portable Aluminum Solid Set

Together with all valves, reducers, sprinkler heads, end plugs, et al, used in conjunction with or pertaining to the above listed mainline, pivots, solid set and wheel lines.

MICROFILMED

JAN 28 1993

MINIDOKA #2

REAL PROPERTY

Township 7 South, Range 22 East, Boise Meridian,
Lincoln County, Idaho

Section 12: S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 13: NW $\frac{1}{4}$; SE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$

Township 7 South, Range 23 East, Boise Meridian,
Lincoln County, Idaho

Section 7: Lot 4

Section 18: Lots 1, 2, 3, and 4; NE $\frac{1}{4}$ NE $\frac{1}{4}$

PERSONAL PROPERTY

Thirty (30) 3" X 40' x 1/4 mile portable aluminum handlines.
21,120 ft. buried steel mainline, 6" - 14"

1 - 200 H.P. GE Electric Motor, Ser. No. PYJ320143

1 - 200 H.P. Layne & Bowler VTP, Ser. No. D07007

1 - 125 H.P. US Electric Motor, Ser. No. R-9454-00-048

1 - 125 H.P. Aurora Centrifugal Pump, Ser. No. 80-16240-2

Together with all wiring, switch panels, column, shafting, tubing, bowls, suction pipe cones, valves, etc., used in conjunction with or pertaining to the above listed pumps and motors. Including any additions, replacements or substitutions to the above listed equipment.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

AND, together with all and singular the rights, interests and privileges therein, fixtures thereon and appurtenances thereunto belonging or in anywise appertaining, whether now or hereafter acquired, which shall include, without limiting the generality of the foregoing, the following:

All of the rents, issues and profits, including but not limited to all rents, royalties, bonuses and benefits under any existing or future oil, gas or mineral or other leases; all easements and rights of way; all rights of homestead, and all contingent rights in and to said premises, together with all ASCS program

RECORDED

JAN 28 1983

benefits, including CRP payments;

All water, water rights, whether riparian, appropriative or otherwise and whether or not appurtenant, all ditch rights, and pipeline easements or irrigation system easements and any permits, licenses, certificates or shares of stock evidencing any such water or ditch rights;

All buildings and the plumbing, heating, cooling, humidifying, ventilating and lighting systems and equipment therein; all wells, dams, diversion works, ditches, flumes, siphons, pipelines, ponds, pumps, motors, valves, screens, and any facilities used in connection with the operation of any of the foregoing facilities or necessary for the proper and effective operation and use of any of the foregoing or for the proper irrigation or drainage of the portions of the described lands which are used for agricultural production;

EXCEPT FOR 50% of the minerals, such minerals to include but not be limited to oil, gas, casinghead gas, associated hydrocarbons, coal, lignite, sulphur, phosphate, lead, zinc, copper, iron ore and other metallic ores, sodium, salt, uranium, thorium, molybdenum, vanadium, geothermal energy, titanium and other fissionable materials, gold, silver (and other precious metals) bauxite, limestone and other stones, gypsum and other miners (sand, gravel and clay being the only exceptions) now owned or hereafter acquired by party of the first part in, on or under the real property, together with full rights of ingress and egress and use of the surface to the extent reasonably necessary for the purpose of exploring, drilling, mining (including, to the extent reasonable in the circumstances, open pit and strip mining), developing, producing, storing, removing, treating and transporting said materials, as described in the Quit Claim Deed, between The Travelers Insurance Company, a Connecticut corporation, party of the first part, and The Prospect Company, a Delaware corporation, party of the second part, dated September 26, 1988 and recorded October 3, 1988 as Instrument No. 152468, records of Lincoln County, Idaho.

Said described property is conveyed subject to (1) all taxes

MICROFILMED

JAN 28 1993

and assessments for the year 1990 and subsequent years, (2) all reservations in patents or deeds in the chain of title, (3) all easements and rights of way visible on the property or appearing of record in the offices of the County Recorders of Lincoln or Minidoka Counties, Idaho, (4) all covenants and restrictions appearing of record in the offices of said Recorders, and (5) all items listed as exceptions in Commitment for Title Insurance No. 21477 MC issued by Land Title and Escrow, Inc., of Burley, Idaho, on June 13, 1990, as shown in the copy of Schedule B-Section 2 thereof which is attached hereto and made a part hereof.

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

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances unto the Grantee and to its successors and assigns forever.

Grantor warrants to the Grantee, and its successors in title, that Grantor has not created or permitted to be created any lien, charge or encumbrance against said real estate which is not shown or referred to herein, and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claims of all persons; PROVIDED

JAN 28 1993

HOWEVER, that such warranty shall not include mineral rights or interests, if any, conveyed by this Deed.

IN WITNESS WHEREOF, the said Grantor has hereunto caused its corporate name to be subscribed by its officers first thereunto duly authorized by its Board of Directors, all as of the day and year herein first above written.

THE TRAVELERS INSURANCE COMPANY
A Connecticut corporation

By

Robert F. Fennelly
Assistant Director

ATTEST:

Gregory F. Lynch
Assistant Secretary

MICROFILMED

JAN 28 1983

STATE OF CONNECTICUT)

) ss. Farmington

COUNTY OF HARTFORD)

On this 7th day of December, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERTA F. FENNELLY and Gregory F. Lynch, known to me to be the ASSISTANT DIRECTOR and ASSISTANT SECRETARY, respectively, of THE TRAVELERS INSURANCE COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged to me that such corporation executed the same.

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



Sandra M. Hodkowski

Notary Public for the State of Connecticut
Residing at Bristol, Connecticut
My commission expires: 3/31/91



MICROFILMED

JAN 28 1993

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B - SECTION II

Order Number: 21477 MC

SPECIAL EXCEPTIONS:

1. Taxes for 1990 and subsequent years, a lien, but not yet due or payable.
2. Power Line Easement from Vernon C. Phillips and Mabel J. Phillips, husband and wife, to Idaho Power Company, a corporation, dated June 3, 1964 and recorded December 31, 1964 as Instrument No. 116373, records of Lincoln County, Idaho, affecting the SE~~X~~NE~~X~~ of Section 24 and the SE~~X~~NE~~X~~ of Section 13, Township 7 South, Range 22 East, Boise Meridian.
3. Reservation contained in United States Patent dated April 20, 1966 and recorded June 14, 1966 as Instrument No. 118526, Lincoln County records, affecting the S~~X~~SW~~X~~ and SW~~X~~SE~~X~~ of Section 12 and the W~~X~~NE~~X~~, NE~~X~~NW~~X~~ and S~~X~~NW~~X~~ of Section 13, Township 7 South, Range 22 East, Boise Meridian.
4. Reservation contained in United States Patent dated April 20, 1966, recorded June 14, 1966 as Instrument No. 118527, Lincoln County records, affecting the SE~~X~~NE~~X~~, S~~X~~SE~~X~~ and N~~X~~SE~~X~~ of Section 13, the NW~~X~~NE~~X~~ of Section 24, Township 7 South, Range 22 East, Boise Meridian, and Lots 3 and 4 of Section 18, Township 7 South, Range 23 East, Boise Meridian.
5. Power Line Easement from Triple "J" Ranch, Inc., to Idaho Power Company, a corporation, dated June 10, 1975, recorded November 21, 1975, as Instrument No. 254786, records of Minidoka County, Idaho, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the South 100 feet and West 100 feet of S~~X~~SE~~X~~ of Section 8, Township 7 South, Range 24 East, Boise Meridian.
6. Reservation for 50% of the minerals, such minerals to include but not be limited to oil, gas, casinghead gas, associated hydrocarbons, coal, lignite, sulphur, phosphate, lead, zinc, copper, iron ore and other metallic ores, sodium, salt, uranium, thorium, molybdenum, vanadium, geothermal energy, titanium and other fissionable materials, gold, silver (and other precious metals) bauxite, limestone and other stones, gypsum and other minerals (sand, gravel and clay being the only exceptions) now owned or hereafter acquired by party of the first part in, on or under the real property, together with full rights of ingress and egress and use of the surface to the extent reasonably necessary for the purpose of exploring, drilling, mining (including, to the extent reasonable in the circumstances, open pit and strip mining), developing, producing, storing, removing, treating and transporting said materials, contained in Quit Claim Deed, between

-CONTINUED-

SCHEDULE B - SECTION II This Commitment is not valid without
Schedule B- Section I

JAN 28 1993

CONTINUATION

SCHEDULE B-II

Order Number: 21477
L-16933

The Travelers Insurance Company, a Connecticut Corporation, party of the first part, and The Prospect Company, a Delaware Corporation, party of the second part dated September 26, 1988 and recorded October 3, 1988 as Instrument No. 152468, records of Lincoln County, Idaho.

7. Financing Statements, Seed and Farm Laborer's liens against crops which are filed in the office of the Secretary of State.

RECORDED	INDEXED
----------	---------

JAN 2 1 38 PM '91
JAN 2 8 1993
MICROFILMED

RECEIVED REQUEST OF
Land Title-Burley

3 9 4 9 3 4

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: A36-02403

Date Received: 7/07/1988

Receipt No: C001839 C2

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE TRAVELERS INSURANCE CO. 208-336-5900
Address: C/O DONALD S. REED, GEN. MGR.
960 BROADWAY AVE.
BOISE, ID 837063623

2. Date of Priority: OCT 12, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	22E	13	NW	NE			LINCOLN
			SE	NE			LINCOLN

5. Description of diverting works:
TWO DEEP WELLS CONNECTED BY MAINLINE, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.760		

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

8. Total consumptive use is 264.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	22E	13	SE	NE		IRR	5.0

A36-02403

Page 1

Date: 07/08/88

MICROFILMED

JAN 28 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	22E	13	NE		SE		IRR	10.0
			NW		SE		IRR	36.0
			SW		SE		IRR	32.0
			SE		SE		IRR	5.0
							Section Acres	88.0
							Total Acres	88.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:
TRANS. 1825.

15. Basis of Claim: LICENSE
Water Right Number: 28213

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 Organizations:

I do solemnly swear or affirm that I am _____ General Manager _____ of _____ Title _____

The Travelers Insurance Company _____, that I have signed the foregoing Organization _____

document in the space below as _____ General Manager _____ of _____ Title _____

The Travelers Insurance Company _____ and that the statements contained in the Organization _____

foregoing document are true and correct.

David S. Reed
Signature of Authorized Agent
The Travelers Insurance Company
General Manager
Title and Organization

July 8, 1988

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of July 19 88

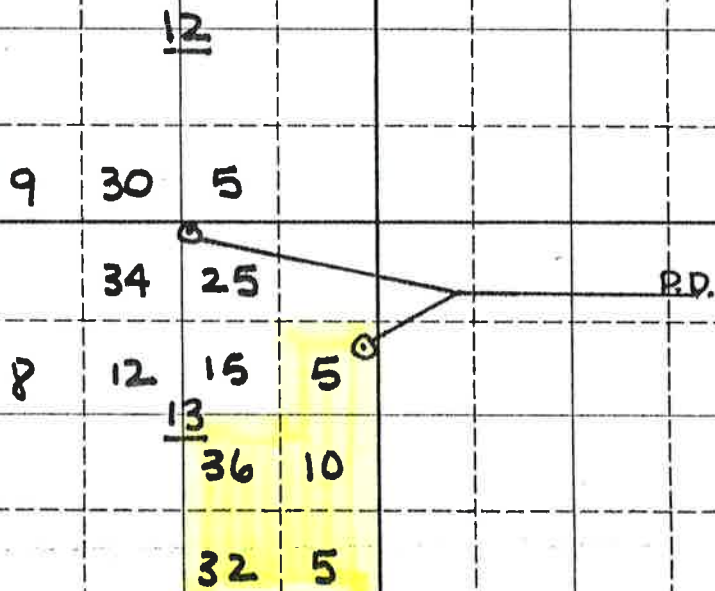
Carole Fritsch
Notary Public

Seal

Residing at Eagle, Id.
My Commission Expires 3-21-94

R. 22. E

T
7
S



JAN 28 1953

COPY

1999 NOV 19 PM 12: 42

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

In Re SRBA

Case No. 39576

Water Rights: 36-02398, 36-02403,
36-07883

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer 5537

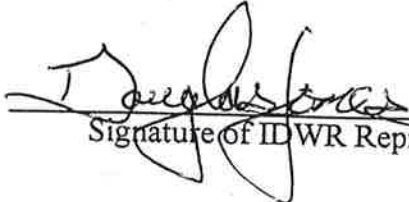
☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than:

October 6, 2000.

Dated 11/5/99



Signature of IDWR Representative

INSTRUCTIONS FOR MAILING

Mail this form 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.**

CERTIFICATE OF MAILING

I certify that on 11/19, 1999, 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
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Idaho Ag Inc
PO Box 123
Rupert ID 83350
3. One copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form



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

November 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

IDAHO AG INC
PO BOX 123
RUPERT ID 83350

RE: SRBA Claim(s) 36-02398, 36-02403, 36-07883

Dear Claimant:

Please find the enclosed copy of the Notice of 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.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

RECEIVED

MAR 29 1999

Department of Water Resources
Southern RegionName of applicant Idaho Ag. Inc. Phone 436-0292
Post Office address PO Box 123, Rupert, ID 83350

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Split right, create PPU
2. Describe the reason for the proposed changes Farm is being split by sale. Only 1 well will serve our property, 9 rights are being swapped on 2 tracts. Transfer will show how our water rights will be used after the sale.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-02398</u>	<u>7-30-1959</u>	<u>2.71/552.0</u>	<u>Irrig.</u>	<u>4-1</u> to <u>10-31</u>
<u>36-02403</u>	<u>10-12-1959</u>	<u>1.76/352.0</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>36-07883A</u>	<u>1-15-1980</u>	<u>5.46/1413.6</u>	<u>"</u>	<u>"</u> to <u>"</u>

2. Total amount of water being transferred 5.46 cubic feet per second and/or 2317.6 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SE	SE	NE	13	7S	22E	Lincoln	RECEIVED
								MAR 26 1999
								Department of Water Resources Southern Region

5. Lands irrigated or place of use:
- Permissible Place of Use of 645.6 ac/yr

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	22E	12											40	33			34		~~81.6~~ 107
		13	40	40	40	37	36	40	37	37					31	40	40	38	~~449~~ 456
	23E	18			38											63	64		
					42											36	41		115

ATTRIBUTES OF B36-POD.SHP

125 6/16/97
131 6/16/97

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED

JAN 28 1993

AUG-24-1992

NOTICE OF ERROR FORM

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

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

**RECEIVED
SEP 25 1992**

Department of Water Resources

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

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

1. Water right number: 36-02403

2. Name: Idaho Ag Inc.

Address: P.O. Box 123
Rupert, Id 83350

Weekday Telephone Number: (208) 436-0292

RECEIVED

SEP 25 1992

Department of Water Resources

Southern Region Office

MICROFILMED

JAN 28 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

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

3. Describe the portion of proposed recommendation with which you disagree:
Period of use.
4. Describe the changes you wish to have made in the proposed recommendation:
Date of diversion should be 3-15 to 11-15
5. Describe why you disagree with the proposed recommendation:
With the crops we raise, we need a longer irrigation season.
6. Date: 9-22-92

SIGNATURE Isabel Ag. Inc. & Anselmo Sanchez, & Louisa Sanchez



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

07-Oct-1992

Idaho Ag Inc
PO Box 123
Rupert ID 83350

RE: Proposed Recommendation for Water Right Nos: 36-02195B, 36-02196, 36-02398, 36-02403, & 36-07306

Dear Claimant:

This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claims listed above. Your NOE indicates that you would like the recommendation to show a longer season of use for irrigation. For the reasons states below, the season of use that will be recommended in the Director's Report will remain as proposed.

The proposed recommendation is based on irrigation season of use standards adopted by the director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost.

In addition, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for irrigation outside the irrigation season under certain conditions. The conditions are that the water is beneficially used, as determined by the director; that all water rights with a period of use outside the irrigation season regardless of priority, are satisfied; and that the use does not conflict with the public interest as determined by the director. This proposed general provision will be included in the Director's Report.

If you still disagree with IDWR's recommendations you will have an opportuntiy to file an objection to the Director's report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process.

Sincerely,

Marci Sterling

Marci Sterling
Engineering Specialist (EIT)

MICROFILMED

JAN 28 1993

Water Right Number - R36-02403

Prefix Translation: RESEARCH

Old (D) Number - 28213

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

*** C - CURRENT OWNER ***
IDAHO AG INC1 - PO BOX 123
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-436-0292*** O - ORIGINAL OWNER ***
TRAVELERS INSURANCE CO

THE

1 - C/O DONALD S REED GEN MGR
2 - 960 BROADWAY AVE
3 -
City- BOISE State- ID Zip- 837063623
Phone - 208-336-5900+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/12/1959 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

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

TwN	Rng	Sec	Tract	Lot	RFlg	County
07S	22E	13	SE SE NE		(63)	LINCOLN

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31		1.760	352.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.760 352.00 264.0

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	22E	13	SE NE		5.0	01	IRRIGATION	(63) LINCOLN
07S	22E	13	NE SE		10.0	01	IRRIGATION	(63) LINCOLN
07S	22E	13	NW SE		36.0	01	IRRIGATION	(63) LINCOLN
07S	22E	13	SW SE		32.0	01	IRRIGATION	(63) LINCOLN
07S	22E	13	SE SE		5.0	01	IRRIGATION	(63) LINCOLN

Total Acres: 88.0

+ - - Diversion Means - DEEP WELL CONNECTED BY MAINLINE, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

MICROFILMED

JAN 28 1993

Prefix Translation: RESEARCH

	Remarks
	THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02398 & 36-07883, {A PERMIT}.

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

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

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

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

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

+ -Comments- +

Date: 06/26/1992 User Id: CHRISTEN Subject: COPIED FROM REMARKS
TRANS. 1825.

Date: 06/26/1992 User Id: CHRISTEN Subject: CHANGE OF OWNERSHIP
OWNERSHIP WAS CHANGED TO IDAHO AG BASED UPON A WARRANTY DEED
36-07883 COMPLETELY OVERLAPS THIS CLAIM. KKC 6-26-92

SUBMITTED WHEN PERMIT 36-07883 WAS ASSIGNED TO IDAHO AG. PERMIT

Date: 06/26/1992 User Id: CHRISTEN Subject: OVERLAP COMMENTS
PERMIT 36-07883 COMPLETELY OVERLAPS THIS CLAIM AND THE LICENSING
OF THE CLAIM RECOMMENDATIONS. THE PERMIT HAS NOT BEEN LICENSED
PERMITTED. ANY OVERLAP HAS NOT BEEN ADDRESSED IN THE
DURING THE LICENSING PROCEDURE FOR 36-07883. KKC 6-23-92

FIELD EXAM CONDUCTED ON 5-22-91 BY JIM STANTON WAS USED FOR SOME
BY CLAIMS REVIEW TIME AND THEREFORE IS RECOMMENDED IN THE ADJ. AS
RECOMMENDATION FOR THIS RIGHT. THE OVERLAP WILL BE ADDRESSED

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

CLAIM VERIFIED 6/26/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/07/1992 User Id: SOUTH1 Subject: NOE - RESPONSE

NO CHANGE MADE TO STANDARD SEASON OF USE. LETTER SENT 10/7/92. M. STERLING

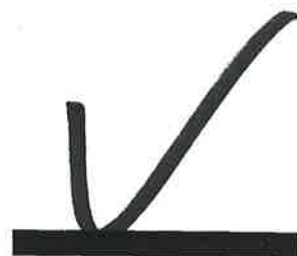
+ - - Audit Fields - - +
10/07/92 SOUTH1

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/13/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C001839	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	- B

142833

R PROOF



CVR



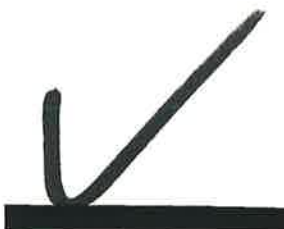
MAPS



PHOTOS



MISC



MICROFILMED
JAN 28 1993

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IDAHO AG INC PO BOX 123 RUPERT ID 83350 (208) 436-0292	10/12/1959	IRRIGATION	04-01 10-31	1.76 CFS	352.0 AFA
					TOTAL DIVERSION: CONSUMPTIVE USE:	352.0 AFA 264.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R22E S13

SESENE

LINCOLN 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		
07S	22E	13	:					05	:									10	36	32	05	:	88.0
										TOTAL ACRES										:	88.0		

POU County: LINCOLN

Other Rights: SEE REMARKS

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO IDAHO CODE 42-1416A.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.

Remarks: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02398 & 36-07883, (A PERMIT).

Dates: Exam Made Date:

Verified Date: 06/26/1992

VERIFIED BY KKC
6-26-92

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

Comments: Date: 06/26/1992 User-ID: CHRISTENSubject: COPIED FROM REMARKS TRANS. 1825.

Date: 06/26/1992 User-ID: CHRISTENSubject: CHANGE OF OWNERSHIP OWNERSHIP WAS CHANGED TO IDAHO AG BASED UPON A WARRANTY DEED SUBMITTED WHEN PERMIT 36-07883 WAS ASSIGNED TO IDAHO AG. PERMIT 36-07883 COMPLETELY OVERLAPS THIS CLAIM. KKC 6-26-92

Date: 06/26/1992 User-ID: CHRISTENSubject: OVERLAP COMMENTS PERMIT 36-07883 COMPLETELY OVERLAPS THIS CLAIM AND THE LICENSING FIELD EXAM CONDUCTED ON 5-22-91 BY JIM STANTON WAS USED FOR SOME OF THE CLAIM RECOMMENDATIONS. THE PERMIT HAS NOT BEEN LICENSED BY CLAIMS REVIEW TIME AND THEREFORE IS RECOMMENDED IN THE ADJ. AS PERMITTED. ANY OVERLAP HAS NOT BEEN ADDRESSED IN THE

MICROFILMED

JAN 28 1993

AJ0749NP
No. R36-02403

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 06/26/92
PAGE: 2

=====

Comments: Date: 06/26/1992 User-ID: CHRISTEN Subject: OVERLAP COMMENTS
DURING THE LICENSING PROCEDURE FOR 36-07883. KKC 6-23-92

Audit: 06/26/92 CHRISTEN

UNRECORDED

JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:16:29
07/01/91

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02403

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		KKC-92		KKC-92
POINT OF DIV	Y			Y	5	6-26-92		6-26-92
SOURCE				N				
PLACE OF USE	Y			Y	5, 6, 1, 2, 4			
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE				N				
PURPOSES				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y	6			

"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 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:16:29
07/01/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02403

LAST: ANDERSON
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: SHIRLEY J.
STATE: ID ZIP: 00000

OWNER CODE: 0

LAST: FAIRBROTHER
ADDRESS: 375 N. OVERLAND
CITY: BURLEY
PHONE NUMBER: 208-000-0000

FIRST: G.R.
STATE: ID ZIP: 83318

OWNER CODE: 0

LAST: TRAVELERS INSURANCE CO.
ADDRESS: C/O DONALD S. REED, GEN. MGR.
960 BROADWAY AVE.
CITY: BOISE
PHONE NUMBER: 208-336-5900

FIRST: THE
STATE: ID ZIP: 837063623

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: TRANS. 1825.

DATABASE
Y

FIELD
EXAMINER

MICROFILMED

JAN 28 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 28 1993

A. AJ CLAIM: # A36-02403 PRIORITY DATE: 10-12-1959 STAGE: L

B. WR RECORD: # 36-02403 PRIORITY DATE: 10-12-1959 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

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

REMARKS:

*claimed priority date matches
licensed priority date, accept
as claimed*

RECOMMENDED PRIORITY DATE:
10-12-1959

REVIEWED BY

KKC

DATE

6-26-92

MICROFILMED

JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02403	07S	22E	13		SE	NE		LINCOLN
A36-02403	07S	22E	13		NW	NE		LINCOLN

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07883 NONE
A36-07976
A36-02398

WR RECORDS IN SAME 40 ACRE TRACT

36-02398
36-07883
36-07976

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02403	07S	22E	13		SE	NE		LINCOLN
36-02403	07S	22E	13		NW	NE		LINCOLN

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02398
36-07883
36-07976

A36-07883
A36-07976
A36-02398

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

REMARKS:

P/D in 7S 22E SEC 13 NW/NE was determined to Not exist.
Per field exam by Jim Stanton on 5-22-91. Only one well was
operating during his exam therefore only one P/D is recommended
for this claim. (see also Attached Narrative dated 6-24-92.)

RECORDED

JAN 28 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S</u>	<u>22E</u>	<u>13</u>	<u>SE</u>	<u>SE</u>	<u>NB</u>	<u>100</u>	<u> </u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: KKC

DATE: 6-26-92

MICROFILMED

JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02403

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	22E	13	NE	SE		TRAVELERS INSURANCE CO. , THE A36-02403	/10.0	36-02403 /10.0	40.0		
			NE	SE		TRAVELERS INSURANCE CO. , THE A36-07883	/30.0	36-07883 /30.0			
			NE	SE		FAIRBROTHER , G. R.		36-02398 /10.0			
07S	22E	13	NW	SE		TRAVELERS INSURANCE CO. , THE A36-02403	/36.0	36-02403 /36.0	40.0		
			NW	SE		TRAVELERS INSURANCE CO. , THE A36-07883	/ 4.0	36-07883 / 4.0			
			NW	SE		FAIRBROTHER , G. R.		36-02398 /36.0			
07S	22E	13	SW	SE		TRAVELERS INSURANCE CO. , THE A36-02403	/32.0	36-02403 /32.0	41.0		
			SW	SE		TRAVELERS INSURANCE CO. , THE A36-07883	/ 8.0	36-07883 / 8.0			
			SW	SE		COMMONS , RAY L. A36-02164	/40.0	36-02164 /			
			SW	SE		FAIRBROTHER , G. R.		36-02398 /32.0			
07S	22E	13	SE	SE		TRAVELERS INSURANCE CO. , THE A36-02403	/ 5.0	36-02403 / 5.0	40.0		
			SE	SE		TRAVELERS INSURANCE CO. , THE A36-07883	/35.0	36-07883 /35.0			
			SE	SE		FAIRBROTHER , G. R.		36-02398 / 5.0			
07S	22E	13	SE	NE		TRAVELERS INSURANCE CO. , THE A36-02403	/ 5.0	36-02403 / 5.0	40.0		
			SE	NE		TRAVELERS INSURANCE CO. , THE A36-07883	/35.0	36-07883 /35.0			
			SE	NE		TRAVELERS INSURANCE CO. , THE A36-07976	/	36-07976 / 1.0			
			SE	NE		FAIRBROTHER , G. R.		36-02398 / 5.0			
TOTAL ACRES							A36-02403	88.00	88.00	201.00	

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

*See attached land list for recommendation.
The claim represents the original P/U prior to transfer 1825.
I accept the claimed P/U as claimed.*

MICROFILMED

JAN 28 1993

PRESUMPTION FLAG: C

REMARKS:

*Plu changed from approved transfer 18 25 therefore presumption
flag C is required. also add cond codes c03 & c05*

RECOMMENDATIONS:

TOTAL ACRES: 88

REVIEWED BY: KKC

DATE: 6-26-92

RECEIVED

JAN 28 1993

A. AJ CLAIMED USES:

PURPOSES
A36-02403 IRRIGATION

MONTH/DAY
FROM 04-01 TO 10-31

OK

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
1.760 CFS

OK

1.760 CFS

B. WR RECORDED USES:

PURPOSES
36-02403 IRRIGATION

MONTH/DAY
FROM TO

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
4.590 CFS

4.590 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 FIELD
EXAMINER
N
Y
Y

No

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

MICROFILMED

JAN 28 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.760 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.590 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)

Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02403	GROUNDWATER	TRAVELERS INSURANCE CO., THE	1.760	0.020		
A36-07883	GROUNDWATER	TRAVELERS INSURANCE CO., THE	11.480	0.020		
A36-07976	GROUNDWATER	TRAVELERS INSURANCE CO., THE	0.320	0.320		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-07976	STOCKWATER	TRAVELERS INSURANCE CO., THE FROM	01-01 TO 12-31	.230 CFS	
A36-07976	DOMESTIC	TRAVELERS INSURANCE CO., THE FROM	01-01 TO 12-31	.060 CFS	

MICROFILMED

JAN 28 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 88 x 0.02 CFS/ACRE = 1.76 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 264.0 AF/A

ACRES 88 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 264 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 88 x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 352 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

NONE

1b. CALCULATIONS

*this right was originally licensed
1.88 CFS @ 94 acres or 0.02 CFS/A.*

*the claimant has in essence forfeited
6 acres. (loss reflected in transfer 1825)*

*Based upon 0.02 CFS/Acre then the
claimed div rate ~~is~~ conforms
to the original div rate. The*

*Transfer somehow recognized
4.59 CFS which I do NOT recognize
I recommend the div rate as claimed*

RECEIVED
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 10-31	DATABASE EXAMINER 1.760 <u>1.76</u>	DATABASE EXAMINER ~~352~~ <u>352</u>	DATABASE EXAMINER 264.0 <u>264</u>
TOTAL FOR THIS RIGHT		1.760		264.0

REVIEWED BY:

KKC

DATE:

6-26-92

MICROFILMED

JAN 28 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

as changed
ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02403

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.590

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A36-02403

1.760

-

36-02403

4.590

TOTAL CFS

1.760

4.590

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
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

Kelly K. Christman

DATE:

6-26-92

NAME OF FIELD EXAMINER:

TITLE:

SR Water Right Agent

RECEIVED

FEB 28 1

Identification No. _____

Transfer No. 36-2398
36.2403

36-2398, 36-2403

RECEIVED

Department of Water Administration
Southern District Office

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

APPROVED

JAN 11 1974

Department of Water Administration
Southern District Office

APPLICATION FOR TRANSFER OF WATER RIGHT

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

1. Name of Right Holder G. R. FAIRBROTHER
Post office address 375 N. OVERLAND BURLEY, IDA
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____
36.2403
b. License No. 36.2398 issued by the State of Idaho, Department of Reclamation.
3. Source of water GROUNDWATER tributary to _____
(Name of stream or source)
4. Date of Priority OCT. 12. 59 JULY. 30. 59
5. Amount of water a. 4.59 c.f.s. ~~and for~~
b. _____ acre feet/annum
6. Water is used for IRRIGATION from APRIL-1 to OCT. 31
(Month, Day) (Month, Day)
7. Original location of point of diversion is SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13
Township 7S, Range 22E, B.M., in LINCOLN County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>7S</u>	<u>22E</u>	<u>12</u>											<u>9</u>	<u>30</u>			<u>5</u>		<u>44</u>
		<u>13</u>		<u>25</u>	<u>15</u>	<u>5</u>	<u>34</u>		<u>8</u>	<u>12</u>					<u>10</u>	<u>36</u>	<u>32</u>	<u>5</u>	<u>182</u>
		<u>24</u>		<u>6</u>															<u>6</u>

Total number of acres presently irrigated 232

MICROFILMED

JAN 28 1993

9. If applicant was not the original holder of this right explain how it was acquired:

By Purchase

10. CHANGE IN POINT OF DIVERSION

$$1.76 + 2.71 = 4.47$$

- 1.70+2.11 = 4.41
- a. Quantity to be diverted at new point: _____ c.f.s. and/or _____ acre feet
- b. New point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, Township 7S
22E, Range 22E, B.M. NW $\frac{1}{4}$ of NE $\frac{1}{4}$ SECT. 13 T.7S R.22.E
- c. Description of method of diversion and conveyance from new points of diversion: _____
TWO DEEP WELLS, CONNECTED BY A MAINLINE
FOR SPRINKLER IRRIGATION
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
TO INCLUDE TWO POINTS OF DIVERSION.
- f. Do you intend to make the transfer permanent? YES
- g. Do you intend to abandon completely the old point of diversion? NO
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

[illegible]

Total number of acres to be irrigated 226

—LICHOFILMED

JAN 28 1993

- b. Do you intend to make the transfer permanent? YES
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

THE PURPOSE IS TO INCLUDE AN ADDITIONAL
POINT OF DIVERSION

- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: NONE

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

X [Signature]
(signature of applicant)

Subscribed and sworn to before me this 9th day of January, 19 74

[Signature]
(notary public)

My commission expires 2-1-75

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2403
36-2398
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

A measuring device of a type approved by this department shall be
permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 26 day of February, 19 74

[Signature]
Director
Department of Water Administration

FOR DEPARTMENT USE ONLY

Received by LT Date 1-11-74

Protest filed by: _____ Date _____

Prelim. check by NOT Date 1-15-74

Fee received by LT Date 1-11-74 Fee \$ 30.00
NOT receipt 11761

Approved for publication by ms

Published in Minidoka Co. Dates 1-29 & 2-5-74
NEWS

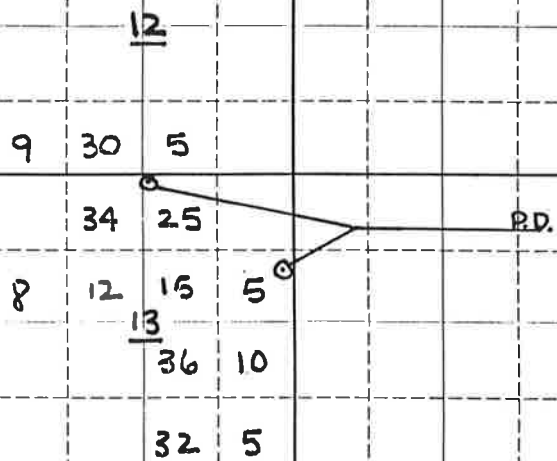
Hearing held _____

Watermaster Recommendation sent _____

MICROFILMED

JAN 28 1993

R. 22 E



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

MICROFILMED

JAN 28 1993

State of Idaho

WATER LICENSE

36-2403

Water License No. G-28213

Priority October 12, 1959

Amount 1.88 c.f.s.

THIS IS TO CERTIFY, that MABEL J. PHILLIPS

of Paul, Idaho

made application for a permit to appropriate the public waters of the State of Idaho, dated October 12, 1959; that Permit G-28213 was issued pursuant

to said application, that the proposed works were completed on or about Spring 1964

with a storage or carrying capacity of 5.17 c.f.s., said works consisting of well,

pump, motor, earth and concrete ditches; and that on July 25, 1966

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 556

acre feet per season, with a maximum rate of diversion of 1.88 cubic feet per second of the waters

of ground water, tributary of

for the purpose of Irrigation from April 1 to October 31

and for from to; and for

from to; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation, the point of diversion is located in SE 1/4 NE 1/4, Sec. 13, T. 7 S., R. 22 E., B.M., and other additional points

Lincoln

in the County of Lincoln, and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 556 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7 S	22 E	13				5									10	36	22	5	88
		24		6															6

Total number of acres irrigated 94

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of August, 1969.

State Reclamation Engineer

MICROFILMED

JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. G-28213

This proof is for Completion of Works & Beneficial Use in Water District No.

1. Name of applicant Mabel J. Phillips

2. Source of water supply: a well

3. Location of point of diversion: Is in the SEXNEY of Section 13

T. 7 S. R. 22 E., B.M. County of Lincoln

4. Describe works as they exist, giving dimensions and capacities of same:

200 HP ELEC G.E. MOTOR # PV1320143

LAUNE & BOWLER VERTICAL TURBINE

PUMP # D07007 2500 gpm @ 290'

1770 RPM 12" DI. SCHEDULE 10" INTO EARTH

DIVERSION WORKS - TILLOVED PART & CONCRETE DITCHES.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SEXNEY, SEX, Sec. 13; NYXNEY, Sec. 24; T. 7 S., R. 22 E., B.M.; Lots 1, 2, 3, 4, NEXSEX, Sec. 18; Lot 4, Sec. 7, T. 7 S., R. 23 E., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Mrs. VERNON C. PHILLIPS CONTACTED

SPARKING METER measures ment

3 Rev in 58 sec 517 C.F.S

Set C 28078

IRRIGATION REQUIREMENT = 4.0 AC-FT / ACRE / SEASON

Area should be 99 acres

This examination was made on the

day of June 14, 1968

(Signed)

Dean Reynolds

Examiner

DS
DRE

POOR ORIGINAL

28213

36
2403

MICROFILMED

JAN 28 1993

POOR ORIGINAL

36-2403-2598
36-2403-2598

575

575

575



28213
36-2403

6-24-92

SYSTEM: License A36-2398 Permit A36-7883
A36-2403

Claim A36-7883 is in permit status. A licensing field exam was conducted on 5-22-91 but this right has not been licensed. Therefore I recommend this claim as permitted and I do NOT include this claim in the overlap review for the two licensed claims. Approval cond A Ø/.

The Current system is one well found in the SE/NE of sec 13. The licensed acres are still being irrigated along with additional acres covered by permit 36-7883. All licensed acres are determined to exist and are therefore to be recommended as claimed. Transfer 1825 was approved to combine the P/U covered by each license and to add a P/D in the NW/NE of Sec 13. The claim's separated the P/U with the same total number of acres as recognized on the transfer. I recommend the rights as claimed (RE: Acres only).

The transfer also included a second P/D to be located in NW NE of sec 13. This P/D was not found during the 5-22-91 licensing exam. I recommend the original P/D only.

Overlap with Permit 36-7883 will not be addressed in this analysis. The combined right recommendation will be left to the allocations section & the licensing procedure.

MICROFILMED

JAN 28 1993

RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: 36-2398

36-2403

	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	75	22E	12											13	14			40			
TRANSFER	1825			12											9	30			5			44
RECOMMENDED	36 2398			12											9	30			5		44	

	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	75	22E	13	~~40~~	40	~~40~~	37	40	40	40	40					39	40	40	39		
TRANSFER	1825			13		25	15	5	34		8	12					10	36	32	5		182
RECOMMENDED	36 2398			13		25	15		34		8	12									94	
RECOMMENDED	36 2403			13				5									10	36	32	5	88	

TRANSFER 1825 TOTAL Acres 226

36-2398 138

36-2403 88

TOTAL 226 226

found acres include P/U covered by permit 36-7883 which has not been licensed. The recommendation for that permit will come from allocations. The found acres represent a portion of the system and may not be the final recommendation.

JAN 28 1983

MEMORANDUM

RECEIVED

JAN 12 1992

Department of the Interior
Bureau of Reclamation
Fort Collins, Colorado

TO: FILE, KELLY CHRISTENSEN, JIM STANTON

FROM: JIM JOHNSON

RE: EVALUATION OF INFORMATION PROVIDED UNDER PERMIT 36-7883

DATE: February 5, 1992

=====

Two questions were asked in Kelly's memo of January 13, 1992, both pertaining to rates of flow from wells identified under said permit.

As I reviewed the matter it became apparent that too much information was missing concerning actual use of water under this permit and without more information the rate of flow questions become academic and have little substance or value.

Facts:

1. Part of the land identified in the permit has been under the CRP program since 1988.
2. Part of the land identified in the permit is currently irrigated.
3. Other licensed water rights may use same well and cover same land identified on the permit.
4. Well or wells in use was not measured nor were land served by the well or wells verified at the time of the examination.
5. Examiner stated that actual irrigated land cannot be determined while lands are under the CRP Program.

Conclusion:

1. There is not enough information to make accurate determination on development of land under this permit.

Action Recommended:

1. Make at site confirmation of lands being irrigated and collect information on the pumping plant and distribution system in use.
2. Quantify water used under existing licensed water rights if any. (for Snake River Adjudication)

RECEIVED

JAN 28 1993

3. Defer further evaluation of water developed under this permit until lands go back into production.

MICROFILMED

JAN 28 1993

FROM: KELLY K CHRISTENSEN

DATE: 13-Jan-1992

TO: JIM JOHNSON

SUBJECT: LICENSING RECOMMENDATIONS FOR PERMIT 36-07883

The recommendations for licensing hinge upon several points that can be interpreted in different ways.

The first major question is how to handle a P/D that is no longer a part of the system. I recommended that its diversion rate be recognized but the well be excluded.

The second major question is how to determine the recommended diversion rate. While at Western, I used the memo that compares the 'old rate' and 'current rate'. The water allocations agents here do not use that method. As the approaches give different results we wish guidance as to the Departmental preference. Both methods of interpretation are included and no ultimate conclusion has been made.

I am sure that the Idaho Power measurements are for the wells in question but I have contacted Quentin Nesbit for conformation. At this date he hasn't replied.

There is a minor change in the P/U recommendation between Jim Stanton's original field examination and this recommendation. Jim and I agree upon this recommendation, therefore, the acre recommendation should be based upon this report rather than the original field examination.

As the adjudication recommendation should reflect the water rights recommendation, I am holding all related claims pending the outcome of your review.

Please let me know as soon as possible your final decision.

I have kept a copy of the related attachments and if you have questions as to my approach hopefully we could handle it over the phone.

This examination has helped coordinate between adjudications and water rights at this office and has also brought up the questions mentioned above. In resolving those questions we should be able to better work together to produce a concise report.

Thanks,

Kelly

MICROFILMED

JAN 28 1993

LICENSING RECOMMENDATION FOR 36-07883
Report date 13-Jan-1992

CLAIMS A36-02398
 A36-02403
 A36-07883

THE SYSTEM

The original system was two wells supplying water to the above claims and 36-07669. The property has gone through foreclosure and system splits between the time Proof of Beneficial Use was submitted for 36-07883 and the licensing field exam for that permit.

The foreclosure resulted in acres covered by 36-07669 and access to one P/D which is located in the SESE Sec 12 being removed from the original system. A portion of the current P/U was also placed into the CRP program prior to the licensing field exam.

The current system is one P/D supplying water to the portion of the P/U which is covered by the above rights and not in CRP. The system was developed with a second P/D which is no longer a part of the delivery system but the diversion rate from that P/D is recommended. As of this date, 36-07883 has not been licensed. The following information is to aid in the licensing recommendation.

SYSTEM TIME LINE

07-30-59 Priority date for 36-02398
10-12-59 Priority date for 36-02403
06-14-68 Field exam for both rights
02-26-74 Transfer 1825 filed to add a P/D in NWNE Sec 13 and to make the P/U for both rights the same.
12-10-79 Priority date for 36-07883. Permit includes the two original P/Ds and adds one P/D in Sec 12 and new acres
09-01-82 Proof of Beneficial Use submitted for 36-07883
05-31-83 Idaho Power measures wells in SENE Sec 13 & SESE Sec 12.
09-28-87 Quit claim deed filed for acres in E1/2 SE1/4 Sec 12 and NE1/4 NE1/4 Sec 13. Property released to Ralls (acres listed are licensed through 36-07669)
88 A portion of the P/U is placed into CRP (see map)
04-03-91 Idaho Ag signs a quit claim deed for the well in SE1/4 SE1/4 Sec 12. Well released to Ralls
05-22-91 Licensing Field Examination conducted by Jim Stanton for IDWR

ANALYSIS FOR LICENSING OF 36-07883

GENERAL OVERVIEW

The system was developed and Proof of Beneficial Use was submitted while the well in Section 12 was a part of the system. A portion of the irrigated acres was placed into the CRP program prior to the official removal of that well from the system. Therefore I recognize the diversion rate from that P/D for licensing purposes. Further, as

MICROFILMED

that P/D has now been separated from the system I do not recommend the well in Sec 12 as a valid P/D. As a portion of the irrigated acres are in CRP, one P/D can be recognized while at the same time recognizing the combined diversion rate conditioned that the claimant redevelop the recommended diversion rate within five years after the CRP program expires.

Lava 'blowouts' within the P/U perimeter are included within the recommended P/U whereas the acres identified by ASCS reflect croplable acres only.

The claimed P/D located in the NWNE Sec 13 was not found during the licensing field examination. See section H. of that field report for Jim's notes.

CALCULATIONS USING TWO DIFFERENT FORMATS

+++++ FORMAT # 1 +++++

CALCULATIONS BASED UPON ADMINISTRATORS MEMORANDUM DATED 3-28-88 USING
THE CURRENT RATE, OLD RATE COMPARISON

LICENSING CONSIDERATIONS

1. The old rate (calculation A & B) is greater than the current rate, therefore exclude the licensed acres.
2. At the time of Idaho Power's measurement of the two wells, this system was apparently joined with the system covered by 36-07669, therefore the combined system acres are used in calculation B.
3. 36-07669 is licensed for 120 acres and 2.36 cfs.
4. The found acres are primarily based upon ASCS acres recommended for the CRP program and current practices. Acreage was taken from the 1987 ASCS flight.
5. Note: Section 18 is only 2 forties wide.
6. I recommend the 544 acres at 5.69 cfs. (based upon current acres)

A. OLD RATE

For acres covered by 36-02398 and 36-02403

4.47cfs/226acres = 0.0198 cfs/acre (data from transfer 1825)

B. CURRENT RATE

1. Based upon a combined system P/U of the above rights and 36-07669);
2. Idaho Power measurements of the two P/Ds (two measurements per P/D made. Each rate shown is the ave of the two measurements).

P/D Sec 12 SESE;	<u>1728 gpm</u>	= 3.85 cfs	Acres under;	
	448.8 gpm			36-02398 &
P/D Sec 13 SENE;	<u>2449.5 gpm</u>	= <u>5.458 cfs</u>		36-02403 = 226
	448.8 gpm			36-07669 = 120
	total	= <u>9.308 cfs</u>		36-07883 = <u>544</u>
				total = <u>890 acres</u>

9.308cfs/890acres = 0.01046 cfs/acre

C. RECOMMENDED DIVERSION RATE FOR 36-07883

Found Acres = 770 (excludes acres under 36-07669)
Licensed Acres = 226
Balance for licensing = 544 * 0.01046 = 5.69 cfs

+++++

+++++ FORMAT # 2 +++++

**CALCULATIONS BASED UPON EXCESS CAPACITY FOR WELL IN SEC 12
LICENSING CONSIDERATIONS**

1. 1.49 cfs is available from the well in Sec 12 (calculation A).
2. The current system capacity from the well in Sec 13 is 5.46 cfs (calculation B).
3. Capacity available for licensing is 6.95 cfs for 544 acres.

A. P/D in Sec 12 SESE;
Measured rate = 3.85 cfs
Licensed for = 2.36 cfs
Available for licensing = 1.49 cfs

B. P/D in Sec 13 SENE;
Measured rate = 5.46 cfs
Balance from Sec 12 = 1.49 cfs
Recommended Rate = 6.95 cfs

+++++

Report prepared by;
Jim Stanton
Kelly K Christensen