

COPY

2000 JUN 23 PM 1:56

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

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS

) Water Rights 36-02433, 36-02434,
) 36-02435, 36-02618, 36-07209,
) 36-15264A and 36-15264B

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

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

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 36-02433, 36-02434, 36-02435, 36-02618, 36-07209,
36-15264A and 36-15264B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
6/20/2000

36-02433, 36-02434, 36-02435,
36-02618, 36-07209, 36-15264A
AND 36-15264B

PAGE

From (Claimant/Seller):

Name of Claimant: DALE H KLINGLER
Address: 4567 FEDERAL BLVD
SAN DIEGO CA 92102
Phone: (619) 266-1303

To (Claimant/Purchaser):

Name of Claimant: DEON COOK
BLAINE COOK
Address: 501 RIVERSIDE DR
BURLEY ID 83318
Phone: (208) 678-0327

Name of Claimant: REBECCA HUNSAKER
BRUCE HUNSAKER
Address: 501 RIVERSIDE DR
BURLEY ID 83318
Phone: (208) 678-0327

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 Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 6/22/00


Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
6/20/2000

36-02433, 36-02434, 36-02435,
36-02618, 36-07209, 36-15264A
AND 36-15264B

CERTIFICATE OF MAILING

I certify that on 6/23/2000 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

DALE H KLINGLER
5021 ESTATES WAY
EL CAJON CA 92020
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

DEON COOK
BLAINE COOK
501 RIVERSIDE DR
BURLEY ID 83318

REBECCA HUNSAKER
BRUCE HUNSAKER
501 RIVERSIDE DR
BURLEY ID 83318
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: JUN-21-2000
PAGE: A-4

RIGHT NUMBER: 36-02434

NAME & ADDRESS: BRUCE HUNSAKER
REBECCA HUNSAKER
BLAINE COOK
DEON COOK
501 RIVERSIDE DR
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 2.92 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-07209 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.01 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1702 AF.

PRIORITY DATE: 09/30/1960

POINT OF DIVERSION: T07S R26E S28 SWNWSE Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-15 11-15	2.92 CFS

PLACE OF USE:	IRRIGATION	Within BLAINE County		
	T07S R26E S28	NENE 3	NWNE 3	SWNE 39
		NESW 37	NWSW 30	SESW 25
		NWSE 39	SWSE 40	SESE 40
	S33	NENE 40	NWNE 40	SENE 30
	S34	SWNW 20	NESW 14	NWSW 28
	506 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 321 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-07209 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 464 ACRES IN A SINGLE
IRRIGATION SEASON.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

AJ5856NP

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

DATE: JUN-21-2000

PAGE: A-5

RIGHT NUMBER: 36-02434 (CONT)

EXPLANATORY MATERIAL: (CONT)

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

RIGHT NO. 36-07209 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE

THE NUMBER OF IRRIGATED ACRES FOR THIS RIGHT WAS DETERMINED
BASED ON A DIVERSION RATE OF 0.0091 CFS PER ACRE AT THE FIELD
HEADGATE.



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

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRUCE & REBECCA HUNSAKER
DEON & BLAINE COOK
501 RIVERSIDE DR
BURLEY ID 83318

RE: SRBA Claim(s) 36-02433, 36-02434, 36-02435, 36-02618,
36-07209, 36-15264A, 36-15264B

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Water right 36-15267 has already been decreed and our state office staff in Boise will data enter the ownership change for this right. You will receive notification from them when the change has been completed. Rights 36-08277, 36-15265 and 36-15266 have been decreed as 'disallowed' and are no longer considered valid water rights.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: Dale Klingler

JUN 07 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
 Southern Region

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

36-02433, 36-02434, 36-02435, 36-02618, 36-07209, 36-08277, 36-15264A
 36-15264B, 36-15265, 36-15266, 36-15267,

1. Water Right Number(s) _____
 Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

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

3. Name and Address of Former Owner/Claimant(s) Dale H. Klingler
5021 Estates Way
El Cajon, CA 92020

4. New Owner/Claimant(s) Bruce Hunsaker, Rebecca Hunsaker, Blaine Cook and Deon Cook
 Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
 New Mailing Address 501 Riverside Drive
 City, State and ZIP Code Burley, ID 83318
 New Telephone Number () 678-0327

5. Date you acquired the property yes

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)
Bruce Hunsaker Rebecca Hunsaker Date 4-12-99
Blaine Cook Deon Cook Date 4-12-99

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

JUN-02-99 WED 10:54 AM

1ST M. PATTERSON

FAX NO. 20. 263567

P. 01/03

22417

RECEIVED

JUN 07 1999

Department of Water Resources
Southern RegionWARRANTY DEED

Only FOR VALUE RECEIVED, DALE H. KLINGLER and JUANITA KLINGLER TRUST U.T.D. June 8, 1994, JUANITA KLINGLER, Trustee U.T.D. June 8, 1994, the Grantor, does hereby grant, bargain, sell and convey to BRUCE HUNSAKER and REBECCA HUNSAKER, husband and wife; and BLAINE COOK and DEON COOK, husband and wife, whose present address is 501 Riverside Drive, Burley, ID 83318, the Grantees, the following described premises, located in Blaine County, Idaho, to-wit:

The real property described on Exhibit "A" attached hereto and by this reference incorporated herein.

The real property described is subject to the following:

27833

BLAINE CO. REQUEST

~~FIRST AMERICAN TITLE~~

'99 JUN 1 PM 3 49

MARSHA R. EVANS, CLERK

FEES \$ 9⁰⁰

- Deed*
- (1) Reservations contained in State Deeds for the State of Idaho to Dale H. Klingler recorded March 9, 1972, as Instruments Nos. 142715 and 142716 records of Blaine County, Idaho, granting ditch right-of-ways and reserving to the State of Idaho all mineral rights, including sand and gravel.
 - (2) A right of way 125 feet in width to Idaho Power Company recorded September 16, 1980, as Instrument No. 206958, Blaine County, Idaho, records, as amended in 1998 for communication systems thereon.
 - (3) An exclusive Road Easement to the U. S. Department of Interior/Bureau of Land Management recorded April 16, 1992, as Instrument No. 339916.
 - (4) A Real Estate Mortgage and Fixture Filing in favor of Northwest Farm Credit Services, ACA recorded August 23, 1993, as Instrument No. 356001, Blaine County records. The debt secured hereby shall be paid by the Grantor of this Warranty Deed.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that Grantor is the owner in fee of said premises, that said premises are free from all encumbrances and that she will warrant and defend the same from all lawful claims whatsoever.

Post-it® Fax Note		7671	Date	6/2/99	# of pages	3
To	Zorby or Nancy		From	Maureen		
Co./Dept.			Co.			
Phone #			Phone #			

DATED this 25th day of May, 1999.

DALE H. KLINGLER and ^{g.h.}
JUANITA KLINGLER TRUST U.T.D.
JUNE 8, 1994

By Juanita Klingler
Juanita Klingler
Trustee

STATE OF IDAHO)
) ss.
County of Cassia)

On this 25th day of May, 1999, before me the undersigned Notary Public in and for said State, personally appeared JR Juanita Klingler, Trustee of the Dale H. Klingler and JR Juanita Klingler Trust U.T.D. June 8, 1994, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she as Trustee executed the same.

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

(SEAL) Larry Roberts
Notary Public
State of Idaho

Larry Roberts
Notary Public
Residing at Burley, Idaho
My Commission Expires: 6-30-03

EXHIBIT "A"

LEGAL DESCRIPTION OF REAL PROPERTY

TOWNSHIP 7 SOUTH, RANGE 26 EAST, BOISE MERIDIAN,
BLAINE COUNTY, IDAHO

SECTION 20: NE $\frac{1}{4}$; S $\frac{1}{2}$; and S $\frac{1}{2}$ NW $\frac{1}{4}$

SECTION 21: All

SECTION 22: NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; and W $\frac{1}{2}$

SECTION 27: W $\frac{1}{2}$

SECTION 28: All

SECTION 29: NE $\frac{1}{4}$; S $\frac{1}{2}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; and NE $\frac{1}{4}$ NW $\frac{1}{4}$

SECTION 32: E $\frac{1}{2}$; N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 33: All

SECTION 34: W $\frac{1}{2}$

TOWNSHIP 8 SOUTH, RANGE 26 EAST, BOISE MERIDIAN,
BLAINE COUNTY, IDAHO

SECTION 4:

Lots 1, 2, 3, all of Lot 4, EXCEPT beginning at a point 25 feet South and 25 feet East of the Government Survey Stake placed on the Northwest corner of Section 4, Township 8 South, Range 26 East, Boise Meridian; thence 70 yards due South; thence 140 yards due East; thence 70 yards due North and thence 140 yards due West to the place of beginning, designated as Tax Lot 1175 on Blaine County Tax Assessor's Rolls.

S $\frac{1}{2}$ N $\frac{1}{2}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

SECTION 5: Lots 1, 2, 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$

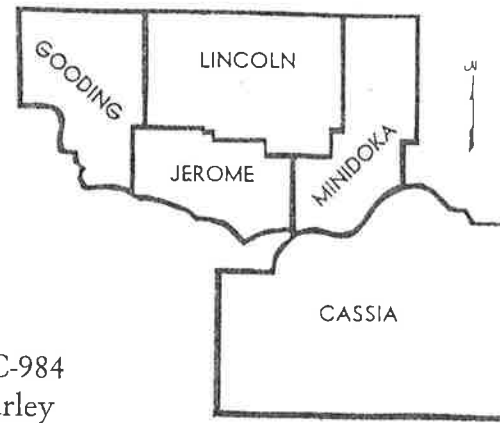
SECTION 8: NE $\frac{1}{4}$ NE $\frac{1}{4}$ and all of SE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT that portion that lies South of the Highway and Oregon Short Line Railroad right-of-way, designated as Tax Lot 3281 on Blaine County Tax Assessor's Rolls.

SECTION 9: N $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$; all of SW $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPT that portion that lies South of the Highway and Oregon Short Line Railroad right-of-way designated as Tax Lot 3283 on Blaine County Tax Assessor's Rolls.

Together with all water and water rights, however evidenced, appurtenant to the above described real property.

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: EC-984
OFFICE: Burley

June 4, 1999

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

JUN 07 1999

Department of Water Resources
Southern Region

Dear Sir/Madam:

Enclosed with this letter please find an original executed Notice of Change of Water Right Ownership and copy of the recorded Warranty Deed on property located in Blaine County, Idaho.

Would you please make the necessary changes in your records to indicate the new owners as Bruce Hunsaker, Rebecca Hunsaker, Blaine Cook and Deon Cook for future water assessments. Please send a receipted copy of this Notice to this office.

Should you have any questions concerning this matter, please don't hesitate to contact me.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

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

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

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

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

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: A36-02434

Date Received: 11/ 6/1991

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DALE H KLINGLER 619-266-1303
Address: 4567 FEDERAL BLVD
SAN DIEGO CA 92102

2. Date of Priority: SEP 30, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	26E	28	SW	NW	SE		BLAINE

5. Description of diverting works:
WELL, PUMP, MOTOR AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.920		

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

8. Total consumptive use is 963.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	26E	28	SW	NE		IRR	39.0
			SE	NE		IRR	7.0
			NE	SW		IRR	17.0
			NE	SE		IRR	38.0
			NW	SE		IRR	35.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	26E	28	SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	216.0
		33	NE	NE		IRR	35.0
			NW	NE		IRR	40.0
			SE	NE		IRR	30.0
						Section Acres	105.0
						Total Acres	321.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
36-07209

14. Remarks:

PLACE OF USE HAS BEEN CHANGED SLIGHTLY - ALL PRIOR TO 1980.

15. Basis of Claim: LICENSE

Water Right Number: 28733

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

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
JAN 28 1993

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number: A36-02434
Date Received: _____
Receipt No: 5014553
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Dale H. Klingler Phone: (619)266-1303
Address: 4567 Federal Blvd.
San Diego, California 92102

2. Date of Priority: September 30, 1960

3. Source: Groundwater Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
7S	26E	28	SW	NW	SE		Blaine

5. Description of diversion works:
Well, pump, motor and sprinkler system

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.
Irrigation	April 1	Nov. 1	2.92		

7. Total Quantity Claimed is:
2.92 C.F.S. (and/or) (Acre Feet)

8. Total consumptive use claimed is:
963 Acre Feet Per Annum.

9. Non-irrigation uses:
None.

10. Description of place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
7S	26E	28	SW	NE		Irr.	39
			SE	NE		Irr.	7

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JAN 28 1993

	NE	SE	Irr.	38
	NE	SW	Irr.	17
	NW	SE	Irr.	35
	SW	SE	Irr.	40
	SE	SE	Irr.	40
33	NW	NE	Irr.	40
	NE	NE	Irr.	35
	SE	NE	Irr.	30

TOTAL ACRES: 321

11. In which county (ies) are lands listed above as place of use located?
Blaine
12. Do you own the property listed above as place of use? Yes.
13. Other water rights used at the same place and for the same purposes as describe above.
License 36-7209
14. Remarks: Place of use has been changed slightly - all prior to 1980
15. Basis of Claim: License
Water Right Number: 36-2434
16. Signature(s)

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

Number of attachments:

For Individual(s):

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

X 
Dale H. Klingler

11/8/91
Date

MICROFILMED

JAN 28 1993

State of California)
County of San Diego) ss.

Subscribed and sworn (or affirmed) before me this 8 day of November, 1991.



Martha C. Gomez
Notary Public for California
Residing at: 2220 5th St SD CA
My Commission Expires: 8-28-92

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling, will be acting as attorney at law on behalf of the claimant signing the 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: Roger D. Ling
Address: P. O. Box 396, Rupert, ID 83350
Date: Dec 1, 1991

MICROFILMED

JAN 28 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

20-May-1992

ROGER LING
PO BOX 396
RUPERT ID 83350

RE: ADJUDICATION CLAIM NO. A36-02433, A36-02434, A36-02435,
A36-02618, A36-07209, A36-07627,
A36-08277, A36-15264, A36-15265,
A36-15266, A36-15267, A36-15270

Mr. Ling:

Pursuant to the notification that you are representing the claimant(s) on the above referenced Adjudication Claim(s), please find enclosed the receipt and a copy of the computer generated claim(s) based on the information from the original claim(s) which has been entered in our computer records.

Please review the record(s) and if you have any corrections or any questions, feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie'.

Jeanie Robertson
Records Clerk

/jr
Enclosures

MICROFILMED

JAN 28 1993

NO. OF CLAIMS IN POLYGON 2TRANSFER NUMBER noCLAIM NUMBERS 36-2434 36-7209DATE 8-1-97OBJECTION FILED noAGENT KKCTOTAL ACRES FROM RECOMMENDATION 506GEOGRAPHIC INFO SYSTEM 507.7

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	7S	26E	28	3	3	39	40					37	30		25	38	39	40	40	334
GIS			28			40.6	39.8					36.1	27.2		31.7	39.4	39.9	39.8	39.6	329.1
RECOM	7S	26E	33	40	40		30													110
GIS				40	40.2		32.8													113
RECOM	7S	26E	34							20		14	28							62
GIS										.41	19.3	.24	16.4	28	.23	1				65.6
RECOM																				
GIS																				

UPDATED

B36-DBPOU.DBF

8-826⁶⁻¹⁹ (assigned)

POLYGON #

UPDATED

ATTRIBUTES OF B36-POU.SHP (26)

8-8

B36-DBPOD.DBF

8-8

ATTRIBUTES OF B36-POD.SHP (22)

-36-15 266, disallowed, recommended as 36-7209acres found in Q.Q. not claimedBruce Hunsaker farming property. He indicated that fewer acres than recom. are currently being inv. He may file a transfer in Fall (1997).Although GIS shifts acres in some Q&S claim OK for decree A.T.T.KKC 8-1-97

P/U CONFLICT yes (X) no ()

P/D CONFLICT yes () no (X)

SENT FOR DECREE yes () no ()

Ready for decree

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

CUSTOMER:
BRUCE HUNSAKER

DATE: August 1, 1997 11:53 am

SUBJECT: RECOMMENDATION REVIEW OF SYSTEMS

1. 36-02090, 36-02582, 36-07246, & 36-10863
2. 36-10850
3. KLINGER CLAIMS 36-02433, 36-02434, 36-02435, 36-15264,
36-07627, 36-15265, 36-07209, 36-15266, & 36-2618
phone () walk-in(X)

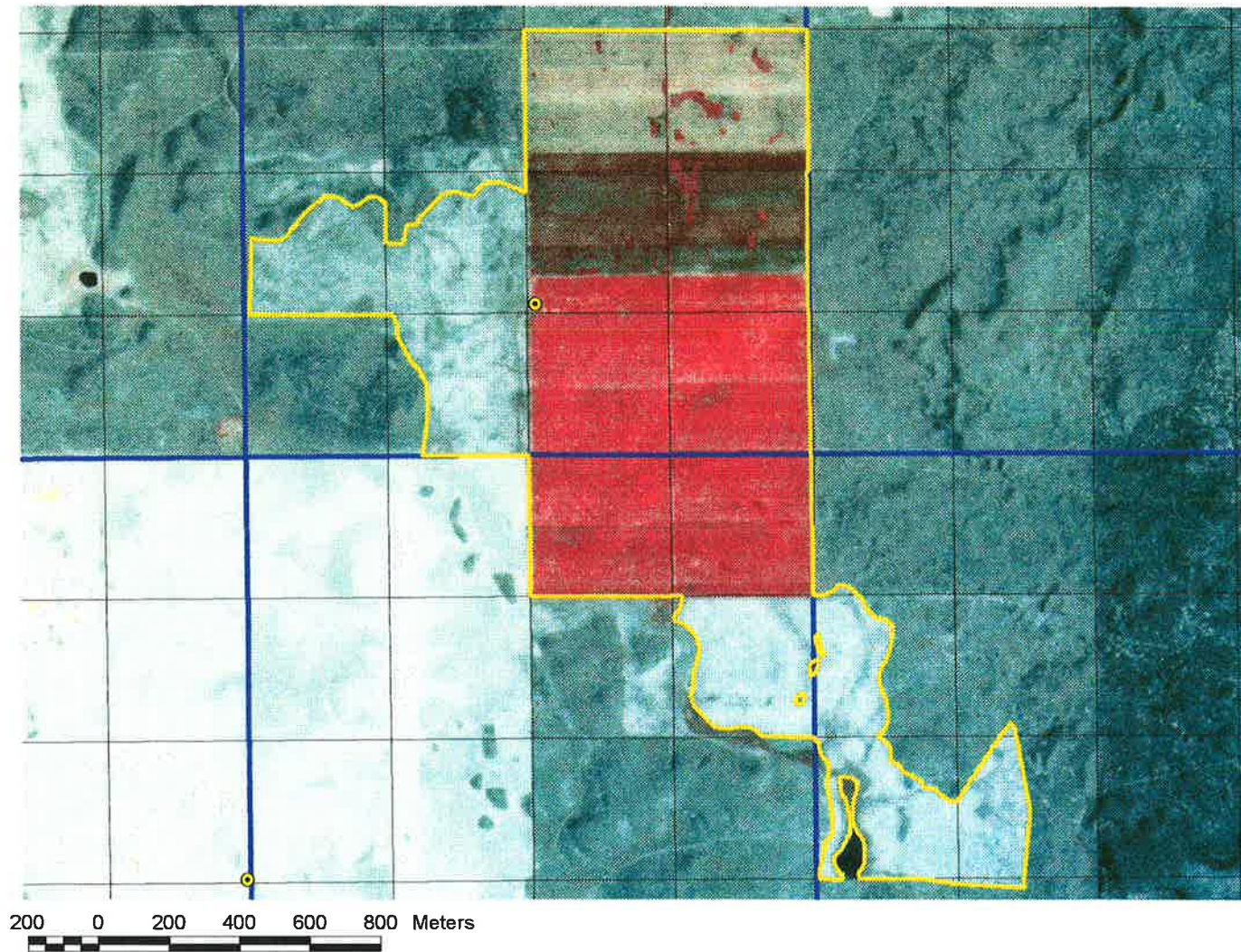
We reviewed the recommended place of use for the claims listed and compared those acres against current irrigation practices. In general, it appears that most of the systems are now irrigating fewer acres than recommended. There also appears to be some discrepancy in the acres per q/q totals. We discussed the possibility of filing transfers to correct the problems.

He indicated that he is in the process of purchasing the Klingler property. The same situation exists for these systems also. I indicated that he would have to obtain a power of attorney to be able to deal with these rights.

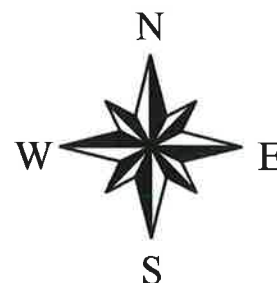
He indicated that it probably will be late fall before he can start the paperwork.

IDAHO DEPARTMENT OF WATER RESOURCES

36-02434 & 36-07209
DALE KLINGLER



TNS 7S, RNG 26E, SEC 28, 33, & 34



- ⊙ B36-pod.shp
- Pou-outline.shp
- T07s26e.dxf
- 7
- T07s26eqq.shp

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY AUGUST 1997
BY KELLY K CHRISTENSEN

GIS to Recommendation Comparison Report.

36-2434 & 36-7209 (PPU)

5-29-97

Discrepancy Report Recomm. GIS.

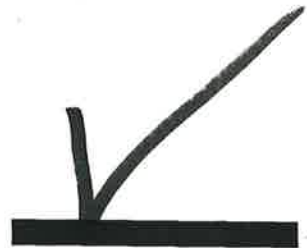
7S 24E 2B	NE NE	3	-	
	NW NE	3	-	
	NE SW	37	31	- 16% diff
	NW SW	30	27	- 10%
	SE SW	25	32	28%
33	SE NE	30	33	10%
34	NW NW	-	0.4	
	SE NW	-	0.2	
	NE SW	14	16	14%
	SW SW	-	0.2	
	SE SW	-	1.0	
total		506	508	

Acres exist in other Q Qs but the difference between Recommended Acres and GIS acres is less than 5%

Attributes

AKC

R PROOF



CVR



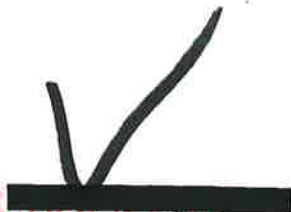
MAPS



PHOTOS



MISC



INDEXED

JAN 28 1993

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

Water Right Number - R36-02434

Prefix Translation:

RESEARCH

Old (D) Number - 28733

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

*** A - ATTORNEY ***
LING

ROGER D

1 - PO BOX 396

2 -

3 -

City- RUPERT

State- ID Zip- 8335

Phone - 208-436-4717

*** C - CURRENT OWNER ***
KLINGLER

DALE H

1 - 4567 FEDERAL BLVD

2 -

3 -

City- SAN DIEGO

State- CA Zip- 92102

Phone - 619-266-1303

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
09/30/1960 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 26E 28 SW NW SE (13) BLAINE

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

01 - IRRIGATION

04/01

10/31

2.920

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.920 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

07S	26E	28	NE NE		3.0	01	IRRIGATION	(13)	BLAINE
07S	26E	28	NW NE		3.0	01	IRRIGATION	(13)	BLAINE
07S	26E	28	SW NE		39.0	01	IRRIGATION	(13)	BLAINE
07S	26E	28	SE NE		40.0	01	IRRIGATION	(13)	BLAINE
07S	26E	28	NE SW		37.0	01	IRRIGATION	(13)	BLAINE
07S	26E	28	NW SW		30.0	01	IRRIGATION	(13)	BLAINE
07S	26E	28	SE SW		25.0	01	IRRIGATION	(13)	BLAINE
07S	26E	28	NE SE		38.0	01	IRRIGATION	(13)	BLAINE
07S	26E	28	NW SE		39.0	01	IRRIGATION	(13)	BLAINE
07S	26E	28	SW SE		40.0	01	IRRIGATION	(13)	BLAINE
07S	26E	28	SE SE		40.0	01	IRRIGATION	(13)	BLAINE
07S	26E	33	NE NE		40.0	01	IRRIGATION	(13)	BLAINE
07S	26E	33	NW NE		40.0	01	IRRIGATION	(13)	BLAINE
07S	26E	33	SE NE		30.0	01	IRRIGATION	(13)	BLAINE
07S	26E	34	SW NW		20.0	01	IRRIGATION	(13)	BLAINE

Water right number - R36-02434

Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	26E	34	NE SW		14.0	01	IRRIGATION	(13) BLAINE
07S	26E	34	NW SW		28.0	01	IRRIGATION	(13) BLAINE

Total Acres: 506.0

+ - - Diversion Means - WELL, PUMP, MOTOR AND SPRINKLER SYSTEM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

----- Remarks -----

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 321 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-07209 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE

USE OF THIS RIGHT WITH RIGHT NO. 36-07209 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.01 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1702 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1392 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 464 ACRES IN A SINGLE IRRIGATION SEASON.

THE NUMBER OF IRRIGATED ACRES FOR THIS RIGHT WAS DETERMINED BASED ON A DIVERSION RATE OF 0.0091 CFS PER ACRE AT THE FIELD HEADGATE.

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

No Old Water Right Numbers Found

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

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: 08/03/1992 User Id: CHRISTEN Subject: COPIED FROM REMARKS
PLACE OF USE HAS BEEN CHANGED SLIGHTLY - ALL PRIOR TO 1980.

+ - - Audit Fields - - +

08/17/92 THORNTON

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/17/1992	Old Judicial District	-

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:30:39
05/22/92

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02434

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 8-3-92		KKC 8-3-92
POINT OF DIV	Y			N				
SOURCE				N				
PLACE OF USE	Y			Y	6, 1 1/2, 2			
DIV. AMOUNT CFS/VOLUME				Y	6			
CONSUMPTIVE USE	-			Y	6			
PURPOSES				N				
PERIOD OF USE	Y			Y	6			
BASIS OF CLAIM				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

01:30:39
05/22/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02434

LAST: LING
ADDRESS: PO BOX 396
CITY: RUPERT
PHONE NUMBER: 208-436-4717

FIRST: ROGER D
STATE: ID ZIP: 83350

OWNER CODE: A

LAST: KLINGLER
ADDRESS: 4567 FEDERAL BLVD
CITY: SAN DIEGO
PHONE NUMBER: 619-266-1303

FIRST: DALE H
STATE: CA ZIP: 92102

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: PLACE OF USE HAS BEEN CHANGED SLIGHTLY - ALL PRIOR TO 1980.

MICROFILMED

JAN 28 1993

CONTACT PERSON: Roger Ling

PHONE NUMBER: () -

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: Attorney for claimant.

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

multiple contacts with Roger Ling Att for claimant. He
hasnt submitted evidence of priority for expansion claims as of
7-31-92 therefore they are being recommended for disallowal.
KKC

7-31-92

UNPROCESSED

JAN 28 1993

A. AJ CLAIM: # A36-02434 PRIORITY DATE: 09-30-1960 STAGE: L
B. WR RECORD: # 36-02434 PRIORITY DATE: 09-30-1960 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
matches licensed priority
accept as claimed
HHC*

7-31-92

=====

RECOMMENDED PRIORITY DATE:
09-30-1960

REVIEWED BY _____

DATE _____

=====

UNPROCESSED

JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02434	07S	26E	28	SW	NW	SE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07209 NONE
A36-15266

WR RECORDS IN SAME 40 ACRE TRACT
36-07209

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02434	07S	26E	28		NW	SE		BLAINE

OTHER WR RECORDS WITH SAME WR POD

36-07209

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A36-07209 NONE
A36-15266

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

REMARKS:

*claimed P/D matches well location marked on
ortho photo. accept as claimed
KFC
1-31-92*

MICROFILMED
JAN 28 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
__	__	__	<i>OK as claimed</i>				__
__	__	__	<i>Khc</i>				__

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: _____ DATE: _____

MACROFILMED

JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02434

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	26E	28	SW	NE		LING, ROGER D	A36-02434 /39.0	36-02434 /39.0	40.0		
			SW	NE		KLINGLER, DALE H	A36-07209 /39.0	36-07209 /39.0			
07S	26E	28	SE	NE		LING, ROGER D	A36-02434 / 7.0	36-02434 / 7.0	25.0		
			SE	NE		KLINGLER, DALE H	A36-07209 /20.0	36-07209 /40.0			
07S	26E	28	NE	SW		LING, ROGER D	A36-02434 /17.0	- /	28.0		
			NE	SW		KLINGLER, DALE H	A36-07209 /30.0	36-07209 /40.0			
07S	26E	28	NE	SE		LING, ROGER D	A36-02434 /38.0	36-02434 /38.0	25.0		
			NE	SE		KLINGLER, DALE H	A36-07209 /38.0	36-07209 /38.0			
07S	26E	28	NW	SE		LING, ROGER D	A36-02434 /35.0	36-02434 /38.0	40.0		
			NW	SE		KLINGLER, DALE H	A36-07209 /35.0	36-07209 /38.0			
07S	26E	28	SW	SE		LING, ROGER D	A36-02434 /40.0	36-02434 /40.0	40.0		40.0
			SW	SE		KLINGLER, DALE H	A36-07209 /40.0	36-07209 /40.0			
07S	26E	28	SE	SE		LING, ROGER D	A36-02434 /40.0	36-02434 /40.0	26.0		
			SE	SE		KLINGLER, DALE H	A36-07209 /40.0	36-07209 /40.0			
07S	26E	33	NE	NE		LING, ROGER D	A36-02434 /35.0	36-02434 /40.0	20.0		
			NE	NE		KLINGLER, DALE H	A36-07209 /35.0	36-07209 /40.0			
07S	26E	33	NW	NE		LING, ROGER D	A36-02434 /40.0	36-02434 /40.0	29.0		
			NW	NE		KLINGLER, DALE H	A36-07209 /40.0	36-07209 /40.0			
07S	26E	33	SE	NE		LING, ROGER D	A36-02434 /30.0	36-02434 /39.0			
			SE	NE		KLINGLER, DALE H	A36-07209 /30.0	36-07209 /39.0			
TOTAL ACRES							A36-02434	321.00	321.00	273.00	

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

FIELD
EXAMINER

POU COUNTY: BLAINE

I shifted the acres to closer represent the original license conditions where 36-7209 either completely overlapped or just added a cres. As the two rights are physically linked.

see attached land list for recommendation. Licensed acres shifted based upon discussions with Mr. Ling. P/U acres outlined on Ortho photo includes a cres covered by expansion right A36-15266 which is currently being recommended for disallowance.
KHC
7-31-92

MICROFILMED

JAN 28 1993

PRESUMPTION FLAG: C

REMARKS:

This claim overlaps with licensed right 36-7209 which added acres and dw rate to the system.

This claim was licensed for less than an in per acre

$2.92 \text{ CFS} / 321 \text{ Acres} = .00090966 \approx .00091 \text{ CFS/Acre}$ reflect this rate in KDS.

RECOMMENDATIONS:

TOTAL ACRES: 321

REVIEWED BY: KKC

DATE: _____

UNRECORDED

JAN 28 1993

A. AJ CLAIMED USES:

PURPOSES
A36-02434 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

10-31
dept stand.

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.920 CFS

2.920 CFS

claimed rate matches
licensed rate accepted as
claimed

B. WR RECORDED USES:

PURPOSES
36-02434 IRRIGATION

MONTH/DAY
FROM TO

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.920 CFS

2.920 CFS

PRESUMPTION FLAG: C

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)

FIELD
EXAMINER
DATABASE
N
N
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

RECORDED

JAN 28 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.920 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.920 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
N

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 36-07209

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02434	GROUNDWATER	LING , ROGER D	2.920	0.009		
A36-07209	GROUNDWATER	KLINGLER , DALE H	4.010	0.008		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

RECORDED

JAN 28 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 321 x 0.02 CFS/ACRE = 6.42 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 963.0 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.)

*combined rights
Recommendations on Remark worksheet.
System capacity for div vol is the
limiting factor for the comb. rights
re recommendation
 $4.01 \times 214 \times 1.9835 = 1702 \text{ AFA}$*

UNRECORDED

JAN 28 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 2.920 <u>OK</u>	DATABASE EXAMINER _____	DATABASE EXAMINER <u>963.0</u> _____
TOTAL FOR THIS RIGHT		2.920		<u>963.0</u>

REVIEWED BY: RKC

DATE: 8-3-92

RECORDED

JAN 28 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02434

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.920

EXAMINER

N/A

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02434	2.920	-		36-02434	2.920
TOTAL CFS		2.920				2.920

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
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

Kelly Christensen

DATE:

8-3-92

NAME OF FIELD EXAMINER:

TITLE:

Split Water Rights agent

RECORDED

JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:41:52
05/22/92

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A36-02434

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALE H KLINGLER 4567 FEDERAL BLVD SAN DIEGO CA 92102 (619) 266-1303	09/30/1960	IRRIGATION	04-01 11-01	2.92 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	2.92 CFS	963.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R26E S28

SWNWSE

BLAINE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
07S	26E	28	:				39	:					:	17				:	38	35	40	40	:	216.0
07S	26E	33	:	35	40		30	:					:					:					:	105.0
																							TOTAL ACRES	321.0

POU County: BLAINE

Other Rights: 36-07209

Remarks: PLACE OF USE HAS BEEN CHANGED SLIGHTLY - ALL PRIOR TO 1980.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: C

MICROFILMED
JAN 28 1993

SYSTEM 1

A36-2434

A36 - 7209

A36 - 1526

recommented
for disallowal
as of 8-3-92
KKC

32 SYSTEM 3

SYSTEM 3 CLAIMS

A36-2435
A36-7627 ✓ Recommended
A36-15265 ✓ for disallowed
as of 8-3-92
KRC

CLAIM 4 SYSTEMS INIT CAC

T. R. S. Q/Q

P/D 48/2

PHOTO *RE-11* *1979 1/2*

DT. & ID. 11-11-71 1971

SYSTEM 4 CLAIMS

A36 - 2618

A36 - 2618
A36 - 8277 recommended
for disallowance
KCC

SYSTEM 4

JAN 28 1993

435

8-8-92 Pg 1/2

System 2. analysis 36-2434

36-7209

36-15266

Time line:

36-2434 was licensed for 321 acres @ 2.92 CFS Priority date = 9-30-60
Field exam date = 8-24-66

The licensing field exam identified additional acres irrigated with an additional diversion rate. Those acres were subsequently recognized under 36-7209.

36-7209 was licensed for 464 acres @ 4.01 cfs Priority date = 11-17-71
field exam date = 6-8-77

The licensing field exam was silent on additional acres irr.

36-15266 claimed 86 acres as of 4-1-87 amended Priority to 4-1-71
an expansion of license 36-2434 would require additional
div rate. to equal the $\frac{1}{2}$ " per acre guideline established by the
department { license 36-2434 - $\frac{2.92 \text{ CFS}}{321 \text{ Acres}} = .00909 \text{ CFS/Acre}$ }.

An increased diversion rate was identified during the
licensing exam for 36-7209. That right covered the acres
identified in the exam for 36-2434. Therefore I reject
the expansion claim for a 1971 priority.

Acres were shifted on claim A36-7209 to include
additional acres in section 34. These acres appear to
be irrigated in both the orthophoto (flight date 8-4-79)
and the NAIP photo (1987).

The system rate per acres licensed is
 $4.01 \text{ CFS} / 464 \text{ acres} = 0.0086 \text{ CFS/Acre}$ the additional
acres would give $4.01 \text{ CFS} / (464 + 42) = 0.0079 \text{ CFS/Acre}$

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8-92

Pg 2/2

which is well under the $\frac{1}{2}$ " per acre division rate recommended as the Dept. standard. Therefore I recommend 36-15266 for DISALLOW remark code ~~7036~~ ~~706~~ ~~beneficial use found~~ recommended as 36-7209

I will however ~~not~~ recommend the additional 42 acres within the Permissible P/U with each licensed right limited to their respective total acres. See Remark code Work sheet.

Kelley K. Christman

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REMARK AND CONDITION CODE WORKSHEET

SYSTEM CLAIM NUMBERS R36 - 2434
R36 - 7209
R36 - 15266

AGENT
 INITIALS _____
 DATE _____

CLAIM NO. OR ENTRY ORDER	REMARK CODE	ENTRY DATA	CONDITION CODE	STAGE OR STATUS	PRESUMPTION CODE
36-2434	KØ6	321			
	EØ6	36-Ø7209	CØ5		C
	EØ3	4.01			
		~~1856~~ 4.01 * 2.14 * 1.9835 = 1702AFA			
		1392			
		464			
add	KØ5	@ .00091 CFS/ACU			
36-7209	KØ6	464			
	FØ6	36-02434	CØ8		C
	EØ3	4.01			
		~~1856~~			
		1392			
		464			
add	KØ5	@ .000864 CFS/ACU			
R36-15266	~~PØ1~~	evidence of priority not submitted as of 8-3-92	~~PØ1~~		
	PØ8	evidence of priority submitted, system not capable of supporting expansion claim	PØ8		
		36-7209			
		KKC 8892			

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RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: _____

	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		
RECOMMENDED	P/P/4	7S	26E	28	3	3	39	40					37	30		25	38	39	40	40		334
	36 2434						39	7					9				38	38	40	40	211	
	36 7209						39	40					37	30		25	38	39	40	40	334	

	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		
RECOMMENDED	P-P/4	7S	26E	33	40	40		30														110
	36 2434			33	40	40		30													110	

	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		
RECOMMENDED	P-P/4	7S	26E	34							20		14	28								62
	36 7209										20										20	

	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		

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JAN 28 1993

System 2

36-2434
mandate 8-24-66

DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-28733

This report is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant: William O. Russell

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the NE 1/4 of Section 28

T. 7 S. R. 26 E. S. 26 County of Blaine

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

2000 ft submersible motor # 1337187 replaces old # 1202832
pipelines to sprinkler system

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):

S 1/2, SE 1/2 Sec. 28., NE 1/2, SE 1/2 Sec. 33., Twp. 7 S., Rgs. 26 E. S. 26.

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

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

Remarks: this water also used on lands in SW 1/4-28
1/2 SW - 35A NW 1/4 - 35A SE 1/4 - 30A SW 1/4 - 7A estimated

384 1/2 ft @ 42 psi

Q = 384 (4.56) / 1751 = 3.90 cfs

RECORDED

JAN 28 1966

This examination was made on the

24th
(Signed)

day of August
Don Walter

19 66

Examiner.

Twp. 7S Rge 26E

	39	7	46
37	38	38	76
20	PD		
7	40	40	80
26	40	40	80
	39		39
33	157	16	321

Area - 321 A

Subd. - 9

$Q = 2.92 \text{ cfs}$

total flow pump 3.90 cfs

total acreage 420

.456"/A

water this permit 196" at 2.92 cfs

JAN 28 1983

FOR ORIGINAL

451 452
JAN 28 1953

11/28
12/10
12/10

POST OFFICE

11/28
12/10