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MAY 07 1999

Department of Water Resources
Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Southern AJ

TRANSFER OF WATER RIGHT

TRANSFER NO. 5342

WATER RIGHT NO(S) . 36-02409C/36-02409D/36-02440A/36-02440B
36-02543A/36-02543B/36-02637B/36-02637C/36-07096A/36-07096B

This is to certify that: TIM H WATERS & BLAINE E MILLER
LINDA K WATERS 250 S EDEN RD
1931 HUNT RD JEROME ID 83338
JEROME ID 83338

have requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

TIM H & LINDA K WATERS / 36-02409C, 36-02440A, 36-02543A, 36-02637B & 36-07096A :

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 36-02409C : Priority: 12/02/1959 IRRIGATION	04/01 to 10/31	1.14 CFS	308.8 AF
Right No. 36-02440A : Priority: 06/01/1960 IRRIGATION	04/01 to 10/31	1.74 CFS	463.2 AF
Right No. 36-02543A : Priority: 06/18/1962 IRRIGATION	04/01 to 10/31	1.12 CFS	308.8 AF
Right No. 36-02637B : Priority: 01/27/1966 IRRIGATION	04/01 to 10/31	1.54 CFS	308.8 AF
Right No. 36-07096A : Priority: 12/01/1969 IRRIGATION	04/01 to 10/31	0.77 CFS	154.4 AF
TOTAL:		6.31 CFS	** 1544.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 30, Township 08S, Range 20E
JEROME County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
08S	20E	29	NWSW 40	SWSW 40		80
		30	NESW 33	SESW 33	NESE 40	
			NWSE 40	SWSE 40	SESE 40	226
		31	NENE 40			40
		32	NWNW 40			40

Total number of acres irrigated: * 386

TRANSFER NO. 5342
 WATER RIGHT NO(S). 36-02409C/36-02409D/36-02440A/36-02440B
 36-02543A/36-02543B/36-02637B/36-02637C/36-07096A/36-07096B

BLAINE E MILLER / 36-02409D, 36-02440B, 36-02543B, 36-02637C & 36-07096B :

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02409D :			
Priority: 12/02/1959			
STOCKWATER	01/01 to 12/31	0.04 CFS	8.0 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.4 AF
SUBTOTAL:		0.04 CFS	8.4 AF
Right No. 36-02440B :			
Priority: 06/01/1960			
STOCKWATER	01/01 to 12/31	0.06 CFS	12.0 AF
COMMERCIAL	01/01 to 12/31	0.06 CFS	0.6 AF
SUBTOTAL:		0.06 CFS	12.6 AF
Right No. 36-02543B :			
Priority: 06/18/1962			
STOCKWATER	01/01 to 12/31	0.04 CFS	8.0 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.4 AF
SUBTOTAL:		0.04 CFS	8.4 AF
Right No. 36-02637C :			
Priority: 01/27/1966			
STOCKWATER	01/01 to 12/31	0.06 CFS	8.0 AF
COMMERCIAL	01/01 to 12/31	0.06 CFS	0.4 AF
SUBTOTAL:		0.06 CFS	8.4 AF
Right No. 36-07096B :			
Priority: 12/01/1969			
STOCKWATER	01/01 to 12/31	0.03 CFS	4.0 AF
COMMERCIAL	01/01 to 12/31	0.03 CFS	0.2 AF
SUBTOTAL:		0.03 CFS	4.2 AF
TOTAL:		*** 0.23 CFS	*** 42.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 35, Township 08S, Range 19E
 JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 19E 35

SWNW

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 19E 35

NENW

SENW

NWNW

SWNW

TRANSFER NO. 5342
WATER RIGHT NO(S). 36-02409C/36-02409D/36-02440A/36-02440B
36-02543A/36-02543B/36-02637B/36-02637C/36-07096A/36-07096B

SOURCE

GROUNDWATER

CONDITIONS OF APPROVAL AND REMARKS

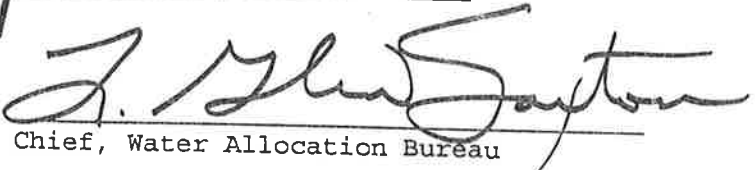
1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 5. Right 36-02409C is limited to the irrigation of 77.2 acres in the place of use described above in a single irrigation season.
- * 6. Right 36-02440A is limited to the irrigation of 115.8 acres in the place of use described above in a single irrigation season.
- * 7. Right 36-02543A is limited to the irrigation of 77.2 acres in the place of use described above in a single irrigation season.
- * 8. Right 36-02637B is limited to the irrigation of 77.2 acres in the place of use described above in a single irrigation season.
- * 9. Right 36-07096A is limited to the irrigation of 38.6 acres in the place of use described above in a single irrigation season.
- ** 10. Rights 36-02409C, 36-02440A, 36-02543A, 36-02637B and 36-07096A when combined shall not exceed a total annual maximum diversion volume of 1544.0 af at the field headgate, and the irrigation of 386.0 acres in a single irrigation season.
11. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
12. Commercial use is for a dairy.
13. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
14. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
- *** 15. The total instantaneous diversion of water from all points of diversion for the dairy shall not exceed 0.23 cfs, nor a total combined annual volume of 42.0 af.

TRANSFER NO. 5342
WATER RIGHT NO(S). 36-02409C/36-02409D/36-02440A/36-02440B
36-02543A/36-02543B/36-02637B/36-02637C/36-07096A/36-07096B

CONDITIONS OF APPROVAL AND REMARKS

16. The water used for commercial use under this transfer approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used in the dairy as authorized by these water rights.
17. Two points of diversion are located within SWNW, S35, T08S, R19E.

Dated this 12th day of April, 19 99.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 36-02409B, 36-02440, 36-02543, 36-02637A & 36-07096

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5342

DATE: March 29, 1999

Transfer 5342 changes the point of diversion, place, nature & season of use under portions of the above referenced rights to provide for enlargement of an existing dairy. The remaining irrigation portions of the rights are changed to reflect the existing combined right permissible place of use system found while investigating the transfer for dairy purposes. No physical changes will be made to the irrigation portions of the rights.

All of these rights have been recommended in the SRBA and Rights 36-02637A and 36-07096 have been decreed. Each of these rights prior to transfer, have individual places of use with no overlapping acres, but are tied together through the same well and combined right limits. The combined rights provided 6.54 cfs for 400.0 unique acres from the same well. The transfer proposes, with the approval of the right holder, retiring 14 specific acres by reducing each right proportionately and reducing the permissible place of use to 386 total acres.

Season of use and diversion volume were adjusted for the dairy use. Recommended conditions include drilling permit requirements, multiple points of diversion limits, measuring & annual reporting, water quality, county zoning, land application, irrigation overlap, permissible place of use & combined right limits, and standard transfer conditions.

Change in Nature of Use Evaluation

				Div. Vol./C.U. Vol.
Combined Rights prior to Transfer	=	6.54 cfs	400.0 acres	1600.0 afa/1200.0 afa
36-02409B---	Part C)	1.14 cfs	77.2 acres	308.8 afa/ 231.6 afa
	Part D)	0.04 cfs	(2.8 acres)	8.4 afa/ 8.4 afa
36-02440 ---	Part A)	1.74 cfs	115.8 acres	463.2 afa/ 347.4 afa
	Part B)	0.06 cfs	(4.2 acres)	12.6 afa/ 12.6 afa
36-02543 ---	Part A)	1.12 cfs	77.2 acres	308.8 afa/ 231.6 afa
	Part B)	0.04 cfs	(2.8 acres)	8.4 afa/ 8.4 afa
36-02637A---	Part B)	1.54 cfs	77.2 acres	308.8 afa/ 231.6 afa
	Part C)	0.06 cfs	(2.8 acres)	8.4 afa/ 8.4 afa
36-07096 ---	Part A)	0.77 cfs	38.6 acres	154.4 afa/ 115.8 afa
	Part B)	0.03 cfs	(1.4 acres)	4.2 afa/ 4.2 afa
		6.31 cfs	386.0 acres	1544.0 afa/1158.0 afa
		0.23 cfs (14.0 acres)		42.0 afa/ 42.0 afa
		6.54 cfs	400.0 acres	1586.0 afa/1200.0 afa

COPY

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ESTATE OF 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

) SUBCASE NO. 36-02440, 36-02440A,
) 36-02440B

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership

☒ Point of Diversion

☒ Period of Use

☒ Split of Water Right

☒ Place of Use

☒ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 7/7/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 7/12, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Tim H Waters
Linda K Waters
1931 Hunt Rd
Jerome ID 83338
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Blaine E Miller
250 S Eden Rd
Jerome ID 83338
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5859NP

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

DATE: JUN-28-2000
PAGE: A-1

RIGHT NUMBER: 36-02440

SPLIT RIGHT: SEE RIGHT NOS. 36-02440A AND 36-02440B.

AJ5856NP

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

DATE: JUN-28-2000

PAGE: A-1

RIGHT NUMBER: 36-02440A

NAME & ADDRESS: TIM H WATERS
LINDA K WATERS
1931 HUNT RD
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 1.74 CFS
463.2 AFYUSE OF RIGHT NOS. 36-02409E, 36-02440A, 36-02543A, 36-02637B,
36-07096A AND 36-07613 IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 11.47 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 2804.0 AF.

PRIORITY DATE: 06/01/1960

POINT OF DIVERSION: T08S R20E S29 SENWNW Within JEROME County
S30 SENESE

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 10-31	1.74 CFS
			463.2 AFY

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

PLACE OF USE:	IRRIGATION	Within JEROME County			
T08S R20E S29	NENW 40	NWNW 40	SWNW 40	SENW 35	
	NWSW 40	SWSW 40			
S30	NENE 40	NWNE 40	SWNE 40	SENE 40	
	NESW 33	SESW 33	NESE 40	NWSE 40	
	SWSE 40	SESE 40			
S31	NENE 40				
S32	NWNW 40				
701 ACRES TOTAL					

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 115.8 ACRES IN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

AJ5856NP

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

DATE: JUN-28-2000
PAGE: A-2

RIGHT NUMBER: 36-02440A (CONT)

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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

DATE: JUN-28-2000
PAGE: A-3

RIGHT NUMBER: 36-02440B

NAME & ADDRESS: BLAINE E MILLER
250 S EDEN RD
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS
12.6 AFY

USE OF RIGHT NOS. 36-02409D, 36-02440B, 36-02543B, 36-02637C
AND 36-07096B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
42.0 AF.

PRIORITY DATE: 06/01/1960

POINT OF DIVERSION: T08S R19E S35 SWNW Within JEROME County

TWO POINTS OF DIVERSION ARE LOCATED WITHIN T08S, R19E,
S35, SWNW.

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.06 CFS
	COMMERCIAL	01-01 12-31	12.0 AFY
			0.06 CFS
			0.6 AFY

COMMERCIAL USE IS FOR A DAIRY.

PLACE OF USE:	STOCKWATER	Within JEROME County			
	T08S R19E S35	SWNW			
	COMMERCIAL	Within JEROME County			
	T08S R19E S35	NENW	NWNW	SWNW	SENW

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ5856NP

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

DATE: JUN-28-2000

PAGE: A-4

RIGHT NUMBER: 36-02440B (CONT)

EXPLANATORY MATERIAL: (CONT)



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

July 12, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BLAINE E MILLER
250 S EDEN RD
JEROME ID 83338

RE: SRBA Claim(s) 36-02440, 36-02543

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Tim and Linda Waters

RECEIVED

DEC 31 1959

Department of Water Resources
Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Southern AJ

TRANSFER OF WATER RIGHT

TRANSFER NO. 5342

WATER RIGHT NO(S). 36-02409C/36-02409D/36-02440A/36-02440B
36-02543A/36-02543B/36-02637B/36-02637C/36-07096A/36-07096B

This is to certify that: TIM H WATERS & BLAINE E MILLER
LINDA K WATERS 250 S EDEN RD
1931 HUNT RD JEROME ID 83338
JEROME ID 83338

have requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

TIM H & LINDA K WATERS / 36-02409C, 36-02440A, 36-02543A, 36-02637B & 36-07096A :

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02409C :			
Priority: 12/02/1959			
IRRIGATION	04/01 to 10/31	1.14 CFS	308.8 AF
Right No. 36-02440A :			
Priority: 06/01/1960			
IRRIGATION	04/01 to 10/31	1.74 CFS	463.2 AF
Right No. 36-02543A :			
Priority: 06/18/1962			
IRRIGATION	04/01 to 10/31	1.12 CFS	308.8 AF
Right No. 36-02637B :			
Priority: 01/27/1966			
IRRIGATION	04/01 to 10/31	1.54 CFS	308.8 AF
Right No. 36-07096A :			
Priority: 12/01/1969			
IRRIGATION	04/01 to 10/31	0.77 CFS	154.4 AF
TOTAL:		6.31 CFS	** 1544.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 30, Township 08S, Range 20E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	20E	29	NWSW 40	SWSW 40		
		30	NESW 33	SESW 33	NESE 40	80
			NWSE 40	SWSE 40	SESE 40	226
		31	NENE 40			40
		32	NWNW 40			40

Total number of acres irrigated: * 386

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 36-02543A/36-02543B/36-02637B/36-02637C/36-07096A/36-07096B

BLAINE E MILLER / 36-02409D, 36-02440B, 36-02543B, 36-02637C & 36-07096B :

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02409D :			
Priority: 12/02/1959			
STOCKWATER	01/01 to 12/31	0.04 CFS	8.0 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.4 AF
SUBTOTAL:		0.04 CFS	8.4 AF
Right No. 36-02440B :			
Priority: 06/01/1960			
STOCKWATER	01/01 to 12/31	0.06 CFS	12.0 AF
COMMERCIAL	01/01 to 12/31	0.06 CFS	0.6 AF
SUBTOTAL:		0.06 CFS	12.6 AF
Right No. 36-02543B :			
Priority: 06/18/1962			
STOCKWATER	01/01 to 12/31	0.04 CFS	8.0 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.4 AF
SUBTOTAL:		0.04 CFS	8.4 AF
Right No. 36-02637C :			
Priority: 01/27/1966			
STOCKWATER	01/01 to 12/31	0.06 CFS	8.0 AF
COMMERCIAL	01/01 to 12/31	0.06 CFS	0.4 AF
SUBTOTAL:		0.06 CFS	8.4 AF
Right No. 36-07096B :			
Priority: 12/01/1969			
STOCKWATER	01/01 to 12/31	0.03 CFS	4.0 AF
COMMERCIAL	01/01 to 12/31	0.03 CFS	0.2 AF
SUBTOTAL:		0.03 CFS	4.2 AF
TOTAL:		*** 0.23 CFS	*** 42.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 35, Township 08S, Range 19E
 JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 19E 35

SWNW

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 19E 35

NENW

SEnw

NWNW

SWNW

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WATER RIGHT NO(S). 36-02409C/36-02409D/36-02440A/36-02440B
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SOURCE

GROUNDWATER

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
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4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 5. Right 36-02409C is limited to the irrigation of 77.2 acres in the place of use described above in a single irrigation season.
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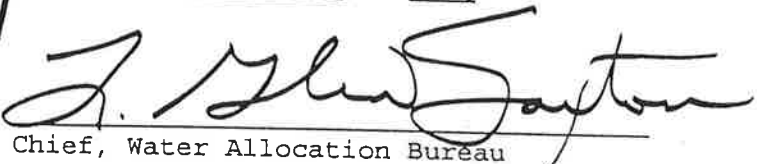
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36-02543A/36-02543B/36-02637B/36-02637C/36-07096A/36-07096B

CONDITIONS OF APPROVAL AND REMARKS

16. The water used for commercial use under this transfer approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used in the dairy as authorized by these water rights.
17. Two points of diversion are located within SWNW, S35, T08S, R19E.

Dated this 12th day of April, 19 99.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Files 36-02409B, 36-02440, 36-02543, 36-02637A & 36-07096

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5342 *CS*

DATE: March 29, 1999

Transfer 5342 changes the point of diversion, place, nature & season of use under portions of the above referenced rights to provide for enlargement of an existing dairy. The remaining irrigation portions of the rights are changed to reflect the existing combined right permissible place of use system found while investigating the transfer for dairy purposes. No physical changes will be made to the irrigation portions of the rights.

All of these rights have been recommended in the SRBA and Rights 36-02637A and 36-07096 have been decreed. Each of these rights prior to transfer, have individual places of use with no overlapping acres, but are tied together through the same well and combined right limits. The combined rights provided 6.54 cfs for 400.0 unique acres from the same well. The transfer proposes, with the approval of the right holder, retiring 14 specific acres by reducing each right proportionately and reducing the permissible place of use to 386 total acres.

Season of use and diversion volume were adjusted for the dairy use. Recommended conditions include drilling permit requirements, multiple points of diversion limits, measuring & annual reporting, water quality, county zoning, land application, irrigation overlap, permissible place of use & combined right limits, and standard transfer conditions.

Change in Nature of Use Evaluation

				Div.Vol./C.U.Vol.	
Combined Rights prior to Transfer	=	6.54 cfs	400.0 acres	1600.0 afa/	1200.0 afa
36-02409B---	Part C)	1.14 cfs	77.2 acres	308.8 afa/	231.6 afa
	Part D)	0.04 cfs	(2.8 acres)	8.4 afa/	8.4 afa
36-02440 ---	Part A)	1.74 cfs	115.8 acres	463.2 afa/	347.4 afa
	Part B)	0.06 cfs	(4.2 acres)	12.6 afa/	12.6 afa
36-02543 ---	Part A)	1.12 cfs	77.2 acres	308.8 afa/	231.6 afa
	Part B)	0.04 cfs	(2.8 acres)	8.4 afa/	8.4 afa
36-02637A---	Part B)	1.54 cfs	77.2 acres	308.8 afa/	231.6 afa
	Part C)	0.06 cfs	(2.8 acres)	8.4 afa/	8.4 afa
36-07096 ---	Part A)	0.77 cfs	38.6 acres	154.4 afa/	115.8 afa
	Part B)	0.03 cfs	(1.4 acres)	4.2 afa/	4.2 afa
		6.31 cfs	386.0 acres	1544.0 afa/	1158.0 afa
		0.23 cfs (	14.0 acres)	42.0 afa/	42.0 afa
		6.54 cfs	400.0 acres	1586.0 afa/	1200.0 afa

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

04/24/00 16:09:10

Page 1

Water Right Number - R36-02440A

Prefix Translation:

RESEARCH

Old (D) Number - 28763

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

*** C - CURRENT OWNER ***
WATERS

TIM H

1 - 1931 HUNT RD

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-825-4275

WATERS

LINDA K

1 - 1931 HUNT RD

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-825-4275

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
06/01/1960 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County08S 20E 29 SE NW NW (53) JEROME
30 SE NE SE (53) JEROME+ - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.740 463.20+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.740 463.20 0.0+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S	20E	29	NE NW		40.0	01	IRRIGATION	(53) JEROME
08S	20E	29	NW NW		40.0	01	IRRIGATION	(53) JEROME
08S	20E	29	SW NW		40.0	01	IRRIGATION	(53) JEROME
08S	20E	29	SE NW		35.0	01	IRRIGATION	(53) JEROME
08S	20E	29	NW SW		40.0	01	IRRIGATION	(53) JEROME
08S	20E	29	SW SW		40.0	01	IRRIGATION	(53) JEROME
08S	20E	30	NE NE		40.0	01	IRRIGATION	(53) JEROME
08S	20E	30	NW NE		40.0	01	IRRIGATION	(53) JEROME
08S	20E	30	SW NE		40.0	01	IRRIGATION	(53) JEROME
08S	20E	30	SE NE		40.0	01	IRRIGATION	(53) JEROME
08S	20E	30	NE SW		33.0	01	IRRIGATION	(53) JEROME
08S	20E	30	SE SW		33.0	01	IRRIGATION	(53) JEROME
08S	20E	30	NE SE		40.0	01	IRRIGATION	(53) JEROME
08S	20E	30	NW SE		40.0	01	IRRIGATION	(53) JEROME
08S	20E	30	SW SE		40.0	01	IRRIGATION	(53) JEROME
08S	20E	30	SE SE		40.0	01	IRRIGATION	(53) JEROME
08S	20E	31	NE NE		40.0	01	IRRIGATION	(53) JEROME

Water right number - R36-02440A

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	20E	32	NW NW		40.0	01	IRRIGATION	(53) JEROME
Total Acres:					701.0			

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

QNT USE OF RIGHT NOS. 36-02409E, 36-02440A, 36-02543A, 36-02637B, 36-07096A AND 36-07613 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 11.47 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2804.0 AF.

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

POU1 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 115.8 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

+ - - - - - Old Water Right Numbers - - - - - +
3602440

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

M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.
C18 - 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.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

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

Date: 03/25/1999 User Id: PSKAGGS Subject: TRANSFER 5342

Transfer 5342 changes a portion of Rights 36-02409B(C&D), 36-02440(A&B), 36-02543(A&B), 36-02637A(B&C) and 36-07096(A&B) to commercial & stockwater use at a dairy. The remaining irrigation portions of each right were changed to reflect the existing 386.0 acre permissible place of use.

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 11/13/1990	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	- 01/19/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

AJ0743NP
(OD-124)

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

04/24/00 14:36:23
Page 1

Water Right Number - R36-02440B

Prefix Translation: RESEARCH

Old (D) Number - 28763

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

*** C - CURRENT OWNER ***
MILLER

BLAINE E

1 - 250 S EDEN RD
2 -
3 -
City- JEROME
Phone - 208-825-4266

State- ID Zip- 83338

*** O - ORIGINAL OWNER ***
WATERS

TIM H

1 - 1931 HUNT RD
2 - RT 4
3 -
City- JEROME
Phone - 208-825-4275

State- ID Zip- 83338

WATERS

LINDA K

1 - 1931 HUNT RD
2 - RT 4
3 -
City- JEROME
Phone - 208-825-4275

State- ID Zip- 83338

+ - - Priority Date - - +
06/01/1960

+ - - - Region - - - +
17 SOUTHERN

+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

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

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

Tw	Rng	Sec	Tract	Lot	RFlg	County
08S	19E	35	SW NW		(53)	JEROME

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.060	12.00
10 - COMMERCIAL		01/01	12/31	0.060	0.60

+ - Total Div. Rate - + + - Total Div. Volume - +
0.060 12.60

+ - Total Consumptive Use - + + - KW Usage - +
0.0

+ - - - - Place of Use - - - - - +

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	19E	35	SW NW			04	STOCKWATER	(53) JEROME
08S	19E	35	NE NW			10	COMMERCIAL	(53) JEROME
08S	19E	35	NW NW			10	COMMERCIAL	(53) JEROME
08S	19E	35	SW NW			10	COMMERCIAL	(53) JEROME
08S	19E	35	SE NW			10	COMMERCIAL	(53) JEROME

Total Acres:

+ - - Diversion Means -

AJ0743NP
(OD-124)

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

04/24/00 14:36:24
Page 2

Water right number - R36-02440B

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

QNT USE OF RIGHT NOS. 36-02409D, 36-02440B, 36-02543B, 36-02637C
AND 36-07096B IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF
.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF
42.0 AF.

POD TWO POINTS OF DIVERSION ARE LOCATED WITHIN T08S, R19E,
S35, SWNW.

USE COMMERCIAL USE IS FOR A DAIRY.

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

+ - - - - Conditions of Approval - - - - - +
M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.
C18 - 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.

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

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

Date: 03/25/1999 User Id: PSKAGGS Subject: TRANSFER 5342
Transfer 5342 changes a portion of Rights 36-02409B(C&D), 36-02440(A&B), 36-02543(A&B), 36-02637A(B&C) and 36-07096(A&B) to
commercial & stockwater use at a dairy. The remaining irrigation portions of each right were changed to reflect the existing 386.0
acre permissible place of use.

Date: 04/24/2000 User Id: TFAWCETT Subject: APPROVED TRANSFER / SPLIT RIGHT
RIGHT WAS SPLIT FROM 36-02440 PURSUANT TO APPROVED TRANSFER 5342.

+ - - Audit Fields - - +
04/24/00 TFAWCETT

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 11/13/1990	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	- 01/19/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

Water Right Number - R36-02440

Prefix Translation:

RESEARCH

Old (D) Number - 28763

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

*** C - CURRENT OWNER ***

SPLIT RIGHT

1 -
2 -
3 -

City- X

State- ID Zip- 0

Phone - 208-000-0000

*** D - DIR RPT OWNER ***

WATERS

TIM H

1 - 1931 HUNT RD

2 - RT 4

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-825-4275

WATERS

LINDA K

1 - 1931 HUNT RD

2 - RT 4

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-825-4275

+ - - Priority Date - - +
06/01/1960+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +

+ - - Status - - - +
Z - SEE REMARKS+ - - - - Source - - - - - +
GROUNDWATER
SPLIT RIGHT

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

08S 20E 30 SE NE SE (53) JEROME

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.800 480.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.800 480.00 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 20E 30 NE SE 40.0 01 IRRIGATION (53) JEROME
08S 20E 30 SW SE 40.0 01 IRRIGATION (53) JEROME
08S 20E 30 SE SE 40.0 01 IRRIGATION (53) JEROME

Total Acres: 120.0

+ - - Diversion Means - 450' WELL, 450 HP PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

Water right number - R36-02440

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

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

GEN SPLIT RIGHT: SEE RIGHT NOS. 36-02440A AND 36-02440B.

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

3602440

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

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

Date: 12/31/1997 User Id: KCHRISTE Subject: REFORMAT
FOR PARTIAL DECREE

Date: 04/24/2000 User Id: TFAWCETT Subject: COPIED FROM REMARKS
USE OF RIGHTS 36-02440, 36-02409B, 36-02543, 36-02637A
6.54 CFS.

AND 36-07096 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF

Date: 04/24/2000 User Id: TFAWCETT Subject: COPIED FROM REMARKS
RIGHTS 36-02440, 36-02409B, 36-02543, 36-02637A AND 36-07096
STOCKWATER 200-250 RANGE CATTLE.

ARE DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Date: 04/24/2000 User Id: TFAWCETT Subject: APPROVED TRANSFER / SPLIT RIGHT
PURSUANT TO APPROVED TRANSFER 5342 RIGHT HAS BEEN SPLIT.

+ - - Audit Fields - - +

04/24/00 TFAWCETT

+ - - - - - 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	- 01/19/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S011014	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-