

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: A36-02543
Date Received: 1/19/1990
Receipt No: S011014
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TIM H. WATERS 208-825-4275
Address: 1931 HUNT RD. RT. 4
JEROME, ID 83338

OR

Name: LINDA K. WATERS 208-825-4275
Address: 1931 HUNT RD. RT. 4
JEROME, ID 83338

2. Date of Priority: JUN 18, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	20E	30	NE	SE			JEROME

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/20	11/15	1.160		

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

8. Total consumptive use is 240.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/200-250 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	20E	31	NE	NE		IRR	40.0
						Section Acres	40.0
		32	NW	NW		IRR	40.0
						Section Acres	40.0
						Total Acres	80.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
A36-02637A, 02440, 07096, 02409B, 13856

14. Remarks:
TRANS. 1610.
WATER USED ON 400 ACRE FARM.

15. Basis of Claim: LICENSE
Water Right Number: 30530

(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.

For Individuals:

Signature of Claimant(s): L. H. Walker Date: 1-19-90
Date: _____

State of Idaho)
County of 18) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of Jan 19 90 Lon White
Notary Public

Residing at 88
My Commission Expires 5/94

MICROFILMED
JAN 28 1993

Water Right Number - 36-02543

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 30530

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

*** C - CURRENT OWNER ***

BUTLER

CARLYLE

1 - RT. 4 BOX 164

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone -

*** O - ORIGINAL OWNER ***

BETCKE

WALTER A.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
06/18/1962 17 L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

08S 20E 30 NE SE (53) JEROME

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

01 - IRRIGATION 03/20 11/15 1.160

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.160+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S 20E 31 NE NE 40.0 01 IRRIGATION (53) JEROME

08S 20E 32 NW NW 40.0 01 IRRIGATION (53) JEROME

Total Acres: 80.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
TRANS. 1610.

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

Water right number - 36-02543 Adj. flag translation: Standard Water Right Number

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

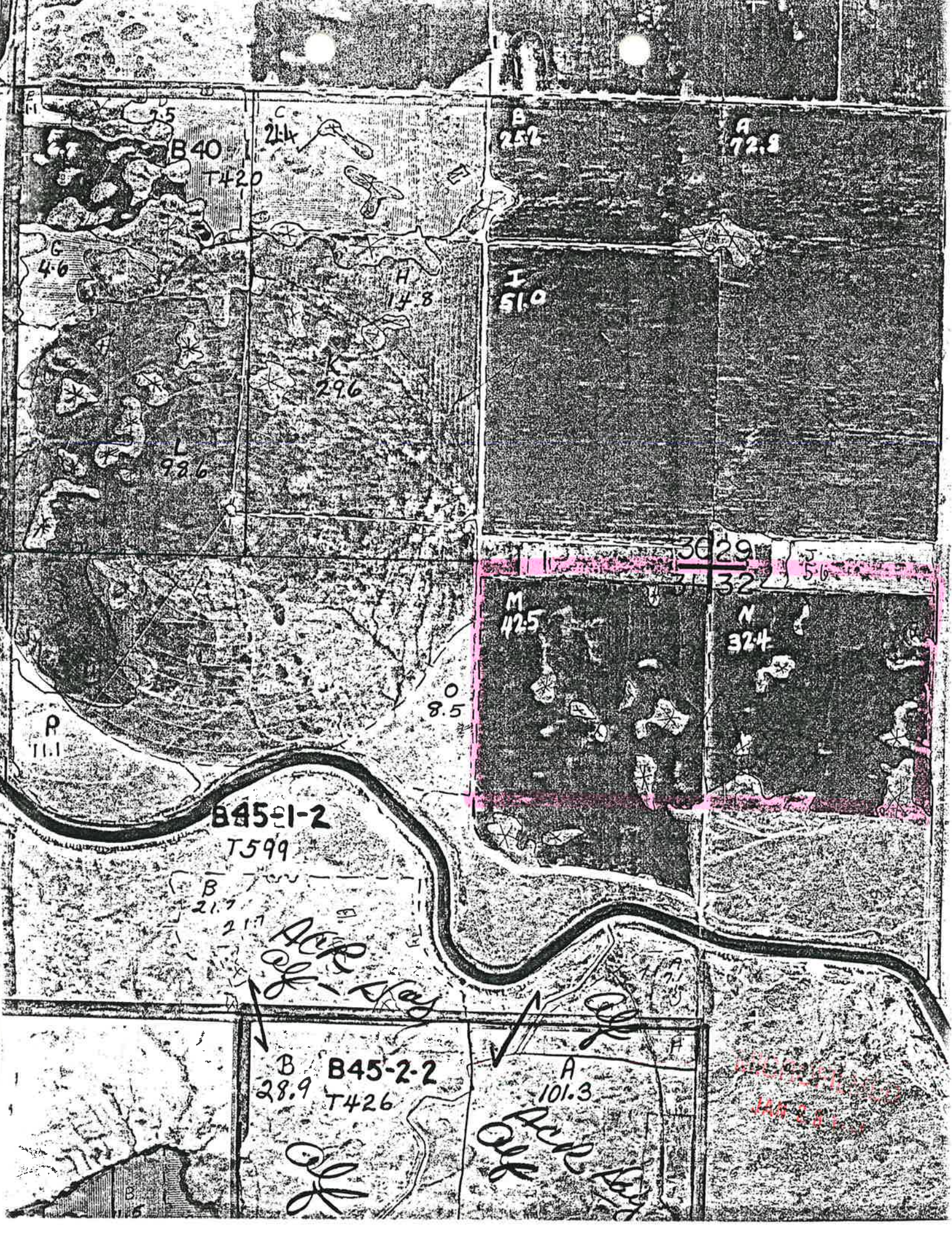
+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields -

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 06/03/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 12/26/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED
JAN 28 1993



B 40
T 420

C
244

B
252

A
72.8

G
4.6

H
14.8

I
51.0

K
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L
98.6

3029
32

J
5.6

M
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N
32.4

O
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P
11.1

B 45-1-2
T 599

B
21.7

21.7

Academy
L. Day

B B 45-2-2
28.9 T 426

A
101.3

Academy

Academy
L. Day

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5348
WATER RIGHT NO(S). 36-02409E/36-02440A/36-02543A/36-02637B
36-07096A/36-07613

RECEIVED

APR 10 2000

Department of Water Resources
Southern Region

This is to certify that: TIM H WATERS
LINDA K WATERS
1931 HUNT RD
JEROME ID 83338

has 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.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02409E : IRRIGATION Priority: 12/02/1959	04/01 to 10/31	4.70 CFS	1248.8 AF
Right No. 36-02440A : IRRIGATION Priority: 06/01/1960	04/01 to 10/31	1.74 CFS	463.2 AF
Right No. 36-02543A : IRRIGATION Priority: 06/18/1962	04/01 to 10/31	1.12 CFS	308.8 AF
Right No. 36-02637B : IRRIGATION Priority: 01/27/1966	04/01 to 10/31	1.54 CFS	308.8 AF
Right No. 36-07096A : IRRIGATION Priority: 12/01/1969	04/01 to 10/31	0.77 CFS	154.4 AF
Right No. 36-07613 : IRRIGATION Priority: 02/26/1976	03/15 to 11/15	1.60 CFS	320.0 AF

TOTAL: * 11.47 CFS * 2804.5 AF

SOURCE

GROUNDWATER

TRANSFER NO. 5348
 WATER RIGHT NO(S) . 36-02409E/36-02440A/36-02543A/36-02637B
 36-07096A/36-07613

LOCATION OF POINT(S) OF DIVERSION:

SENWNW , Sec. 29, Township 08S, Range 20E
 SENESE , 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	NENW 40	NWNW 40	SWNW 40	
			SENW 35	NWSW 40	SWSW 40	235
		30	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 33	SESW 33	
			NESE 40	NWSE 40	SWSE 40	
			SESE 40			386
		31	NENE 40			40
		32	NWNW 40			40
Total number of acres irrigated:						** 701

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. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- ** 6. Right 36-02409E is limited to the irrigation of 312.2 acres in the place of use described above in a single irrigation season.
- ** 7. Right 36-02440A is limited to the irrigation of 115.8 acres in the place of use described above in a single irrigation season.
- ** 8. Right 36-02543A is limited to the irrigation of 77.2 acres in the place of use described above in a single irrigation season.
- ** 9. Right 36-02637B is limited to the irrigation of 77.2 acres in the place of use described above in a single irrigation season.
- ** 10. Right 36-07096A is limited to the irrigation of 38.6 acres in the place of use described above in a single irrigation season.

TRANSFER NO. 5348
WATER RIGHT NO(S). 36-02409E/36-02440A/36-02543A/36-02637B
36-07096A/36-07613

CONDITIONS OF APPROVAL AND REMARKS

- ** 11. Right 36-07613 is limited to the irrigation of 80.0 acres in the place of use described above in a single irrigation season.
- * 12. The total instantaneous diversion of water from all points of diversion under Transfer 5348 shall not exceed 11.47 cfs, nor a total combined annual volume of 2804.0 af.
- 13. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.

Dated this 3rd day of April, 2000


Chief, Water Allocation Bureau

RECEIVED

MAY 07 1969

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

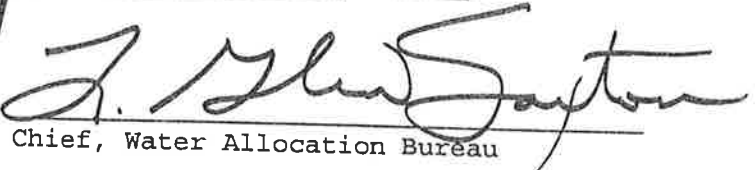
1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at 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	

Water Right Number - R36-02543

Prefix Translation: RESEARCH

Old (D) Number - 30530

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***
SPLIT RIGHT

1 -
2 -
3 -
City- X
Phone - 208-000-0000

State- ID Zip- 0

*** D - DIR RPT 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 - - +
06/18/1962

+ - - 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	1.160	320.00

+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +		+ - KW Usage - +	
1.160		320.00		0.0			

Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	20E	31	NE NE		40.0	01	IRRIGATION	(53) JEROME
08S	20E	32	NW NW		40.0	01	IRRIGATION	(53) JEROME

Total Acres: 80.0

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

+ - - Non-Irrigation Use -

Water right number - R36-02543

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - NONE

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

GEN SPLIT RIGHT: SEE RIGHT NOS. 36-02543A AND 36-02543B.

+ - - - - - Old Water Right Numbers - - - - - +
3602543

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

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

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

Date: 04/21/2000 User Id: TFAWCETT Subject: COPIED FROM REMARKS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.54 CFS.

COMBINED RIGHT NOS.: 36-02440, 36-02409B, 36-02637A & 36-07096.

Date: 04/21/2000 User Id: TFAWCETT Subject: COPIED FROM REMARKS

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
36-07096.

DIVERSION DESCRIBED ABOVE: 36-02440, 36-02409B, 36-02637A &
STOCKWATER/ 200-250 RANGE CATTLE

Date: 04/21/2000 User Id: TFAWCETT Subject: APPROVED TRANSFER / SPLIT RIGHT

PURSUANT TO APPROVED TRANSFER 5342 CLAIM WAS SPLIT INTO

PARTS 'A' AND 'B'.

+ - - Audit Fields - - +

04/21/00 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	-

Old (D) Number - 30530

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

```

*** C - CURRENT OWNER ***

WATERS

TIM H

1 - 1931 HUNT RD

20-

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 - - - +
06/18/1962	17 SOUTHERN	L - LICENSE	

Source	Tributary
GROUNDWATER	

Point of Diversion					
Twn	Rng	Sec	Tract	Lot	RFlg
08S	20E	29	SE NW NW		(53) JEROME
		30	SE NE SE		(53) JEROME

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	1.120	308.80

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
1.120	308.80	0.0	

	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use 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 - R36-02543A

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use 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 77.2 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

+ - - - - - Old Water Right Numbers - - - - - +
3602543

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

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

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

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

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.

Water right number - R36-02543A

Prefix Translation: RESEARCH

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

Date: 04/21/2000 User Id: TFAWCETT Subject: APPROVED TRANSFER / AMENDED CLAIM
CLAIM AMENDED PURSUANT TO APPROVED TRANSFER 5348.

+ - - Audit Fields - - +

04/21/00 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 - R36-02543B

Prefix Translation: RESEARCH

Old (D) Number - 30530

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

*** C - CURRENT OWNER ***

MILLER

BLAINE E

1 - 250 S EDEN RD

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-825-4266

*** O - ORIGINAL 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 - - +

06/18/1962

+ - - - Region - - - +

17 SOUTHERN

+ - - - Stage - - - +

L - LICENSE

+ - - - Status - - - +

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

GROUNDWATER

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

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

Twn Rng Sec Tract Lot RFlg County

08S 19E 35 SW NW (53) JEROME

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER

01/01

12/31

0.040

8.00

10 - COMMERCIAL

01/01

12/31

0.040

0.40

+ - Total Div. Rate - +

0.040

+ - Total Div. Volume - +

8.40

+ - Total Consumptive Use - +

0.0

+ - KW Usage - +

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

Twn 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 -

Water right number - R36-02543B

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 - - - - - +

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

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

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

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: 04/21/2000 User Id: TFAWCETT Subject: APPROVED TRANSFER / SPLIT RIGHT
PURSUANT TO APPROVED TRANSFER 5342 CLAIM WAS SPLIT FROM 36-02543.

+ - - Audit Fields - - +
04/21/00 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	-

200 JUL 12 AM 11:43

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. 36-02543, 36-02543A,
36-02543B

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

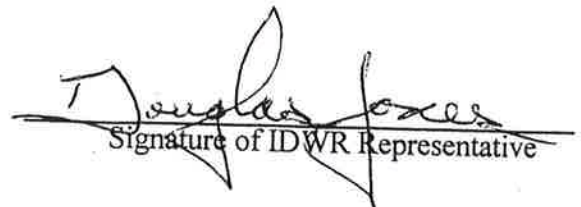
☒ Place of Use

☒ 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: 7/2/00


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-2

RIGHT NUMBER: 36-02543

SPLIT RIGHT: SEE RIGHT NOS. 36-02543A AND 36-02543B.

AJ5856NP

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

DATE: JUN-28-2000
PAGE: A-5

RIGHT NUMBER: 36-02543A

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

SOURCE: GROUNDWATER

QUANTITY: 1.12 CFS
308.8 AFY

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.

PRIORITY DATE: 06/18/1962

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	1.12 CFS
			308.8 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 77.2 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-6

RIGHT NUMBER: 36-02543A (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-7

RIGHT NUMBER: 36-02543B
NAME & ADDRESS: BLAINE E MILLER
250 S EDEN RD
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
8.4 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: 06/18/1962

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	0.04 CFS
	COMMERCIAL	01-01 12-31	8.0 AFY
			0.04 CFS
			0.4 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-8

RIGHT NUMBER: 36-02543B (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

07-1959

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		80
		30	NESW	33		
			NWSE	40		
		31	NENE	40		
		32	NWNW	40		
			SWSW	40		
			SESW	33	NESE	40
			SWSE	40	SESE	40
						226
						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 NWNW SWNW
 SENW

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

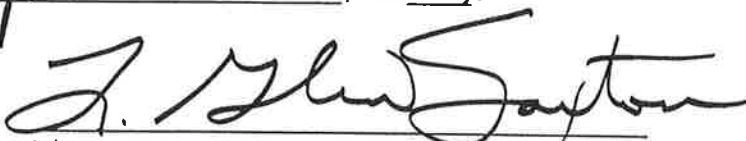
WATER RIGHT NO(S). 36-02409C/36-02409D/36-02440A/36-02440B
36-02543A/36-02543B/36-02637B/36-02637C/36-07096A/36-07096B

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, 1999.


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

200 JUL 12 AM 11:43

FILED
TWIN FALLS CO., IDAHO

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	)	SUBCASE NO. 36-02543, 36-02543A,
	)	36-02543B
Case No. 39576	)	
	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDING

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

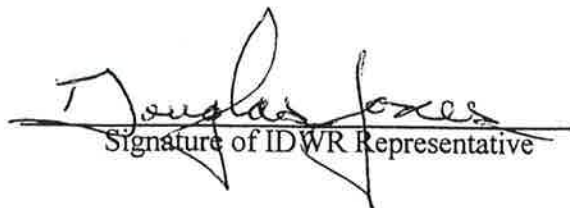
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership	☒ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☒ Period 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-2

RIGHT NUMBER: 36-02543

SPLIT RIGHT: SEE RIGHT NOS. 36-02543A AND 36-02543B.

AJ5856NP

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

DATE: JUN-28-2000

PAGE: A-5

RIGHT NUMBER: 36-02543A

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

SOURCE: GROUNDWATER

QUANTITY: 1.12 CFS
308.8 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: 06/18/1962

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	1.12 CFS
			308.8 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	SENE 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 77.2 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-6

RIGHT NUMBER: 36-02543A (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-7

RIGHT NUMBER: 36-02543B

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

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
8.4 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: 06/18/1962

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	0.04 CFS
			8.0 AFY
	COMMERCIAL	01-01 12-31	0.04 CFS
			0.4 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-8

RIGHT NUMBER: 36-025438 (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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Southern AJ

DEC 07 1959

Department of Water Resources
Department of Water Resources
Southern Region

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.

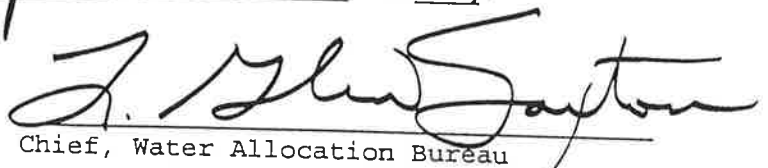
TRANSFER NO. 5342

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

1998 NOV 24 AM 11:45

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: 36-02409D,
36-02440, 36-02543

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

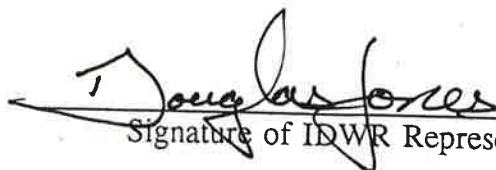
☒ I.C. § 42-222 transfer 5342

☒ point of diversion ☒ place of use

☒ period of use ☒ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:
December 1, 1999.

DATED: 11/23/98


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11-24, 1998, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Tim Waters
Linda 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 each 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



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

November 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BLAINE E MILLER
250 S EDEN RD
JEROME ID 83338

RE: SRBA Claim(s) 36-02409B, 36-02440, 36-02543

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

/tf

Enc.

cc: Tim and Linda Waters

R PROOF



CVR



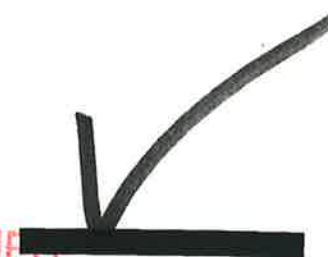
MAPS



PHOTOS



MISC



MICROFILMED

JAN 28 1993

VERIFIED BY

SC

Water Right Number - R36-02543

Prefix Translation: RESEARCH

Old (D) Number - 30530

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

*** C - CURRENT 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 - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/18/1962 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

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

Twn	Rng	Sec	Tract	Lot	RFlg	County
08S	20E	30	SE NE SE		(53)	JEROME

Code	Description	Period From	Water Use Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	1.160	320.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.160 320.00 240.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
08S	20E	31	NE NE		40.0	01	IRRIGATION	(53) JEROME
08S	20E	32	NW NW		40.0	01	IRRIGATION	(53) JEROME

Total Acres: 80.0

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

+ - - Non-Irrigation Use - STOCKWATER/ 200-250 RANGE CATTLE

+ - - Other Rights for Same Use - NONE

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

RIGHTS LISTED BELOW ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF
THESE RIGHTS IS LIMITED TO 6.54 CFS.

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JAN 28 1993

Water right number - R36-02543

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
OTHER RIGHT NOS.: 36-02440, 36-02409B, 36-02637A & 36-07096.

+ - - - - Old Water Right Numbers - - - - -
3602543

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

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

+ - - - - Comments - - - - -
No Comments Found

+ - - Audit Fields - - +
09/12/91 CLELLAND

VERIFIED BY

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

Court Report Filing	- 00/00/0000	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	- 09/12/1991	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	-

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JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:30:30
11/14/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02543

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			AD~	N		See 9-12-91	DB	
POINT OF DIV	Y		/	Y	1,5	/	/	
SOURCE		N						
PLACE OF USE	Y	N		1,5,4				
DIV. AMOUNT CFS/VOLUME		Y						
CONSUMPTIVE USE	-	N						
PURPOSES		N						
PERIOD OF USE		N						
BASIS OF CLAIM		N						
REMARKS	Y							

"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.

RECEIVED

JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:30:30
11/14/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02543

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

OWNER CODE: O

FIRST: WALTER A.

STATE: ID ZIP: X

LAST: BUTLER
ADDRESS: RT. 4 BOX 164
CITY: JEROME
PHONE NUMBER: 208-000-0000

OWNER CODE: O

FIRST: CARLYLE

STATE: ID ZIP: 83338

LAST: WATERS
ADDRESS: 1931 HUNT RD.
RT. 4
CITY: JEROME
PHONE NUMBER: 208-825-4275

OWNER CODE: C

FIRST: TIM H.

STATE: ID ZIP: 83338

LAST: WATERS
ADDRESS: 1931 HUNT RD.
RT. 4
CITY: JEROME
PHONE NUMBER: 208-825-4275

OWNER CODE: C

FIRST: LINDA K.

STATE: ID ZIP: 83338

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: TRANS. 1610.

DATABASE
Y

FIELD
EXAMINER

MICROFILMED

JAN 28 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____ - ____

DATE OF FIELD EXAM: 11/13/90

APPOINTMENT MADE: Y(____) N(✓)

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

ACCOMPANIED BY: None

PHONE NUMBER: (____) ____ - ____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED

JAN 28 1993

A. AJ CLAIM: # A36-02543 PRIORITY DATE: 06-18-1962 STAGE: L

B. WR RECORD: # 36-02543 PRIORITY DATE: 06-18-1962 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:

RECOMMENDED PRIORITY DATE:
06-18-1962

REVIEWED BY

DATE

MICROFILMED

JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02543	08S	20E	30	SE	NE	SE		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A36-02637A	NONE
A36-07096	
A36-02409B	
A36-02440	

WR RECORDS IN SAME 40 ACRE TRACT

36-02409B
36-02440
36-02637A
36-07096

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02543	08S	20E	30		NE	SE		JEROME

OTHER WR RECORDS WITH SAME WR POD

36-02409B
36-02440
36-02637A
36-07096

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
----------	----------

A36-02637A	NONE
A36-07096	
A36-02409B	
A36-02440	

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD EXAMINER

REMARKS:

MICROFILMED
JAN 28 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

As Marked p252 9

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

11/14/90

MICROFILMED

JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02543

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	20E	32	NW	NW		WATERS, TIM H.	A36-02543 /40.0	36-02543 /40.0	35.0	38	40
						WATERS, TIM H.	A36-13855 /	- /			
08S	20E	31	NE	NE		WATERS, TIM H.	A36-02543 /40.0	36-02543 /40.0	39.0	40	40
						WATERS, LINDA K.	A36-13856 /	- /			
TOTAL ACRES							A36-02543	80.00	80.00	74.00	

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

other claims

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 80

REVIEWED BY: AD

DATE: 11/18/92

MICROFILMED 80

JAN 28 1993

A. AJ CLAIMED USES:

PURPOSES
A36-02543 IRRIGATION

MONTH/DAY
FROM 03-20 TO 11-15

DIVERSION QUANTITY
1.160 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.160 CFS

B. WR RECORDED USES:

PURPOSES
36-02543 IRRIGATION

MONTH/DAY
FROM 03-20 TO 11-15

DIVERSION QUANTITY
1.160 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.160 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
N
N

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: 1.160 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.160 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: ~~A36-02637A, 02440, 07096, 02409B, 13856~~

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-13855	DOMESTIC	WATERS , TIM H.	FROM 01-01 TO 12-31	.040 CFS	
A36-13856	DOMESTIC	WATERS , LINDA K.	FROM 01-01 TO 12-31	.040 CFS	
A36-13856	STOCKWATER	WATERS , LINDA K.	FROM 01-01 TO 12-31	.050 CFS	

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 80 x 0.02 CFS/ACRE = 1.60 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 240.0 AF/A
ACRES 80 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =
TOTAL CONSUMPTIVE USE 240 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 80 x DIVERSION VOL. AF/A FOR AREA 4.0 =
TOTAL DIVERSION VOLUME 320 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

No Overlap

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JAN 28 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-20 11-15	DATABASE 1.160 EXAMINER ✓	DATABASE 320 EXAMINER ✓	DATABASE 240.0 EXAMINER ✓
TOTAL FOR THIS RIGHT		1.160		240.0

REVIEWED BY: ADN

DATE: 11/14/90

E08

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JAN 28 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02543

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	1.160		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02543	1.160	-		36-02543	1.160
TOTAL CFS		1.160				1.160

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: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

RECEIVED
JAN 28 1993

A36-02543

BB25
(NE)

C. 1976

R2OE.

T
8
S

POU on
NAPP

POU



TOTAL
POU
BORDER

31

29

32

ICROFILMED
JAN 28 1993

T
T

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

 FILE: A36-02409 B ETAL
 DATE: 9-11-91
 BY: SCC

THEORETICAL RATE OF FLOW:

$$Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) (450) (0.70)}{[(400) + (60 \times 2.31)]} = \frac{2772}{538.6} = 5.15 \text{ cfs}$$

LIFT FROM:

measurement ()

owner ()

area estimate (X)

well logs (X)

Booster (Y) (N)

PSI FROM:

measurement ()

owner ()

estimate (X)

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

450 HP

Pump Make, Serial or ID, rating

RATED @ 6.68 cfs

REMARKS

allow @ LICENSED RATE = 6.54 CFS Capacity flow.

ANNUAL VOLUME ANALYSIS

$$\text{POTENTIAL Acre Feet/Acre/Annum} = \frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$$

(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL = (.....) X (1.98) X (.....)
4/15 - 10/15	184	
3/1 - 12/1	276	(.....)

POTENTIAL =

REQUIRED Acre Feet/Acre/Annum =

(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

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