

AJ0743NP  
(OD-124)

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

06/16/00 09:22:31  
Page 1

Water Right Number - R36-025860

Prefix Translation: RESEARCH

Old (D) Number - 31680

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

\*\*\* C - CURRENT OWNER \*\*\*  
FRANCO

LANE

1 - 211 W 400 N  
2 -  
3 -  
City- JEROME  
Phone - 208-324-2353

State- ID Zip- 83338

\*\*\* D - DIR RPT OWNER \*\*\*  
TIMONEY

SEAN P

1 - 3711-A N 2700 E  
2 -  
3 -  
City- TWIN FALLS  
Phone - 208-734-0320

State- ID Zip- 83301

TIMONEY

PATTI A

1 - 3711-A N 2700 E  
2 -  
3 -  
City- TWIN FALLS  
Phone - 208-734-0320

State- ID Zip- 83301

+ - - Priority Date - - +  
01/28/1964

+ - - - Region - - - +  
17 SOUTHERN

+ - - - Stage - - - +  
D - BECREED

+ - - - Status - - - +

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

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

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

07S 16E 34 NE NE (53) JEROME

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

04 - STOCKWATER 01/01 12/31 0.140 34.70  
10 - COMMERCIAL 01/01 12/31 0.140 7.80

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
0.140 42.50 0.0

+ - - - - Place of Use - - - - - +  
Twn Rng Sec Tract Lot Acres Code Description County

07S 16E 34 NE NE 04 STOCKWATER (53) JEROME  
07S 16E 34 NE NE 10 COMMERCIAL (53) JEROME

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

Water right number - R36-02586D

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use -

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

QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF 0.14 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 79.4 AF. COMBINED RIGHT  
NOS.: 36-02586D, 36-14035D, 36-10894.

POD TWO POINTS OF DIVERSION LOCATED IN T07S, R16E, S34, NENE.

+ - - - - - 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.

+ - - - - Decree Plaintiff - - - +

STATE OF IDAHO

+ - - - - Decree Defendant - - - +

UNITED STATES ET AL

+ - - Decree Date - +

01/15/1998

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

Date: 02/12/1996 User Id: MBALDWIN Subject: TRANSFER NO. 4767  
Transfer No. 4767 was filed to change a portion of irrigation Right Nos. 36-02586 and 36-14035 to year round stockwater &  
commercial use for a dairy, splitting the rights into parts A & B.  
Date: 07/14/1999 User Id: CFRITSCH Subject: DIVERSION VOLUME  
DIVERSION VOLUME CALCULATED ON AN IRRIGATION SEASON OF 5-1 TO 9-30 AT 3.1 CFS.  
Date: 07/19/1999 User Id: PSKAGGS Subject: TRANSFER 5128  
Transfer 5128 adds a point of diversion & changes the place, nature & season of use under a portion of Rights 36-02586A &  
36-14035A, splitting each right into Parts C & D.  
Date: 06/16/2000 User Id: DJONES Subject: AMENDED RECOMMENDATION  
RECORD CREATED TO REFLECT APPROVED TRANSFERS T#4767 & T#5128. RECORD STAGED AS DECREE, C18 ADDED.

+ - - Audit Fields - - +

06/16/00 DJONES

+ - - - - - 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  | - 00/00/0000 | 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    | -       |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5128  
WATER RIGHT NO(S). 36-02586D/36-14035D

RECEIVED

JUL 22 1999

Department of Water Resources  
Southern Region

This is to certify that: LANE FRANCO  
211 W 400 N  
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. 36-02586D : |                      |                       |                      |
| STOCKWATER            | 01/01 to 12/31       | 0.14 CFS              | 34.7 AF              |
| COMMERCIAL            | 01/01 to 12/31       | 0.14 CFS              | 7.8 AF               |
| Priority: 01/28/1964  |                      |                       |                      |
| SUBTOTAL:             |                      | 0.14 CFS              | 42.5 AF              |
| Right No. 36-14035D : |                      |                       |                      |
| COMMERCIAL            | 01/01 to 12/31       | 0.14 CFS              | 36.9 AF              |
| Priority: 05/26/1976  |                      |                       |                      |
| TOTAL:                |                      | * 0.14 CFS            | * 79.4 AF            |

SOURCE  
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 34, Township 07S, Range 16E  
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

07S 16E 34

NENE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.

TRANSFER NO. 5128  
WATER RIGHT NO(S). 36-02586D/36-14035D

CONDITIONS OF APPROVAL AND REMARKS

3. 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.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- \* 8. The total instantaneous diversion of water from all points of diversion under Transfer 5128 shall not exceed 0.14 cfs, nor a total combined annual volume of 79.4 af.
9. Rights 36-02586D and 36-14035D when combined with Right 36-10894 shall not exceed a combined total diversion rate of 0.14 cfs, nor a total annual diversion volume of 79.4 af for use at the dairy.
10. Two points of diversion are located within NENE, S34, T07S, R16E.

Dated this 20<sup>th</sup> day of July, 1999.

  
Chief, Water Allocation Bureau

## MEMORANDUM

TO: Files 36-02586A & 36-14035A  
 FROM: Pam Skaggs/State Office  
 SUBJECT: Transfer 5128 *CS*  
 DATE: July 20, 1999

Transfer 5128 changes and adds a second point of diversion, changes the place, nature and season of use under a portion of Right 36-02586A and 36-14035A, splitting each right into Parts C and D. The applicant is changing 19.9 acres of irrigation to stockwater and commercial use to provide water for expansion of an existing dairy. The total rate of diversion was reduced by the applicant to reflect system capacity.

Two existing wells will be associated with this dairy, although no evidence of drilling permits for these uses was found in the database. No new wells will be drilled. The application was prepared when diversion volume was the standard and has been processed using the same. Recommended conditions include drilling permit requirements, no new wells, water quality requirements, county zoning, multiple points of diversion/measuring devices combined right limits and standard transfer conditions.

### Change in Nature of Use Evaluation

| <u>Right</u>                                                                | <u>Rate</u> | <u>Use</u> | <u>P/U</u>              | <u>PP/U</u> | <u>Div. Vol.</u> |
|-----------------------------------------------------------------------------|-------------|------------|-------------------------|-------------|------------------|
| 36-02586A                                                                   | 3.10 cfs    | IRR        | 360.1 acres/543.5 acres |             | 940.8 afa        |
| 36-14035A                                                                   | 6.59 "      | "          | 543.5 " /543.5 "        |             | (2174.0 ")       |
|                                                                             | 9.69 cfs    | IRR        | 543.5 acres/543.5 acres |             | 2174.0 afa       |
| 36-02586C                                                                   | 2.96 cfs    | IRR        | 340.2 acres/523.6 acres |             | 898.3 afa        |
| 36-14035C                                                                   | 6.45 "      | "          | 523.6 " /523.6 "        |             | (2094.4 ")       |
|                                                                             | 9.41 cfs    | IRR        | 523.6 acres/523.6 acres |             | 2094.4 afa       |
| 36-02586D                                                                   | 0.14 cfs    | STOCK      | (19.9 acres)            |             | 34.7 afa         |
|                                                                             | 0.14 "      | COMMER     | " "                     |             | 7.8 "            |
| 36-14035D                                                                   | 0.14 "      | COMMER     | " "                     |             | 36.9 "           |
|                                                                             | 0.14 cfs    | IRR        | (19.9 acres)            |             | 79.4 afa         |
| After Transfer Total: 9.55 cfs IRR/DAIRY 523.6 acres/523.6 acres 2173.8 afa |             |            |                         |             |                  |