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: **A36-02709**
Date Received: 12/29/1988
Receipt No: S005470
Received By: scc

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: DAVID R. MILLARD 208-326-3378
   Address: DBA CRYSTAL SPRINGS RANCH
   RT. 1 BOX 119
   FILER, ID 83328

2. Date of Priority: MAR 03, 1932

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
09S	15E	12	NE SE NW	12	GOODING

5. Description of diverting works:
   COLLECTOR FUNNEL TO 4-1/2" STEEL PIPE, CROSSING SNAKE R. NORTH-S.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.000		
DOMESTIC	01/01	12/31	0.200		

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

8. Total consumptive use is 330.0 Acre Feet Per Annum.

9. Non-irrigation uses:
   D/3 HOUSES, SINGLE OWNERSHIP

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	15E	12	NE SW	6	IRR	5.0

MICROFILMED
FEB 0 1 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
09S	15E	12	NW	SW		IRR	5.0
			SW	SW		IRR	30.0
			SE	SW		IRR	30.0
			SW	SE		IRR	40.0
						Section Acres	110.0
						Total Acres	110.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
A47-02145, A36-02705

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 2399

MICROFILMED
FEB 0 1 1993

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

Signature of Claimant(s): [signature] Date: 12/29/88

_____ Date: _____

State of Idaho)
) SS.
County of Twin Falls)

Subscribed and sworn (or affirmed) before me this 29th day of December 19 88

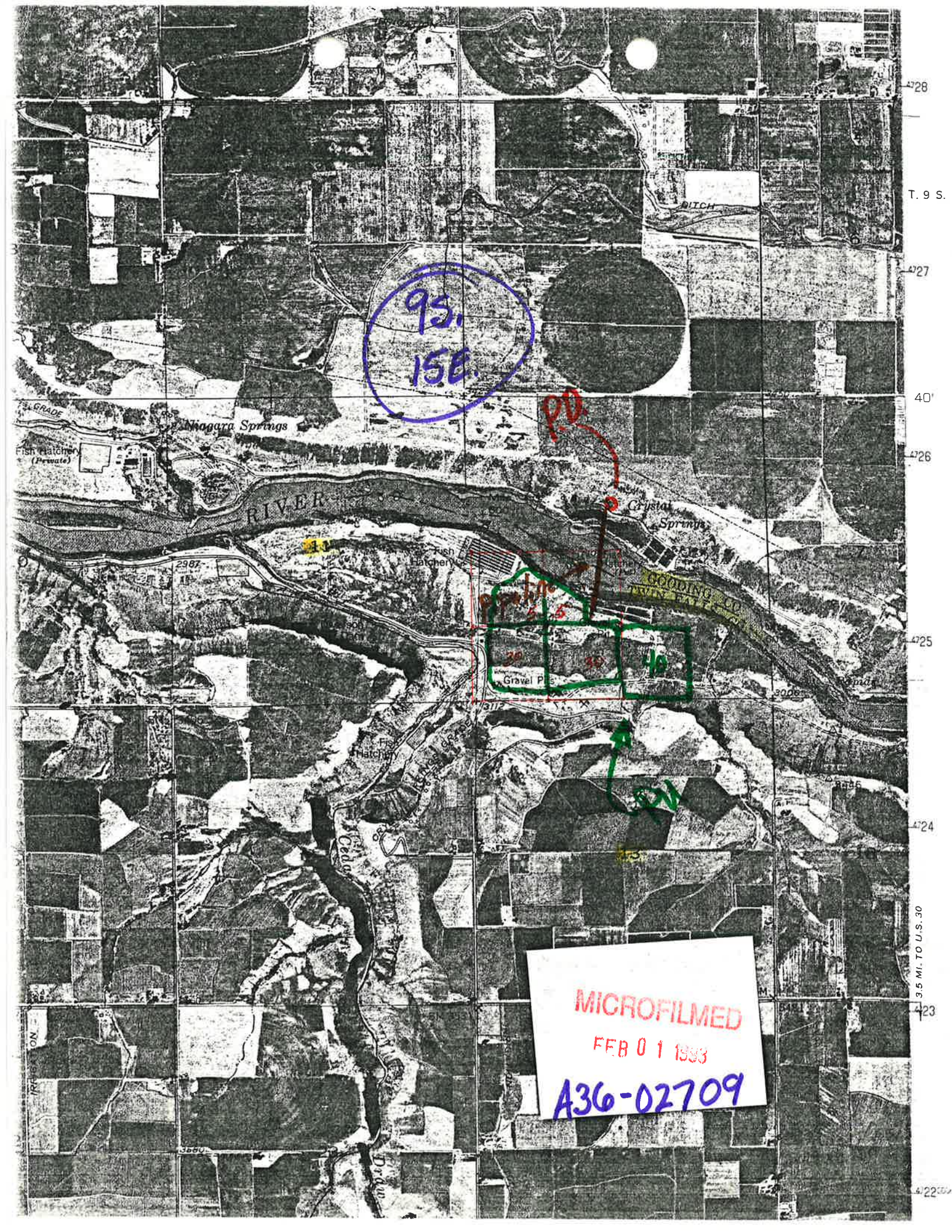
[signature]
Notary Public

Seal

Residing at Twin Falls

My Commission Expires Dec 7, 1994

MICROFILMED
FEB 0 1 1993


T. 9 S.
4728
4727
4726
4725
4724
4723
4722
40'
9S.
15E.
P.O.
Niagara Springs
Fish Hatchery (Private)
RIVER
Crystal Springs
Fish Hatchery
GOODING CO.
TWIN FALLS CO.
Gravel Pit
Fish Hatchery
Cedar Draw
Draw
3.5 MI. TO U.S. 30
MICROFILMED
FEB 0 1 1993
A36-02709

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

VERIFIED BY JDB

Water Right Number - R36-02709 Prefix Translation: RESEARCH Old (D) Number - 2399

Last Name	First Name	Address
*** C - CURRENT OWNER *** MILLARD	DAVID R.	1 - DBA CRYSTAL SPRINGS RANCH 2 - RT. 1 BOX 119 3 - City- FILER State- ID Zip- 83328 Phone - 208-326-3378

Priority Date	Region	Stage	Status
03/03/1932	17 SOUTHERN	L - LICENSE	

Source	Tributary
SPRINGS	SNAKE RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
09S	15E	12	NW SW NE	13	(47)	GOODING

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
43	DOMESTIC	01/01	12/31	0.060	
01	IRRIGATION	03/15	11/15	0.030	

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
0.090		3.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	15E	12	SW SW		1.0	01	IRRIGATION	(83) TWIN FALLS
09S	15E	12	SW SW			43	DOMESTIC	(83) TWIN FALLS

Total Acres: 1.0

+ - - Diversion Means - COLLECTOR FUNNEL TO 4-1/2" STEEL PIPE, CROSSING SNAKE R. NORTH-S.

+ - - Non-Irrigation Use - DOMESTIC, 3 HOMES, SINGLE OWNERSHIP

+ - - Other Rights for Same Use - NONE

Remarks

No Remarks found.

Old Water Right Numbers

No Old Water Right Numbers Found

Water right number - R36-02709 Prefix Translation: RESEARCH

Conditions of Approval

C09 - PORTION OF RIGHT FORFEITED/ABANDONED.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Comments

Date: 06/05/1991 User Id: SOUTH1 Subject: REASON FOR DENIAL
NO BENEFICIAL USE FOR IRRIGATION FOUND BEYOND DOMESTIC USE. NO IRRIGATION WAS APPARENT WITH THIS RIGHT/CLAIM (AS WELL AS
RIGHT/CLAIM A36-02905) IN OVER 10 YEARS. DOMESTIC USE IS AS FOLLOWS: RESIDENCE NO.1 LOCATED IN NWSWSW S12 IRRIGATES 0.25AC.
RESIDENCE NO.2 LOCATED IN NWSWSW S12 IRRIGATES 0.50AC. RESIDENCE NO.3 LOCATED IN NESWSW S12 IRRIGATES 0.25AC.

Audit Fields

10/10/91 BROWN

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/05/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 10/10/1991	Old Judicial District	-
Claim Received Date	- 12/29/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S005470	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

AJ0728NP
(OD-124)

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

09/27/91 13:26:50
Page 1

VERIFIED BY

Water Right Number - R36-02709 Prefix Translation: RESEARCH Old (D) Number - 2399

Last Name	First Name	Address
*** C - CURRENT OWNER *** MILLARD	DAVID R.	1 - DBA CRYSTAL SPRINGS RANCH 2 - RT. 1 BOX 119 3 - City- FILER State- ID Zip- 83328 Phone - 208-326-3378

Priority Date	Region	Stage	Status
03/03/1932	17 SOUTHERN		D - DENIED

Source	Tributary
SPRING	SNAKE RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
09S	15E	12	NW SW NE	13	(47)	GOODING

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
43	DOMESTIC	01/01	12/31	~~0.120~~	

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
~~0.120~~		0.0	

Place of Use

	Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
1	09S	15E	12	NW SW SW		0.25	43	DOMESTIC	(83) TWIN FALLS
2				NW SW SW		0.50		"	"
3				NE SW SW		0.25		"	"
				Total Acres:		1.00*			

- Diversion Means - COLLECTOR FUNNEL TO 4-1/2" STEEL PIPE, CROSSING SNAKE R. NORTH-S.
- Non-Irrigation Use - DOMESTIC, 3 HOMES, SINGLE OWNERSHIP
- Other Rights for Same Use - NONE

Remarks

No Remarks found.

Old Water Right Numbers

No Old Water Right Numbers Found

Conditions of Approval

C09 - PORTION OF RIGHT FORFEITED/ABANDONED.
C05 - RIGHT INCLUDES CHANGE IN PLACE OF USE.

Allen says Call Ray Boyland he lives here in one house for him. Not for D

Called 326-3378 no answer there 10/10/91

add Domestic use 2 acres * show Put in Commute

Water right number - R36-02709 Prefix Translation: RESEARCH

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments

Date: 06/05/1991 User Id: SOUTH1 Subject: REASON FOR DENIAL
NO BENEFICIAL USE FOR IRRIGATION FOUND NO IRRIGATION WAS APPARENT WITH THIS RIGHT/CLAIM (AS WELL AS RIGHT/CLAIM A36-02905) IN OVER 10 YEARS.

Audit Fields
09/27/91 BROWN

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/05/1991	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 09/27/1991	Old Judicial District	-
Claim Received Date	- 12/29/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S005470	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

Water Right Number - A36-02709 Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number - 2399

Last Name	First Name	Address
*** C - CURRENT OWNER *** MILLARD	DAVID R.	1 - DBA CRYSTAL SPRINGS RANCH 2 - RT. 1 BOX 119 3 - City- FILER State- ID Zip- 83328 Phone - 208-326-3378

Priority Date	Region	Stage	Status
03/03/1932	17	L - LICENSE	

Source	Tributary
SPRING	SNAKE RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
09S	15E	12	~~NE SE NW~~ Chng NW SW NE	~~12~~ 13		(47) GOODING	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
~~01~~	~~IRRIGATION~~	~~03/15~~	~~11/15~~	~~2.000~~ del	.04 x 3 = .12
43	DOMESTIC	01/01	12/31	0.280 .12CFS	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
~~2.000~~ .12			~~330.0~~ del	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	15E	12	~~NE~~ SW	~~6~~	~~5.0~~	~~01~~ 43 for domestic	~~IRRIGATION~~	(83) TWIN FALLS
~~09S~~	15E	~~12~~	NW SW		5.0	01	IRRIGATION	(83) TWIN FALLS
09S	~~15E~~	~~12~~	~~SW SW~~		30.0	~~01~~	~~IRRIGATION~~	(83) TWIN FALLS
09S	15E	12	SE SW		30.0	~~01~~	~~IRRIGATION~~	(83) TWIN FALLS
~~09S~~	~~15E~~	~~12~~	SW SE		40.0	01	IRRIGATION	(83) TWIN FALLS
			Total Acres:		110.0			

get legal for domestic

+ - - Diversion Means - COLLECTOR FUNNEL TO 4-1/2" STEEL PIPE, CROSSING SNAKE R. NORTH-S.

+ - - Non-Irrigation Use - D/3 HOUSES, SINGLE OWNERSHIP

+ - - Other Rights for Same Use - ~~47-02145~~, A36-02705 none

Remarks

No Remarks found.

Old Water Right Numbers

No Old Water Right Numbers found.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

Water right number - A36-02709 Adj. flag translation: Adjudication Temporary Work Area

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments
No Comments Found

Audit Fields - 12/29/88 CLELLAND

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	- 06/03/1985	Old Judicial District	-
Claim Received Date	- 12/29/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Claims Tape Error Flg	-	Receipt Number	- S005470	Water District	-
Fee Exempt Flag	-	POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-

c09
c05
Presumption Flag
add comment
"no irrigation beyond domestic use found."

WR0728NP
(OD-124)

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

2/21/91
NEW PROOF
MPR

02/21/91 13:35:24
Page 1

Water Right Number - 36-02709 Adj. Flag Translation: WATER RIGHT Old (D) Number - 2399

Last Name | First Name | Address

*** C - CURRENT OWNER ***
BLASS JOHN H.
1 -
2 -
3 -
City- FILER State- ID Zip-
Phone -

Priority Date: 03/03/1932
Region: 17 ERROR IN REGION
Stage: L - LICENSE
Status:

Source: SPRING
Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
09S	15E	12	NE NW	3		(47) GOODING

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			2.000	
43	DOMESTIC				

Total Div. Rate: 2.000
Total Div. Volume:
Total Div. Capacity:

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	15E	11	NE SW			01	IRRIGATION	(47) GOODING
			NE SW					(47) GOODING
			NW SW					(47) GOODING
			NW SW		0			(47) GOODING
			NE SE					(47) GOODING
			NE SE					(47) GOODING
			NW SE					(47) GOODING
			NW SE					(47) GOODING
		12	NW SW	5				(47) GOODING
			NW SW	9	0			(47) GOODING
			NW SW	10				(47) GOODING

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 36-02709 Adj. flag translation: WATER RIGHT

Remarks

AC. IRR. = 100.
P/U T9S, R15E, S12, LOT 5 DIVIDED INTO LOTS 9 & 10 & SALT GRASS
PL. SAND PLACER SURVEY NO. 2693.

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff | Decree Defendant | Decree Date
00/00/0000

Comments

No comments Found

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	05/01/1979	Appl Received	00/00/0000	Transfer/Amended	-
Decree Date	00/00/0000				

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

Water Right Number - 36-02709 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 2399

Last Name	First Name	Address
*** C - CURRENT OWNER *** BLASS	JOHN H.	1 - 2 - 3 - City- FILER State- ID Zip- Phone -

Priority Date	Region	Stage	Status
03/03/1932	17	L - LICENSE	

Source: SPRING

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
09S	15E	12	NE NW	3	(47)	GOODING

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION			2.000	
43	DOMESTIC				

Total Div. Rate	Total Div. Volume	Total Div. Capacity
2.000		

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	15E	11	NE SW			01	IRRIGATION	(47) GOODING
			NE SW					(47) GOODING
			NW SW					(47) GOODING
			NW SW					(47) GOODING
			NE SE					(47) GOODING
			NE SE					(47) GOODING
			NW SE					(47) GOODING
			NW SE					(47) GOODING
		12	NW SW	5				(47) GOODING
			NW SW	9				(47) GOODING
			NW SW	10				(47) GOODING

Total Acres:

Diversion Means -

Non-Irrigation Use -

Other Rights for Same Use -

Water right number - 36-02709 Adj. flag translation: Standard Water Right Number

Remarks

AC. IRR. = 100.
P/U T9S, R15E, S12, LOT 5 DIVIDED INTO LOTS 9 & 10 & SALT GRASS
PL. SAND PLACER SURVEY NO. 2693.

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	05/01/1979	Appl Received	00/00/0000	Transfer/Amended	
Decree Date	00/00/0000				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:18:56
08/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02709

LAST: MILLARD FIRST: DAVID R.
ADDRESS: DBA CRYSTAL SPRINGS RANCH
RT. 1 BOX 119
CITY: FILER STATE: ID ZIP: 83328
PHONE NUMBER: 208-326-3378

OWNER CODE: C

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	N	N

NO REMARKS IN CLAIM

VOID MDB 6/4/91

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: (___) ___-____

DATE OF FIELD EXAM: 02/21/91 APPOINTMENT MADE: Y(___) N(✓) TIME: ___:___ A(___) P(___)

ACCOMPANIED BY: Lori White 2/7-8/91 and 5/30/91 - MDB PHONE NUMBER: (___) ___-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

Drove to property and viewed irrigated lands. Compared with Submitted claim records ASCS map and on ground useage of Water.

Located on OrthoQuad BB 21 SE ¼

5/30/91 field exam w/ Clelland & M. Harshberger.

PAGE: 2
PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A36-02709

A. AJ CLAIM: # A36-02709 PRIORITY DATE: 03-03-1932 STAGE: L

B. WR RECORD: # 36-02709 PRIORITY DATE: 03-03-1932 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE: N FIELD EXAMINER: N

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

REMARKS:

RECOMMENDED PRIORITY DATE:
03-03-1932

REVIEWED BY LW ENAB DATE 10/15/90 3/06/91

POINT OF DIVERSION REVIEW SHEET

CLAIM NUMBER: A36-02709

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02709	09S	15E	12	~~NE~~ NW	~~SE~~ SW	~~NW~~ NE	~~12~~ 13	GOODING

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A36-07568	NONE
A36-07151	
A36-02905	
A36-07083	

WR RECORDS IN SAME 40 ACRE TRACT

36-07033
36-07083
36-07164
36-07568
36-07653
36-08330
36-08374
36-08390

SOURCE: SPRING

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02709	09S	15E	12	NW	SW	NE	13	GOODING
				~~NE~~	~~NW~~		~~9~~	

OTHER WR RECORDS WITH SAME WR POD

36-02905
47-02077

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
NONE	NONE

SOURCE: SPRING (Weaver Springs)

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

Completed Exam.

PAGE: 4
POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM NUMBER: A36-02709

REMARKS:

POD changed to match BLM survey plat showing 10" pipe line terminating at spring in lot 13 in NW, SW NE of Section 12. POD is very close to dividing line between Govt. lot 12 and Govt. lot 13. Claim shows 4½ inch pipe, and Incl. Engrs. Report shows 8" pipe to service ditch on south side of river.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
Same			NW	SW	NE	13	Gooding

SOURCE: Spring TRIB: 02/21/91 SNAKE RIVER

REVIEWED BY: AD DB DATE:

* Source at license was turned "Weaver Springs" rather than Crystal Springs or Spring. Recommend that name (Weaver Springs) remain as source.

Also included in application for permit # 3353 (Copy attached) 9" pipe here is described in Kind of works at diversion. After permit it became #2399

PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A36-02709

A. ROOT WATER RIGHT NUMBERS: A36-02709

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	15E	12	NE	SW	6	MILLARD , DAVID R.	A36-02709 / 5.0	- /	7.0		
						MILLARD , DAVID R.	A36-02905 / 5.0	36-02905 /10.0			
						MILLARD , DAVE		36-07990 /			
						MILLARD , DAVE		36-07991 /			
						HURST , W. R.		47-02077 /10.0			
						CRYSTAL SPRINGS RANCH INC.		47-07635 /14.0			
						MILLARD , DAVID R.		47-08040 /			
						MILLARD , DAVID R.		47-08041 /			
09S	15E	12	NW	SW		MILLARD , DAVID R.	A36-02709 / 5.0	- /			
						TWIN FALLS CANAL CO.	A01-00209Z0/30.0	- /			
						MILLARD , DAVID R.	A36-02905 / 5.0	- /			
						CRYSTAL SPRINGS RANCH INC.		36-07033 /			
						CRYSTAL SPRINGS RANCH INC.		36-07164 /			
						U.S. DEPT. OF DEFENSE		36-07653 /			
						U.S. DEPT. OF DEFENSE		47-08042 /			
						MILLARD , DAVE		47-07741 /10.0			
09S	15E	12	SW	SW		MILLARD , DAVID R.	A36-02709 /30.0	- /	25.0		
						MILLARD , DAVID R.	A47-02145 /10.0	- /			
						TWIN FALLS CANAL CO.	A01-00209Z0/30.0	- /			
						MILLARD , DAVID R.	A36-02905 /30.0	- /			
						MILLARD , DAVID R.		47-08040 /			
09S	15E	12	SE	SW		MILLARD , DAVID R.	A36-02709 /30.0	- /	29.0		
						MILLARD , DAVID R.	A47-02145 / 8.0	47-02145 /18.0			
						MILLARD , DAVID R.	A36-02905 /30.0	36-02905 /30.0			
						HURST , W. R.		47-02077 /30.0			
						MILLARD , DAVID R.		47-08040 /			
						MILLARD , DAVID R.		47-08041 /			
09S	15E	12	SW	SE		MILLARD , DAVID R.	A36-02709 /40.0	- /	37.0		
						MILLARD , DAVID R.	A47-07635 /10.0	47-07635 /40.0			
						MILLARD , DAVID R.	A36-02905 /40.0	36-02905 /40.0			
						MILLARD , DAVID R.		47-08198 /			
						CRYSTAL SPRINGS RANCH INC.		L47-07635 /10.0			
						HURST , W. R.		47-02077 /40.0			
						MILLARD , DAVID R.		47-08038 /			
						MILLARD , DAVID R.		47-08039 /			
TOTAL ACRES						A36-02709	110.00		98.00		

PAGE: 6
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A36-02709

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

C. FIELD EXAM REQUIRED?

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

PRESUMPTION FLAG:

REMARKS: Field Exam done by L. White & N. Brown. Acres claimed as irrigated are same acres in WR # A36-02905 and are approx 40% of lands licensed. Series of aerial photos verify lack of irrigation for estimated 10-year period. Land sold to USA for Valley Sand Farm removed approx 30 acres from irrigation.

RECOMMENDATIONS:

TOTAL ACRES: 50

REVIEWED BY: MDS DATE: 02/21/91

PAGE: 7
PURPOSES REVIEW SHEET

CLAIM NUMBER: A36-02709

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02709	IRRIGATION	FROM 03-15 TO 11-15	2.000 CFS
A36-02709	DOMESTIC ✓	FROM 01-01 TO 12-31	.200 CFS ✓
	TOTAL DIVERSION RATE/VOLUME CLAIMED		2.000 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02709	IRRIGATION	FROM TO	2.000 CFS
36-02709	DOMESTIC	FROM TO	2.000 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		2.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	Y
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	Y
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(✓) N( )

RECOMMEND TO WR STANDARDS OR OTHER? Y(✓) N( ) Explain in remarks, below.

REMARKS:

W.R. Standards on irrigation recommended. Domestic use duplicates #02905 use recommended on that Claim. No period of use was confirmed on original license.

DIVERSION AMOUNT REVIEW SHEET CLAIM NUMBER: A36-02709

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(✓) N( )

AJ TOTAL CLAIMED DIVERSION RATE: 2.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 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?

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

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A47-02145, A36-02705

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02709	SPRING	MILLARD , DAVID R.	2.000	0.018		
A36-02905	CRYSTAL SPRINGS	MILLARD , DAVID R.	2.300	0.020		
A47-07635	WASTE WATER	MILLARD , DAVID R.	0.860	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

CLAIM NUMBER: A36-02709

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 50 x 0.02 CFS/ACRE = 1.0 CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 330.0 AF/A

ACRES 50 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 150 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 50 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 200 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(__) N(✓)

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

Limited to 1" per acre when all rights are combined (A36-02905 and this right # 02709) Field exam and aerial photo records show that lands licensed and claimed as irrigated are not being irrigated. Large portions of originally licensed irrigated lands are now gravel sources. A fish farm operated by USA reduced acres irrigated. No legal expansion was found. Other water rights covering originally licensed acres now fulfill portions of 2.0 cfs claimed.

DIVERSION AMOUNT REVIEW SHEET CONTINUED

CLAIM NUMBER: A36-02709

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	REC. PERIOD TO	REC. DIV RATE CFS DATABASE	REC. DIV RATE CFS EXAMINER	REC. DIV VOL. AF/A DATABASE	REC. DIV VOL. AF/A EXAMINER	REC. CONS. USE DATABASE	REC. CONS. USE EXAMINER
IRRIGATION	03-15	11-15	2.000	1.0		200	330.0	150
DOMESTIC	01-01	12-31	0.200					
TOTAL FOR THIS RIGHT			2.000	1.0		200		150

REVIEWED BY: M.D. Brown DATE: 02/21/91

BASIS OF CLAIM REVIEW SHEET

CLAIM NUMBER: A36-02709

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02709

	DATABASE	EXAMINER	
TOTAL DIVERSION RATE OF WR SPLITS	2.000	N/A	CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02709	2.000	-		36-02709	2.000
	TOTAL CFS	2.000				2.000

DIVERSION RATE REVIEW

	DATABASE	FIELD EXAMINER
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	Y	
IF NO, is the written review sheet attached? (Y/N)		

REMARKS:

AUTHENTICATION:

SIGNATURE: N.D. Brown DATE: 02/28/91

NAME OF FIELD EXAMINER: N.D. BROWN TITLE: W.R. Agent

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT = CVR

00:18:56
08/30/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02709

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N				
POINT OF DIV	Y			Y	6,1,4			
SOURCE	Y			Y	6			
PLACE OF USE	Y			Y	6,1,2,4,5			
DIV. AMOUNT CFS/VOLUME	Y			Y	6,2,4			
CONSUMPTIVE USE	-			Y	6,2			
PURPOSES				Y	6,4,5			
PERIOD OF USE	Y			N				
BASIS OF CLAIM				N				
REMARKS				Y	6			

VOID
See CVR dated 6/4/91 which replaces this CVR.

Recommend denial of claim

No use found
M D Brown
6/5/91

"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.

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

36-2709

Important Information About Your Water Right

December 12, 2001

RECEIVED
DEC 24 2001
Department of Water Resources
Southern Region

David R. Millard
dba Crystal Springs Ranch
Rt 1 Box 119
Filer, ID 83328

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an ***Order Amending Irrigation Period of Use Element in Partial Decree, Nunc Pro Tunc*** (hereinafter "***Order***") for water right number 36-02709. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The purpose of the ***Order*** is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the ***Order***, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This ***Order*** also incorporates into the ***Partial Decree*** an express statement that the ***Partial Decree*** is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This ***Order***, in combination with the ***Partial Decree*** that was issued for this water right on January 15, 1998, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the ***Partial Decree*** to show evidence of this water right. The original of this ***Order*** and the original of the ***Partial Decree*** for this water right are on file with SRBA Court. If you do not have a copy of the original ***Partial Decree***, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the ***Order*** is entered ***Nunc Pro Tunc***, meaning that the ***Order*** will be treated as if it were issued on the same date that the ***Partial Decree*** was originally issued.

Sincerely,
Diana Delaney

Diana Delaney
Case Administrator

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	)	**Water Right 36-02709**
Case No. 39576	)	**ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT IN PARTIAL DECREE and INCORPORATING INTO PARTIAL DECREES AN EXPRESS STATEMENT REGARDING GENERAL PROVISIONS, *NUNC PRO TUNC***

A ***Partial Decree*** was entered for the above-captioned irrigation water right on January 15, 1998. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the ***Partial Decree*** for the above-captioned water right is hereby amended and decreed to contain the following:

> 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 a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the ***Partial Decree*** was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the ***Partial Decree***.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated December 12, 2001.

Roger Burdick

ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RETURN SERVICE REQUESTED

ADDRESS SERVICE REQUESTED

PRESORTED FIRST CLASS

RETURN FOR BETTER ADDRESS

RECEIVED
AUG 05 1999
Department of Water Resources
Southern Region

BOISE JUL 30'99 ID

PB METER 7084186 $00.463 U.S. POSTAGE

IMPORTANT WATER RIGHT INFORMATION

RECEIVED
AUG 04 1999
Department of Water Resources

[redacted]

[redacted]

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

RETURNED FOR BETTER ADDRESS

TWIN FALLS, ID 833 1PM 13 DEC 2001

Begin an Adventure of Giant Proportions... Collect Stamps!

TWIN FALLS DEC 2001 ID

[redacted]

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

July 28, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

36-02709
DAVID R MILLARD
DBA CRYSTAL SPRINGS RANCH
RT 1 BOX 119
FILER ID 83328

RE: Water Rights in Reporting Area 3, Basin 36
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources supplemental recommendations for your water right(s) in basin 36 (the area north of the Snake River from near Lake Walcott on the east to near Hagerman on the west). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area.

In response to the Idaho Supreme Court's decision in Basin-wide Issue 5 after most water rights in Basin 36 had been decreed, the SRBA Court requested me to file supplemental reports for Basin 36 regarding the period of use for irrigation water uses and general provisions applying to all water rights in Basin 36. The enclosed documents fulfill that request. The general provision enclosed is in addition to those already adopted by the Court.

Note you have just over 30 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Hailey, Arco, Jerome, Rupert, Gooding, and Shoshone and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

RIGHT NUMBER: 36-02709

NAME AND ADDRESS:
DAVID R MILLARD
DBA CRYSTAL SPRINGS RANCH
RT 1 BOX 119
FILER ID 83328

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE
IRRIGATION	03-15 11-15
DOMESTIC 3 HOMES	01-01 12-31

NOTICE OF FILING SUPPLEMENTAL REPORTS FOR REPORTING AREA 3 (IDWR BASIN 36) REGARDING REVISION OF THE FOLLOWING:

- **Period of Use (For Irrigation Water Uses)**
- **Conjunctive Management General Provision**

EXPLANATION

In response to the Idaho Supreme Court's decision in Basin-wide Issue 5, the Snake River Basin Adjudication (SRBA) District Court requested the Director of the Idaho Department of Water Resources (IDWR) to file supplemental reports for Basin 36 regarding the period of use for irrigation water uses and the conjunctive management general provision. This notice is to inform you that IDWR has filed those reports with the SRBA District Court.

Irrigation Season of Use

The supplemental report on irrigation season of use changes IDWR's recommendation for the irrigation season of use for irrigation water rights in Basin 36. Even water rights that have received partial decrees are receiving a new irrigation season recommendation because the Idaho Supreme Court determined that the use of the term "irrigation season" is not acceptable and specific dates must be set. The irrigation season of use recommendations only affect the season of use, and no other elements of the irrigation water rights.

If you claimed an irrigation water right a description of the Director's irrigation season of use recommendation for your claim is attached to this Notice. You need to carefully review the new season of use recommended for your irrigation right. The complete Irrigation Season of Use Supplemental Report for Basin 36 is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

Conjunctive Management General Provisions

Additionally, the Director of IDWR has filed with the SRBA District Court his supplemental report on conjunctive management for Basin 36. This Report is the Director's recommendation for the conjunctive management general provision that should be decreed for Basin 36. Attached to this Notice is a complete copy of the conjunctive management general provision the Director recommends for Basin 36.

INSTRUCTIONS FOR REVIEWING THESE REPORTS

You are free to agree or disagree with the Director's recommendations. If you agree with the Director's recommendations you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendations, you need to file an objection as described below. **You may only object to the Director's recommendations on irrigation season of use and conjunctive management.** You may not object to any other elements of your water right under this notice unless you have evidence that the irrigation season of use or conjunctive management recommendations affect other elements of your right.

INSTRUCTIONS FOR TAKING AN ISSUE TO COURT

What do I do if I disagree with a conjunctive management provision or a season of use recommendation?

If you disagree with a conjunctive management provision, or the season of use recommendation for your water right or anyone else's water right, and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form attached to this Notice. Copies are available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Your objection to IDWR's conjunctive management provision, or the irrigation season of use for the rights listed above must be **received** by the SRBA Court on or before **September 10, 1999**.

What do I do if someone else objects to a conjunctive management provision or a season of use recommendation?

If someone files an objection to a conjunctive management provision, or the season of use recommendation for your water right or anyone else's water right, you may file a response to that objection. Responses to objections must be made on the standard response form available from any IDWR office or from the SRBA Court. Your response must be **received** by the SRBA Court on or before **November 12, 1999.**

What happens if there are no objections to a recommendation?

After the deadline for filing objections, the SRBA Court will hear the uncontested recommendations on **November 16, 1999**, at **1:30 P.M.** at the **SRBA Courthouse**. Any part of the report to which no objections are filed may be decreed by the district court.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations. Additional information regarding the SRBA can be found on the SRBA Web Site at www.srba.state.id.us.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA. The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is $7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. You are also welcome to call IDWR at any of its offices or the SRBA Court. You may also want to consider contacting an attorney to assist you.

Snake River Basin Adjudication
District Court
253 Third Avenue North
P.O Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

Idaho Department of Water Resources
1301 North Orchard
Box 83720
Boise, Idaho 83720-0098
(208) 327-7906
(800) 451-4129

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

Idaho Department of Water Resources
Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

Idaho Department of Water Resources
Southern Region
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

Idaho Department of Water Resources
Eastern Region
900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

Blaine County Courthouse
1st and Croy St.
Hailey , ID 83333

Butte County Courthouse
248 W. Grand Ave.
Arco, ID 83213

Jerome County Courthouse
300 N. Lincoln, Rm. 301
Jerome, ID 83338

Lincoln County Courthouse
111 W. B St.
Shoshone, ID 83352

Minidoka County Courthouse
715 G St.
Rupert, ID 83350

Gooding County Courthouse
624 Main St.
Gooding, ID 83330

BASIN 36 GENERAL PROVISION

The director recommends that the following general provision be included in the decree determining rights to water from Basin 36:

The following water rights from the following sources of water in Basin 36 shall be administered separately from all other water rights in Basin 36:

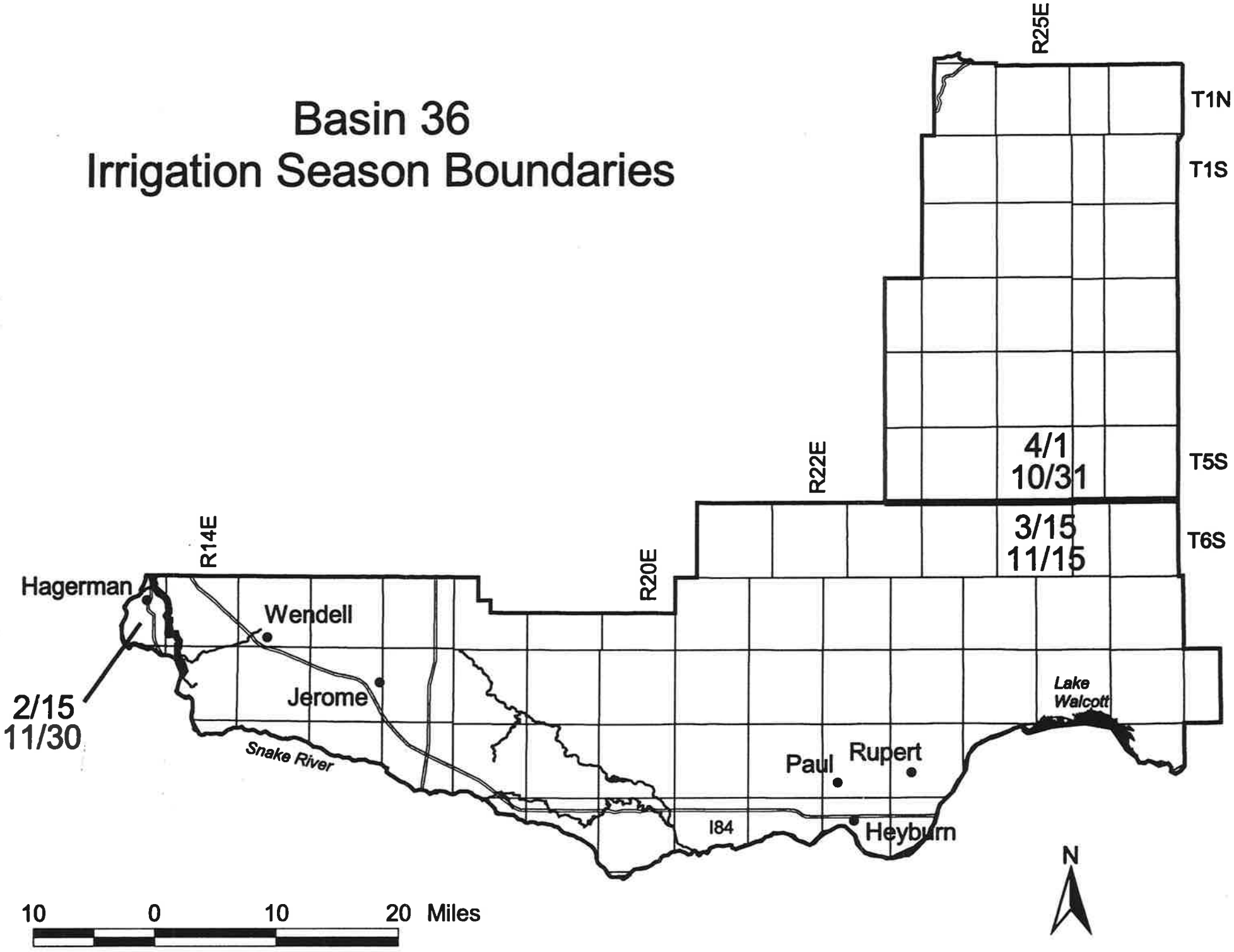
Water Right No.	Source
None	None

The following water rights from the following sources of water in Basin 36 shall be administered separately from all other water rights in the Snake River Basin:

Water Right No.	Source
None	None

All water rights with Basin 36 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

Basin 36
Irrigation Season Boundaries



INSTRUCTIONS FOR FILING OBJECTIONS TO WATER RIGHTS IN THE SNAKE RIVER BASIN ADJUDICATION BASED UPON THE SUPPLEMENTAL DIRECTOR'S REPORT

The attached form is for your use if you file an objection to irrigation season recommendations and/or general provisions, as recommended in the Supplemental Director's Report. You may copy or reproduce this blank form.

To object to more than one water right, you must use a **separate form for each objection** and there must be **only one objector** for each form.

Your objection must be **received and filed** by the court on or before the deadline specified in the notice that the Idaho Department of Water Resources mailed to you. If you are filing 25 or more objections you must contact the Clerk of the SRBA court at least 14 days before the filing deadline and arrange an appointment for filing.

You may attach any explanation or documentation that you feel is necessary to support your objection.

INSTRUCTIONS FOR COMPLETING THE OBJECTION FORM

A. **Subcase**. Fill in the water right number to which you are objecting at the top of the form in the blank following Subcase. The water right number will become the Subcase Number.

B. **Name and Address of Person Objecting.** Enter your name, address and daytime telephone in the blanks provided.

C. **Claimant of Water Right As Listed in Supplemental Director's Report.** Fill in the claimant/owner blank of the water right to which you are objecting as it is listed in the Supplemental Director's Report.

D. **Elements of the Water Right.** If you disagree with irrigation season or general provisions listed in the Supplemental Director's Report, check the appropriate box(es) and write in the space provided what you think the element should be. If objecting to a general provision, please indicate the number of the provision, and the basin it was reported in.

E. **Reasons supporting objection.** Attach to the objection form a separate sheet explaining why you are objecting. (this is optional)

F. **Verification.** You must sign the objection form in front of a notary. By filing this objection form, you are certifying that the objection is well-grounded in fact; that it is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needlessly increase the cost of litigation.

G. **Certificate of Mailing**. Fill in the appropriate blanks for the date and the owner of the water right, and sign the form. Remember that the original objection form must be mailed to the Clerk of the SRBA District Court with copies mailed to the parties listed in this section.

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)
)
)
_____)

A. Subcase _____

STANDARD FORM 1a

OBJECTION TO IRRIGATION SEASON AND/OR CONJUNCTIVE MANAGEMENT GENERAL PROVISIONS

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: _____

_____

Address: _____

_____

Daytime Phone: (_____)_____

Name & address of attorney, if any:

_____

_____

_____

_____

C. CLAIMANT OF WATER RIGHT AS LISTED IN SUPPLEMENTAL DIRECTOR'S REPORT

Name: _____

_____

Address: _____

_____

_____

D. ELEMENTS OBJECTED TO:

8. **Period (Irrigation Season) of Use**

Should be: _____

12. **General Provision**

Number: _____ Reported in Basin: _____

Comments: _____

E. REASONS SUPPORTING OBJECTION: (if you have additional reasons, please attach to this form)

This standard form is for the sole purpose of objecting to the Director's supplemental recommendations on irrigation season of use and general provisions. This form may **not** be used to object to any other elements of your water right.

If you have evidence that the recommendations on irrigation season of use and/or conjunctive management adversely affect other elements of your water right, please contact the Snake River Basin Adjudication at 208-736-3011. A deputy clerk of the court will inform you of how to proceed.

F. VERIFICATION (Must be Completed)

State of _____)
)ss.
County of _____)

_____, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

_____
(Signature of person filing objection)

_____
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: _____

_____
Notary Public
for _____

Residing at: _____

My Commission Expires: _____

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted**. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on _____, 199__, I mailed the original and copies of this objection, including all attachments, to the following persons:

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 the claimant of the water right at the following address:

Name: _____

Address: _____

_____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

_____
Signature of Objector or attorney

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 27, 1994

RECEIVED
NOV 10 1994
Department of Water Resources
Southern Region Office

RECEIVED
NOV 07 1994
Department of Water Resources

DAVID R MILLARD
DBA CRYSTAL SPRINGS RANCH
2037 RIVER RD
FILER ID 83328

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 36-02709
Change of Address

Dear Claimant,

IDWR has been notified by the Post Office the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim can be sent only to the address on your claim or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. That action will suffice to change our records, but not those of the SRBA court. SRBA Judge Hurlbutt issued an Order June 17, 1993 requiring claimants like yourself identified in a Director's Report to use Standard Form 3 for change of address. I have enclosed Standard Form 3 for your use. Please contact us or the Court (208/736-3011) if you have any questions.

Thank you for your help. We hope to assure you receive future notices about SRBA matters.

Sincerely,

Adjudication Bureau Staff

SO:region
Enclosure:
Standard Form 3

#######

The address is correct as shown above or as otherwise changed.

_____
Claimant

MICROFILMED
DEC 04 1995

CALLED INFORMATION OPERATOR WHO CONFIRMED HIS PHONE NUMBER HAS NOT CHANGED. THIS IS THE SAME NUMBER ON HIS NOTICE OF CLAIM. TRIED TO CONTACT HIM NUMEROUS TIMES AT VARIOUS TIMES OF DAY, PLUS BEFORE 7 A.M. NO ANSWER.

11-8-94

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RECEIVED
NOV 7 1994
Department of Water Resources

PRESORTED
FIRST CLASS

FALLS, ID 5 NOV 1994 NOV 04 '94
0248 U.S. POSTAGE PB METER 7005986

DAVID R MILLARD
DBA CRYSTAL SPRINGS RANCH
2037 RIVER RD
FILER ID 83328

FORWARDING ORDER EXPIRED

ADDRESS CORRECTION REQUESTED

MICROFILMED
DEC 0 4 1996

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 27, 1994

DAVID R MILLARD
DBA CRYSTAL SPRINGS RANCH
2037 RIVER RD
FILER ID 83328

RECEIVED
OCT 31 1994
Department of Water Resources
Southern Region Office

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 36-02709
Change of Address

Dear Claimant,

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Sincerely,

Adjudication Bureau Staff

SO:region
Enclosure:
Standard Form 3

#######

The address is correct as shown above or as otherwise changed.

_____
Claimant

MICROFILMED
DEC 04 1996

R PROOF ✓

CVR ✓

MAPS ✓

PHOTOS

MISC ✓

MICROFILMED
FEB 0 1 1993

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

MICROFILMED
FEB 01 1993

Water Right Number - R36-02709 Prefix Translation: RESEARCH Old (D) Number - 2399

Last Name	First Name	Address
*** C - CURRENT OWNER *** MILLARD	DAVID R.	1 - DBA CRYSTAL SPRINGS RANCH 2 - RT. 1 BOX 119 3 - City- FILER State- ID Zip- 83328 Phone - 208-326-3378

Priority Date	Region	Stage	Status
03/03/1932	17 SOUTHERN	L - LICENSE	

Source	Tributary
SPRINGS	SNAKE RIVER

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
09S	15E	12	NW SW NE	13	(47)	GOODING

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
43	DOMESTIC	01/01	12/31	0.060	
01	IRRIGATION	03/15	11/15	0.030	

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
0.090		3.0	

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	15E	12	SW SW		1.0	01	IRRIGATION	(83) TWIN FALLS
09S	15E	12	SW SW			43	DOMESTIC	(83) TWIN FALLS

Total Acres: 1.0

Diversion Means - COLLECTOR FUNNEL TO 4-1/2" STEEL PIPE, CROSSING SNAKE R. NORTH-S.

Non-Irrigation Use - DOMESTIC, 3 HOMES, SINGLE OWNERSHIP

Other Rights for Same Use - NONE

Remarks

No Remarks found.

Old Water Right Numbers

No Old Water Right Numbers Found

Water right number - R36-02709 Prefix Translation: RESEARCH

MICROFILMED
FEB 01 1993

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

Comments
No Comments Found

Audit Fields
03/12/92 ROBERTSO

Adjudication Rights Dates and Flags Area

Court Report Filing	00/00/0000	Field Inspection Made	06/05/1991	Civil Case Number	39576
Objection Filed Date	00/00/0000	Field Inspection Flag		Old Case Number	
Response Filed Date	00/00/0000	Verified Date	03/12/1992	Old Judicial District	
Claim Received Date	12/29/1988	Last Amended Date	00/00/0000	Temporary Right	P
		Receipt Number	S005470	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
ADJUDICATION CLAIM VERIFICATION REPORT

08:30:04
06/03/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02709

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							MJA 6/5/91	
POINT OF DIV	Y			X	6,5			
SOURCE	Y			N	6,5			
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM								
REMARKS								

No Beneficial use for irrigation found

"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.

Recommend Denial for irrigation
N. D. Brown
06/05/91

3 domestics recommended

MICROFILMED
FEB 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:30:04
06/03/91

PAGE: 1

GENERAL INFORMATION

CLAIM NUMBER: A36-02709

MICROFILMED
FEB 01 1993

LAST: MILLARD FIRST: DAVID R.
ADDRESS: DBA CRYSTAL SPRINGS RANCH
RT. 1 BOX 119
CITY: FILER STATE: ID ZIP: 83328
PHONE NUMBER: 208-326-3378

OWNER CODE: C

	DATABASE	FIELD EXAMINER
FIELD EXAM REQUIRED?		
VERIFICATION REQUIRED DUE TO REMARKS?	N	N

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: (___) ___-____

DATE OF FIELD EXAM: 06/04/91 (others) APPOINTMENT MADE: Y(___) N(✓) TIME: ___:___ A(___) P(___)

ACCOMPANIED BY: Lori White 2/7-8/91, Clelland 5/30/91 PHONE NUMBER: (___) ___-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:
On the Quad BB21 SE¼

Lori and I compared submitted claims w/ property and ASCS claimed irrigated lands and actual irrigated and Cultivated lands.

Clelland and I, with summer aid Mike Harshberger drove and walked over and around lands purported to be irrigated by claimant. My exams of 6/3-4/91 Covered all areas of investigation needed to verify actual water use on Millards lands from all sources.

PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A36-02709

A. AJ CLAIM: # A36-02709 PRIORITY DATE: 03-03-1932 STAGE: L

B. WR RECORD: # 36-02709 PRIORITY DATE: 03-03-1932 STAGE: L

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	N	N

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

REMARKS: _____

RECOMMENDED PRIORITY DATE:
03-03-1932

REVIEWED BY NAB DATE 06/05/01

MICROFILMED
FEB U 1 1993

POINT OF DIVERSION REVIEW SHEET

CLAIM NUMBER: A36-02709

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02709	09S	15E	12	NE	SE	NW	12	GOODING

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A36-07568	R36-08330
A36-07151	R36-08374
A36-08330	
A36-02905	
A36-07083	

WR RECORDS IN SAME 40 ACRE TRACT

36-07033
36-07083
36-07164
36-07568
36-07653
36-08330
36-08374
36-08390

SOURCE: SPRING

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02709	09S	15E	12		NE	NW	3	GOODING

OTHER WR RECORDS WITH SAME WR POD

36-02905
47-02077

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
NONE	NONE

SOURCE: SPRING (WEAVER OR/AND CRYSTAL SPRINGS)

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

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

} Exams Completed 6/4/91 MDB

MICROFILMED FEB 0 1 1993

CLAIM NUMBER: A36-02709

MICROFILMED
FEB 01 1993

REMARKS:

POD changed to match Bureau Land Mngment Survey Plat (The official record) which shows a 10" inlet pipe terminating at the Spring in Lot #13 NW SW, NE. When Licensed the Source was termed "Weaver Springs" Today this is Commonly known as a part of Crystal Sprgs. Copy of that plat is in file.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
9S	15E	12	NW	SW	NE	13	GOODING

SOURCE: Springs TRIB: SNAKE RIVER

REVIEWED BY: mbs DATE: 06-04-01

PLACE OF USE REVIEW SHEET

CLAIM NUMBER: A36-02709

A. ROOT WATER RIGHT NUMBERS: A36-02709

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	15E	12	NE	SW	6	MILLARD , DAVID R.	A36-02709 / 5.0	- /	7.0		
			NE	SW	6	MILLARD , DAVID R.	A36-02905 / 5.0	36-02905 /10.0			
			NE	SW	6	CRYSTAL SPRINGS RANCH		02-07377 /			
			NE	SW	6	MILLARD , DAVE		36-07990 /			
			NE	SW	6	MILLARD , DAVE		36-07991 /			
			NE	SW	6	HURST , W. R.		47-02077 /10.0			
			NE	SW	6	CRYSTAL SPRINGS RANCH INC.		47-07635 /14.0			
			NE	SW		MILLARD , DAVE		47-07741 /20.0			
			NE	SW	6	MILLARD , DAVID R.		47-08040 /			
			NE	SW	6	MILLARD , DAVID R.		47-08041 /			
09S	15E	12	NW	SW		MILLARD , DAVID R.	A36-02709 / 5.0	- /			
			NW	SW		TWIN FALLS CANAL CO.	A01-00209Z0/30.0	- /			
			NW	SW		MILLARD , DAVID R.	A36-02905 / 5.0	- /			
			NW	SW	5	BLASS , JOHN H.		36-02709 /			
			NW	SW		CRYSTAL SPRINGS RANCH INC.		36-07033 /			
			NW	SW		CRYSTAL SPRINGS RANCH INC.		36-07164 /			
			NW	SW		U.S. DEPT. OF DEFENSE		36-07653 /			
			NW	SW	6	MILLARD , DAVE		36-07990 /			
			NW	SW	6	MILLARD , DAVE		36-07991 /			
			NW	SW		MILLARD , DAVE		47-07741 /10.0			
			NW	SW	5	MILLARD , DAVID R.		47-08040 /			
			NW	SW	5	MILLARD , DAVID R.		47-08041 /			
			NW	SW		U.S. DEPT. OF DEFENSE		47-08042 /			
09S	15E	12	SW	SW		MILLARD , DAVID R.	A36-02709 /30.0	- /	25.0		
			SW	SW		MILLARD , DAVID R.	A47-02145 /10.0	- /			
			SW	SW		TWIN FALLS CANAL CO.	A01-00209Z0/30.0	- /			
			SW	SW		MILLARD , DAVID R.	A36-02905 /30.0	- /			
			SW	SW		MILLARD , DAVID R.		47-08040 /			
09S	15E	12	SE	SW		MILLARD , DAVID R.	A36-02709 /30.0	- /	29.0		
			SE	SW		MILLARD , DAVID R.	A47-02145 / 8.0	47-02145 /18.0			
			SE	SW		MILLARD , DAVID R.	A36-02905 /30.0	36-02905 /30.0			
			SE	SW		HURST , W. R.		47-02077 /30.0			
			SE	SW		MILLARD , DAVID R.		47-08040 /			
			SE	SW		MILLARD , DAVID R.		47-08041 /			
09S	15E	12	SW	SE		MILLARD , DAVID R.	A36-02709 /40.0	- /	37.0		
			SW	SE		MILLARD , DAVID R.	A47-07635 /10.0	47-07635 /40.0			
			SW	SE		MILLARD , DAVID R.	A36-02905 /40.0	36-02905 /40.0			
			SW	SE		HURST , W. R.		47-02077 /40.0			
			SW	SE		MILLARD , DAVID R.		47-08038 /			
			SW	SE		MILLARD , DAVID R.		47-08039 /			
			SW	SE		MILLARD , DAVID R.		47-08198 /			
			SW	SE		CRYSTAL SPRINGS RANCH INC.		L47-07635 /10.0			
			TOTAL ACRES				A36-02709 110.00		98.00		

MICROFILMED FEB 01 1993

Found Domestic Use Only

HOMES
- #1 — NW SW SW – Domestic 1/4 ac .25
- #2 — NW SW SW – " 1/2 ac .50
- #3 — NE SW SW – " 1/3 ac .33 (.25) NOB

→ 1.00 acre total on 3 homes

PAGE: 6
PLACE OF USE REVIEW SHEET CONTINUED

CLAIM NUMBER: A36-02709

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

C. FIELD EXAM REQUIRED?

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

PRESUMPTION FLAG:

REMARKS: The only irrigated lands under Millard ownership here are irrigated from a right in Basin 47 with a POD in Cedar Draw. See claim # A47-02145. A new booster pump and main line sprinkler system is being used on a Potatoe crop this year. See below

RECOMMENDATIONS:

TOTAL ACRES: -0-

REVIEWED BY: MDB DATE: 06/05/91

I don't believe any lands have been irrigated at Crystal Springs Ranch with this right/claim as well as right/claim #A36-02905 in over 10 years.

MDB

MICROFILMED FEB 01 1993

PURPOSES REVIEW SHEET

CLAIM NUMBER: A36-02709

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02709	IRRIGATION	FROM 03-15 TO 11-15	2.000 CFS
A36-02709	DOMESTIC	FROM 01-01 TO 12-31	~~.200 CFS~~ 0.12
	TOTAL DIVERSION RATE/VOLUME CLAIMED		2.000 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02709	IRRIGATION	FROM TO	2.000 CFS
36-02709	DOMESTIC	FROM TO	2.000 CFS
	TOTAL DIVERSION RATE/VOLUME CLAIMED		2.000 CFS

MICROFILMED FEB 0 1 1993

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(___) N(/)

RECOMMEND TO WR STANDARDS OR OTHER? Y(___) N(/) Explain in remarks, below.

REMARKS:

No use found on claimed lands for this water. I assume minor used of this water is made for domestic purposes only. (0.12 cfs ~~0.200~~ cfs)

9/27/94 Domestic use only 3 homes (0.04 x 3 = 0.12 cfs)

all three homes are in SW SW 1/4 Section 12

(Numbering " from West to East as #1, 2, 3)

DIVERSION AMOUNT REVIEW SHEET

CLAIM NUMBER: A36-02709

MICROFILMED FEB 0 1 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(✓) N(___)

AJ TOTAL CLAIMED DIVERSION RATE: 2.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.000 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?

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

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A47-02145, A36-02705 → all irrigation is from this right. (and 47-07635)

I assume yes " " has been done w/ this right.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02709	SPRING	MILLARD , DAVID R.	2.000	0.018	} No irrigation found	
A36-02905	CRYSTAL SPRINGS	MILLARD , DAVID R.	2.300	0.020		
A47-07635	WASTE WATER	MILLARD , DAVID R.	0.860	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

CLAIM NUMBER: A36-02709

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 0 x 0.02 CFS/ACRE = _____ 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 = 330.0 AF/A

ACRES 0 x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 0 x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

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

No Beneficial use of this water for irrigation was found.

MICROFILMED
FEB 01 1993

CLAIM NUMBER: A36-02709

MICROFILMED
FEB 01 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM	TO	REC. DIV RATE CFS DATABASE	EXAMINER	REC. DIV VOL. AF/A DATABASE	EXAMINER	REC. CONS. USE DATABASE	EXAMINER
IRRIGATION	03-15	11-15	2.000				330.0	
DOMESTIC	01-01	12-31	0.200					
TOTAL FOR THIS RIGHT			2.000					

REVIEWED BY: N. D. Brown DATE: 06/05/91

BASIS OF CLAIM REVIEW SHEET

CLAIM NUMBER: A36-02709

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

N/A

ROOT WATER RIGHT NUMBER: 36-02709

	DATABASE	EXAMINER	
TOTAL DIVERSION RATE OF WR SPLITS	2.000	_____	CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02709	2.000	-		36-02709	2.000
	TOTAL CFS	2.000				2.000

DIVERSION RATE REVIEW

	DATABASE	FIELD EXAMINER
DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)	Y	_____
IF NO, is the written review sheet attached? (Y/N)		_____

REMARKS:

AUTHENTICATION:

SIGNATURE: N. D. Brown DATE: 06/05/91

NAME OF FIELD EXAMINER: N. D. BROWN TITLE: W. Res. Agent

MICROFILMED FEB 01 1993

Call to Doug Millard # 326-3378
N W g Filer (no Answer 10/10/91
M.D.B

Investigating your claim # 36-02709.
State water that Comes from Crystal Springs thru pipeline and furnishes Domestic water for 3 homes

You claimed irrigating 110 ac
I find no " from that water ~~yearly~~ except a total of 1 ac for the three homes. ~~[illegible]~~.

How long has it been since you actually irrigated from that source?

The irrigation found ~~[illegible]~~ appears to be from claim #A47-02145 which is a ditch from Cedar Draw to a pond and booster pumps used to run hand sprinkler lines South of the 3 houses.

? What source/supply does domestic come from on the 3 houses.

MICROFILMED
FEB 0 1 1993

☐ — Telephone

☒ — In Person

Phone # 208 334-3791
Address: c/o Fish & Game
Walnut St. Office
Boise, ID.

CONVERSATION MEMORANDUM

NAME OF PARTY MIKE LARKIN
EMPLOYEE: NORM BROWN

DATE 10/9/91
FILE R36-02709 and R36-02905

RE: CRYSTAL SPRINGS AREA Water use:
(DAVID R. MILLARD Water Rights & claims)

Mr. Larkin is State Supervisor of the Fishery Program. He is working with: Northwest Power Planning Council, Idaho Power, U.S. Corp of Engrs and others on a plan to grow warm water fish in the mitigation program relating to loss of fish due to power dams in Idaho. He was meeting tonite with Jim Knight (NITE ?) who is rep. Dave Millard.

There is negotiation on-going for the use of any water rights and facilities at Crystal Springs ranch. This includes Geothermal waters that are not now being beneficially used, as well as the Cold water coming across the Snake River from Crystal Springs.

Allen Merritt made Copies of all rights and claims that Mr. Millard has recorded with us, and reviewed records of the Geothermal Well.

We expect to maintain communication w/ the State Fish and Game on this situation. All claims by Millard in Basin 36 of the SRBA are being Denied with the exception of Domestic use for 3 houses at the location. No other beneficial use of Basin 36 water was found during my investigation. The Geothermal well in Basin 47 continues to waste out onto the ground after running thru the unused Ponds.

MICROFILMED
FEB 01 1993

Norman D. Brown W.R. Agent.
10/10/91

[X] In Person

CONVERSATION MEMORANDUM 2 PM

NAME OF PARTY EMPLOYEE: Mike Graham Asst. Supt. M.V. Fish Hatchery / Norm Brown w.r. agent

DATE June 3 1991

FILE [redacted] 436-02709 and 02905 Dave Millard Claims

RE:

Mr. Graham has lived at this site in the East residence [redacted] since 1983. He has a good view of the Millard property to his East.

He has seen some domestic use of the waters coming from across river, when dredge crews were camped near the old stand pipe. He thinks it's presently used only for domestic use at the two or three houses visible on Crystal Spr. Ranch.

He states that there has never been any fish propogation in Millards ponds from the flowing "hot well". The State or the Corp. tried to buy the use of those waters several years ago - to no avail. The water goes to waste & sinks.

He thinks Mr. Millard may have sold Crystal Springs Ranch or he in the process of selling it now.

He showed me the system at the Magic Valley Steelhead Hatchery and explained that a 42" line crosses the river from the west side of Crystal Springs to their Water tank on the east end of the fish Ponds. They also have [redacted] two wells on site one is used and the other is capped off for future or emergency use.

Norm Brown

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FEB 0 1 1993

A36-02709
" - 02905 and Cedar Draw Files

NOTES

3 PM

TO: Crystal Springs Files (D. Millard) DATE: MAY 30, 1991

W/Steve Clelland and Mike Harshbarger: We drove and walked around the lands purported to be irrigated by above claims. The findings are: Water from Cedar Draw is entering the property into a small pond w/a new pump System, Potatoes are growing on ASCS acres. a Small 3ac ± area may be pasture. No other Ben. Use found except 3 residences.

FROM: Norm Brown W.R. Agent

The ponds visible on NAPP photos between ASCS reported irrigation and the Snake River are dry. They were Settling ponds for a gravel dredging operation when photos were taken.

No pipe line from across river was seen today. It may be further down stream near the Magic Valley (COE) Fish Hatchery.

(Found later See 6/3/91 Conv. Record (Brown/Graham))

N. D. Brown

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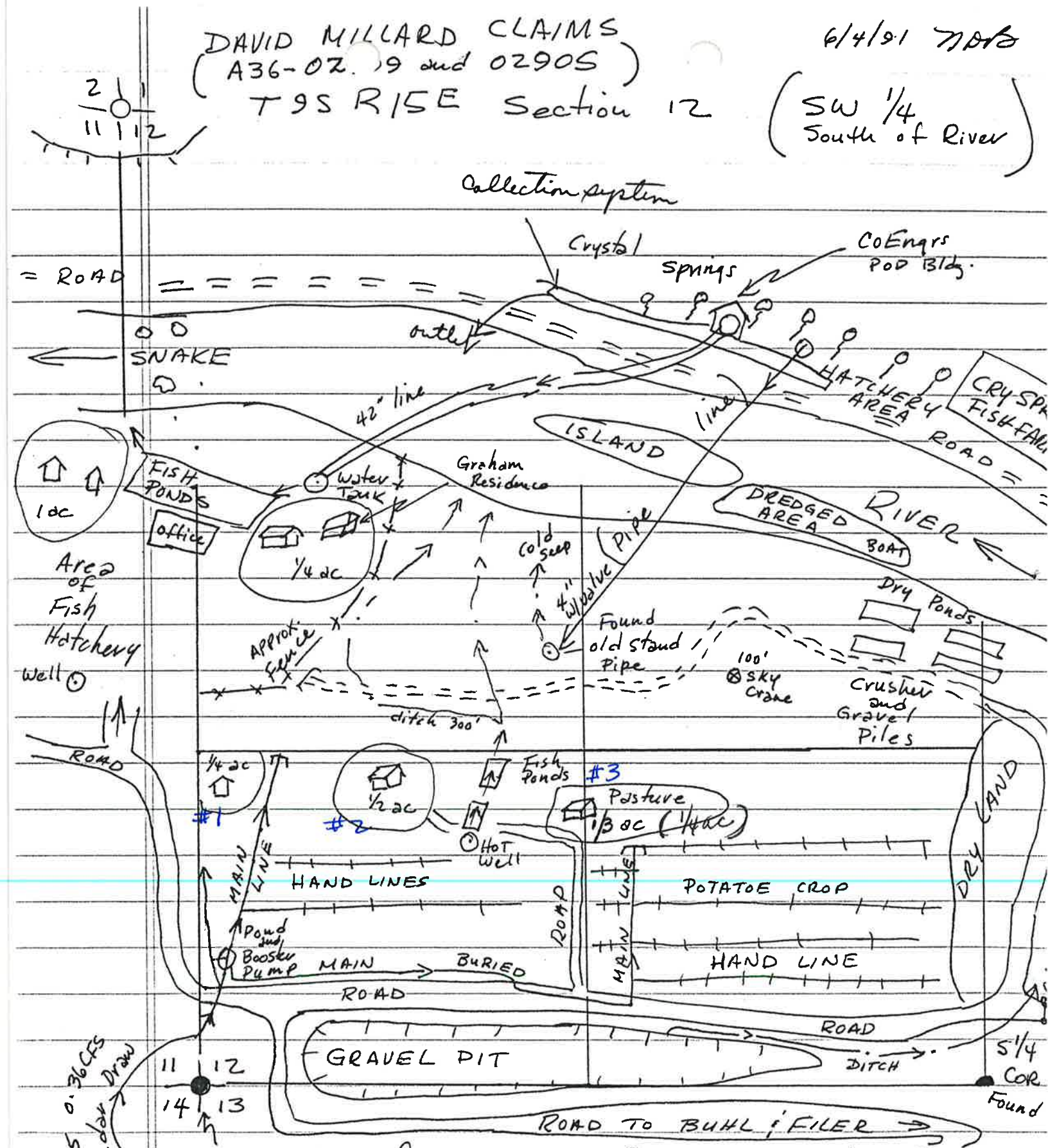
DAVID MILLARD CLAIMS
(A36-02. 9 and 0290S)
T9S R15E Section 12
(SW 1/4 South of River)

6/4/91 TDB



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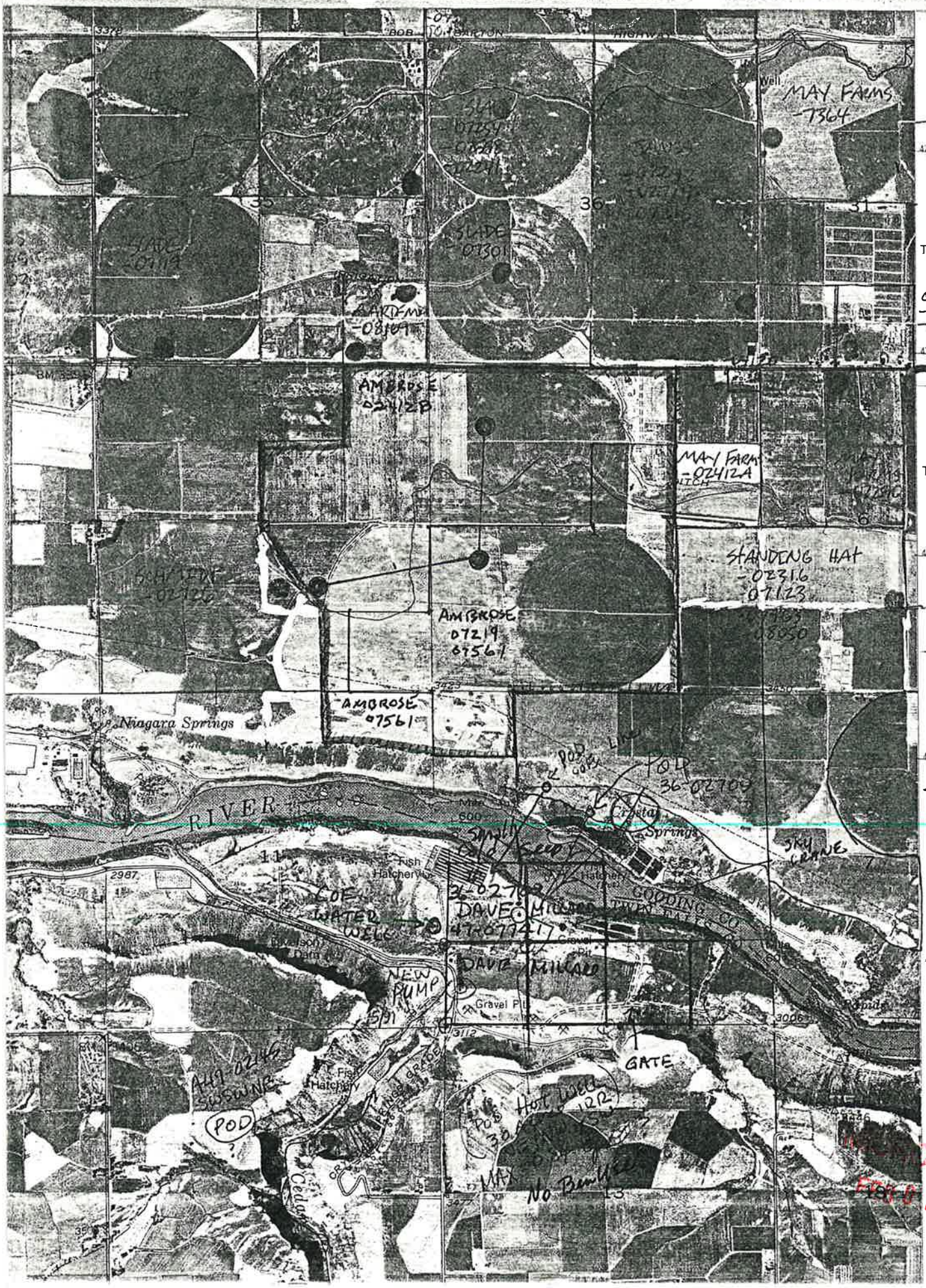
FEB 01 1993

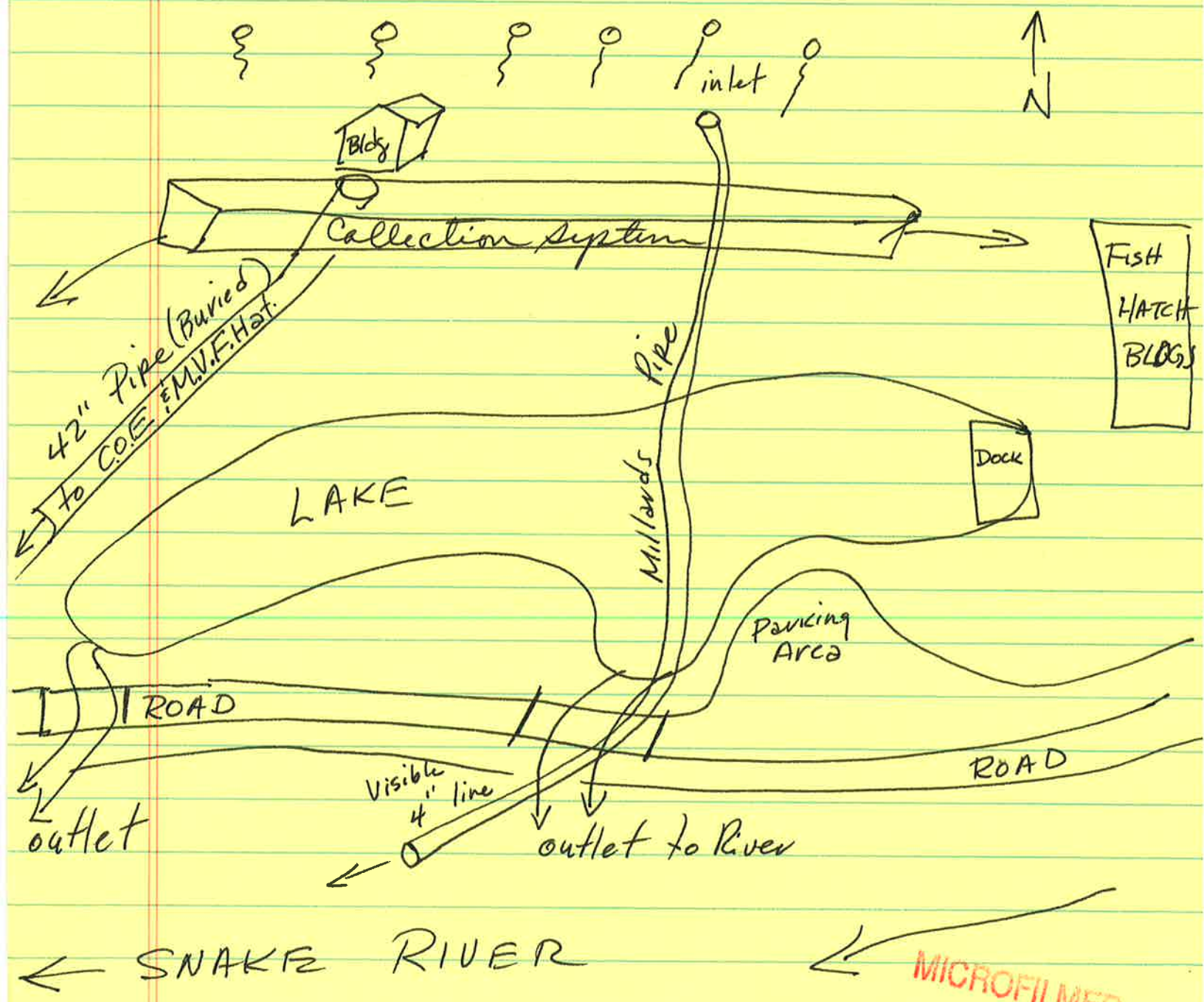
NOT TO SCALE



DIGITIZED
OCT 01 1993

D. Millard Claim

Area of Crystal Springs Fish Farm

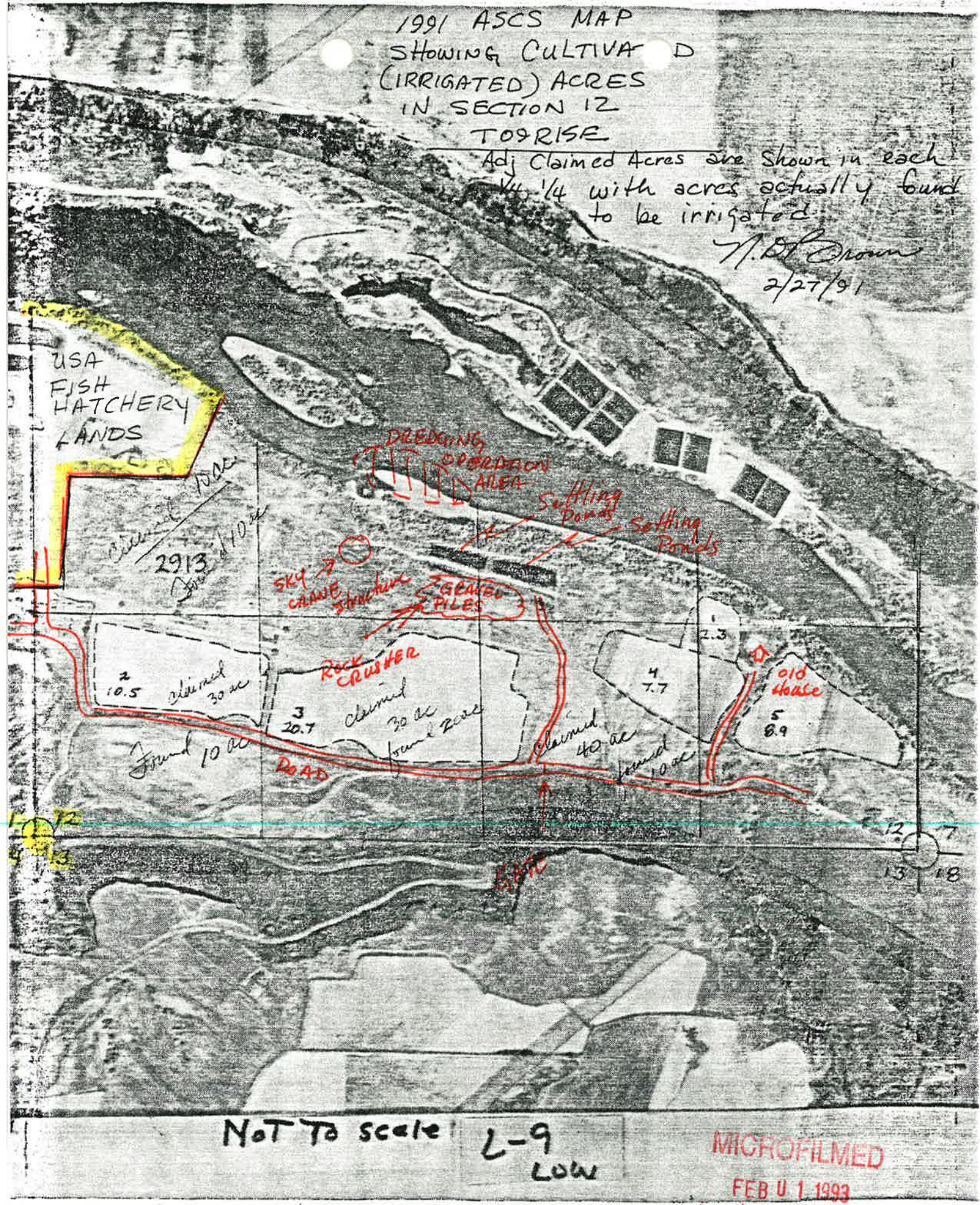


MICROFILMED
FEB 0 1 1993

LANDS OF
Mr. Millard

NOT TO SCALE

MB



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FEB U 1 1993

5/31/91 MDB

3/12/91

Dave Millard Claims/Licensed #02709 and 02905 @ Crystal Springs Area Twin Falls County T9S R15E S11 & 12

Findings and Analysis

Current use and irrigated acres are not as claimed, or as licensed.

Large portions of lands have been sold to others without any of the water Rights being claimed by these lands.

For an estimated ten years (10) no more than 50 acres have been irrigated in section 12 of landsowned by Millard.

No records were found that confirmed irrigation on the 156 acres licensed. At the time of licensing examination, 100 acres were estimated as irrigated. Since that time, the lands in section 11 that were under license have changed hands several times, and are no longer utilizing above water rights.

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a large portion of section 12 that was irrigated is now owned by the U.S.A (Corps of Engrs.) and is covered by other Water Rights used for fish propogation and domestic use. Also in section 12, large gravel pits continue to be dug out and hauled away.

The POD for these rights is on the North side of Snake River and Power is on South side in Twin Falls County. There is strong evidence that POD is not described correctly in Claims or license records. This is due to irregular shaped sections that cross the Snake River Canyon. The Bureau of Land Management (old General Land Office) surveyed and resurveyed the area in early 1900's. All this was corrected in 1918 when a Dependant Resurvey of the sections in question was completed by the G.L.Office. The POD is in lot 13 as shown on that plat. I have corrected the CVR.

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Summary: Numerous water rights appear to be comingled on the lands that originally were licensed for irrigation by John Blass. There is a need for an accurate up to date "as built Survey" by one of the several Engineering firms that have filed survey records relating to these lands and its beneficial use of the stated waters.

Mr. Harry La Mayne licensed Real Estate Broker has represented buyers and sellers in fee simple sales of these lands. (Fee Simple includes Water Rights appurtenant to the lands)

J.U.B Engrs and Dale Riedsel and associates have both performed Engineering surveys on portions of these Rights in some phase of licensing, development or sale.

Norman H Brown
Water Resource Agent
3/12/91

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FEB 0 1 1993

undisturbed for position and description.

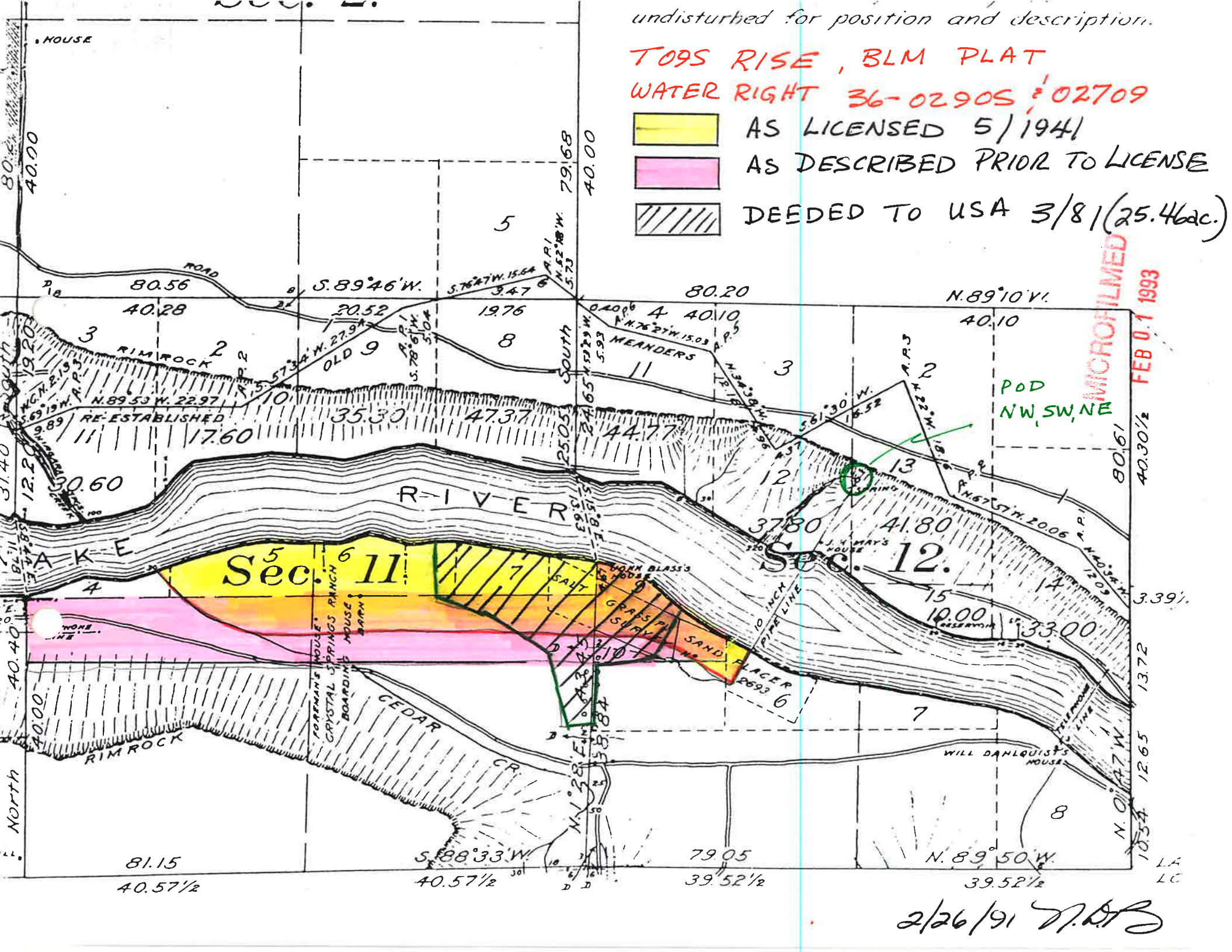
TOPS RISE, BLM PLAT

WATER RIGHT 36-02905 & 02709

AS LICENSED 5/1941

AS DESCRIBED PRIOR TO LICENSE

DEEDED TO USA 3/81 (25.46ac.)



2/26/91

A3 7033 Pg 4 Microfile

D11 Hepworth letter to Dept
Petition to cancel
D12, " " & D13 thru
F3 & F14, G10 Sketch
of 2 pipe lines, G13 &
G14 (index)

Pg 5

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A2-3 is above sketch Plat w
Lath pipe C11 has false
statement from La Mayne about
no approp. water @ POD same
as Dave Millard on Crystal
Springs

Review of Claims @ Valley Front Farms 3/3/

A36-7033	7 pages
A36-7164	7 pages
A36-7653	2 pages

36-7033 pg 1

Need Copies
A5 - Sketch of POD & PU.
F5 - Rule of Thumb on Trib Prop
G-9 Implied License

Pg 2 C-5, 6 & 7 GLO Plat
C 12 & 13 Scale 1" = 200'
D2,
P93 A6, (Plat)

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36-7164 Pg 1

A-2 app 4 permit
A-4 Sketch of div & PU
Pg ~

D-12 Property Desc including Placer Claim. Pg 3

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C-7 Copy of license POU is definetely not where use is) SE SW Section 12 9S 15E has no fish ponds.

C-8 Field Report also wrong on 3 PA's description of POU.

E-1 license is different amended and is cancel

F 4, 5, 6, 7 History of development @ Crystal Spr 1968 thru 1976.

G 1, 2 License & letter on COE

Pg 7

Copy A 14 letter to attorney Paine showing that POU may well be in lot 13 as well as lot 12 & 11 as described from Higginson to attorney

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Sale to Ken Ellis from Crystal Spr is not same as sale to COE
29 ac v.s 25 ac
(F6- See file for map)

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Pg 5

none

Pg 6

none

Pg 7

A1 Gravel, Water Rights

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FEB 0 1 1993

#36-7653 Pg 1 of 2

C8 Section diagram of 2/4/81 by Roby Weaver?
approved G Saxton 2/12/81
C12 - Deed - Parcel A is not involved in Fish Prop Facility (is it irrigated?) 0.44a

HISTORY OF DEVELOPMENT OF FISH PROPAGATION WATER RIGHTS

AT

CRYSTAL SPRINGS RANCH, INC.

07/08/1968	Application No. 36-7033 filed by Joseph L. Burden.
08/12/1968	Protest filed by Idaho Power Company and Fish and Game Dept.
11/27/1968	Protest filed by Idaho Department of Fish and Game.
12/26/1968	Amended Application submitted by Joseph L. Burden.
02/20/1969	Hearing at Gooding County Courthouse.
12/08/1969	Memorandum Decision issued approving 36-7033.
03/03/1971	Proof due date extended to 01/31/1972 for 36-7033.
03/05/1971	Application No. 36-7164 filed by Joseph L. Burden.
09/22/1971	Application No. 36-7164 approved.
12/22/1971	Extension of Time requested for 36-7033.
03/14/1972	Petition to cancel permits 36-7033 and 36-7164 filed by Clear Springs Trout Sales, Inc.
06/12/1972	Proof due date extended to 04/01/1974 for 36-7033.
06/16/1972	Petition to cancel permits 36-7033 and 36-7164 withdrawn by Clear Springs Trout Sales, Inc.
06/23/1972	Permit 36-7033 assigned to Crystal Springs Ranch, Inc.; 36-7164
07/17/1972	Order to Show Cause why 36-7033 and 36-7164 should not be cancelled.
08/03/1972	Assignment of Permit No. 36-7033 and 36-7164 to Crystal Springs Ranch, Inc. approved and Order to Show Cause quashed.
02/01/1974	Proof of Beneficial Use submitted for both 36-7164 and 36-7033.
05/01/1975	Field exam made for both 36-7164 and 36-7033.
08/08/1975	Licenses issued for both 36-7164 and 36-7033 in the name of Crystal Springs Ranch, Inc.
11/03/1976	Application No. 36-7653 filed by Volley Trout Farms, Inc.

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3/91

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FEB 01 1993

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Joseph L. Borden, Box 321, Twin Falls, Idaho,

has on March 5, 1971, submitted Application No. 36-7164

for a permit to appropriate 50.0 cubic feet per second

of water from Crystal Springs, tributary to the Snake River

by means of headbox and pipeline

within Lot 12 (SE¼NE¼) of Sec. 12, T. 9S, R. 15E, B.M., Gooding County.

to be used from Jan. 1 to Dec. 31

for fish propagation purposes

within the SE¼SE¼ Sec. 12, T. 9S, R. 15E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before April 12, 1971.

R. KEITH HIGGINSON
Director

Published in the Gooding County Leeder, Gooding, Idaho,

on March 25 and April 1, 1971.

approved 9/22/71
Licensed 8/8/75
to Crystal Springs
Ranch Inc.

3/91
No P. Use
here for fish
propogation

3/91
There is no
P.U. @ this
description
MDB

App. 36-7164
Licensed 8/8/75

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FEB 01 1993

Fish Propagation

Jan. 1 to Dec. 31 50.0 cfs n/a

50.0 cfs

n/a

Lot 12 (SE¼NW¼) of

Sec. 12, Twp. 9 S, Rge. 15 E, B. M. Gooding

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Total
			NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	
9S	15E	12				X	

SE¼ SW¼ Section 12 T9S 15E

Total number of acres irrigated

Measuring devices of a type approved by the Department and capable of measuring the quantity of water diverted from the springs and the quantity of water returned to the Snake River shall be permanently maintained.

NOTE: Modification of this permit must be made within the limits of Section 42-222, Idaho

MDB

Twin Falls, Idaho 83301

August 16, 1972

Robert C. Paine, Attorney-at-Law
Parry, Robertson, Daly & Larson
Idaho First National Bank Bldg.
Twin Falls, Idaho 83301

Dear Rob:

This letter is to inform you that we have checked the inlet and head works being constructed by Roy Bylund for his fish farm near Crystal Springs. We found that the entire head works lies within Lot 12 of Section 12, T.9S., R.15E., B.M..

Our original survey was based on a field survey and is represented on a drawing entitled Application For Relocation Of Pipeline Easement. Portions of our calculations and platting of the drawing are based on the Government Land Office plats on record with the B.L.M..

This is needed →

It was our suggestion to Mr. Bylund that we perform an "as-built" survey of the facilities as constructed after the project is complete. This will be in a month or two and something we will do at our convenience.

We appreciate the opportunity to be of service to Mr. Bylund and your firm.

Yours truly,

J-U-B Engineers, Inc.

John J. Straubhar, P.E.

John J. Straubhar, P.E.

JJS/cs

c.c. Roy Bylund

36 [illegible]

MICROFILMED
FEB 01 1993

MICROFILMED
FEB 0 1 1993

?

Mr. Robert C. Paine
Parry, Robertson, Daly & Larson
Lawyers
The Idaho First National Bank Building
P. O. Box 525
Twin Falls, Idaho 83301

Dear Bob:

Enclosed is an order approving the conveyance of permits 36-7071 and 36-7164 to the Crystal Springs Ranch, Inc.

In order that there be no future misunderstanding and feeling on your part that the Department has approved activities of Crystal Springs Ranch, I feel I should call your attention to what appears to be a discrepancy in the description of the point of diversion. Both permits 36-7071 and 36-7164 provide for diversion of water in Lot 12, SE1/4NW1/4, Section 12; Township 9 South, Range 15 East,B.M. I'm enclosing a copy of the survey plat on which I have drawn an outline of Lot 12 in red.

From a recent field examination, it has been reported to us that some of the construction activity is taking place within Lot 11. You should be aware that the Idaho Fish & Game Department, in its recent Application 36-7256, has filed to appropriate 100 second feet of water from Crystal Springs from within Lots 11, 12, and 13. It would appear, therefore, that they may have a prior filing to any application for amendment, which you will need to file in the event that our information is correct and you are developing springs in Lot 11. I felt that I should call this to your attention so that you would not assume that our silence could be interpreted as approval of any change in point of diversion which you may have made.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

cc: Mr. Robert Haines, District Engineer
Idaho Department of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Encl: 2 Order and Survey Plat

BEFORE THE DIRECTOR OF THE
DEPARTMENT OF WATER ADMINISTRATION FOR
THE STATE OF IDAHO

In the Matter of Water Permits Nos. 36-7033 and 36-7164

AFFIDAVIT OF HARRY LeMOYNE

STATE OF IDAHO)
) ss.
County of Idaho)

HARRY LeMOYNE, being first duly sworn on oath, says:

1. I am a real estate agent in the State of Idaho and am the owner of LeMoyne Realty in Twin Falls, Idaho. Matters stated herein are within my own personal knowledge and I am competent to testify thereto. This affidavit is made in support of Joseph Burden's application for transfer of Water Permits Nos. 36-7033 and 36-7164 from Joseph Burden to Crystal Springs Ranch, Inc.

2. I have for many years been the agent of and represented Mr. Joseph Burden or his corporations in their real estate transactions in the State of Idaho.

3. I represented Mr. Joseph Burden in his purchase of Crystal Springs Ranch. A proper description for said ranch can be found in the affidavit of LeRoy Eyland filed in the above-captioned cause.

4. At the time of the purchase of Crystal Springs Ranch from them claimed by Joseph Burden there had been no water appropriated in the Crystal Springs.

5. At the time of the purchase of Crystal Springs Ranch, Inc., by Joseph Burden I had many conversations with him concerning the development of that land. Mr. Burden informed me that he

NOT TRUE ?

Both #02709 and #02905 had been appropriated from Eastern Portion of Crystal Springs (old #9287 and old 2399)

N D B-Brown

MICROFILMED
FEB U 1 1993

THE STATE OF IDAHO

In the Matter of Water Permits Nos. 36-7033 and 36-7164

AFFIDAVIT OF HARRY LeMOYNE

STATE OF IDAHO)
) ss.
County of Idaho)

HARRY LeMOYNE, being first duly sworn on oath, says:

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2. I have for many years been the agent of and represented Mr. Joseph Burden or his corporations in their real estate transactions in the State of Idaho.

3. I represented Mr. Joseph Burden in his purchase of Crystal Springs Ranch, the proper description for said ranch can be found in the affidavit of LeRoy Bylund filed in the above-captioned cause.

4. At the time of the purchase of Crystal Springs Ranch from Oren Diamond by Joseph Burden there had been no water appropriated in the Crystal Springs.

5. At the time of the purchase of Crystal Springs Ranch, Inc., by Joseph Burden I had many conversations with him concern-

Believed to be false ?

MICROFILMED FEB 01 1993

tion at the time of the filing of the Permits Nos. 36-[illegible]
36-7164 to use that water for the purpose of fish propagation.
of the dealings which I had on behalf of Mr. Burden with
Mr. Thorleif Rangen, Mr. Jack Chipmann, and others, was for the
purpose of developing the water rights in Permits Nos. 36-70[illegible]
36-7164 for fish propagation purposes.

[signature]

Subscribed and sworn to before me this 25 day of July, 1972.

[signature]
Notary Public for Idaho
Residing at Twin Falls, Idaho

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FEB 0 1 1993

SIPHON LOCATION MAP

FOR MR. HARRY LEMOYNE

TWIN FALLS, IDA.

— REAL ESTATE BROKER — for Sale

in Fee Simple

DALE L. RIEDESEL AND ASSOCIATES
CONSULTING ENGINEERS
TWIN FALLS, IDA.

A-1

DEED

FOR VALUE RECEIVED, CRYSTAL SPRINGS RANCH, INC., a corporation duly organized and existing under the laws of the State of Idaho, Grantor, does hereby grant, bargain, sell and convey unto LEN ELLIS and BRENDA ELLIS, husband and wife, Grantee, the following described real estate, to-wit:

PARCEL A ← NOT INVOLVED W/ FISH PROC FACILITY

A parcel of land located in the SW¼, SW¼ Section 12, Township 9 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho and being more specifically described as follows:

Commencing at the Southwest Section Corner of Section 12, Township 9 South, Range 15 East, Boise Meridian; then N 2°34'14"E, 984.53 feet to the REAL POINT OF BEGINNING;

then S 77°08'45"E, 113.00 feet;

then N 22°47'38"E, 111.02 feet;

then N 10°02'13"E, 30.05 feet;

then N 76°35'05"W, 154.55 feet;

then S 8°05'51"W, 30.13 feet;

then S 1°56'46"W, 112.90 feet to the REAL POINT OF BEGINNING.

The gross area contained in this land as described above is 0.44 acre.

PARCEL B

A parcel of land located in portions of Lot 7 and the NE¼ SE¼ Section 11; Lots 9 and 10 and the NW¼ SW¼ Section 12, all in Township 9 South, Range 15 East, Boise Meridian; Twin Falls County, Idaho and being more specifically described as follows:

Commencing at the Southwest Section Corner of Section 12, Township 9 South, Range 15 East, Boise Meridian; then N 7°09'05"W, 1,383.37 feet to the REAL POINT OF BEGINNING;

then N 7°01'47"E, 780.97 feet;

then N 84°24'21"W, 22.22 feet;

then N 53°44'40"W, 717.69 feet;

then N 83°07'31"W, 284.71 feet;

then N 10°38'43"E, 411.55 feet the highwater line on the southerly bank of the Snake River;

EXHIBIT "A"

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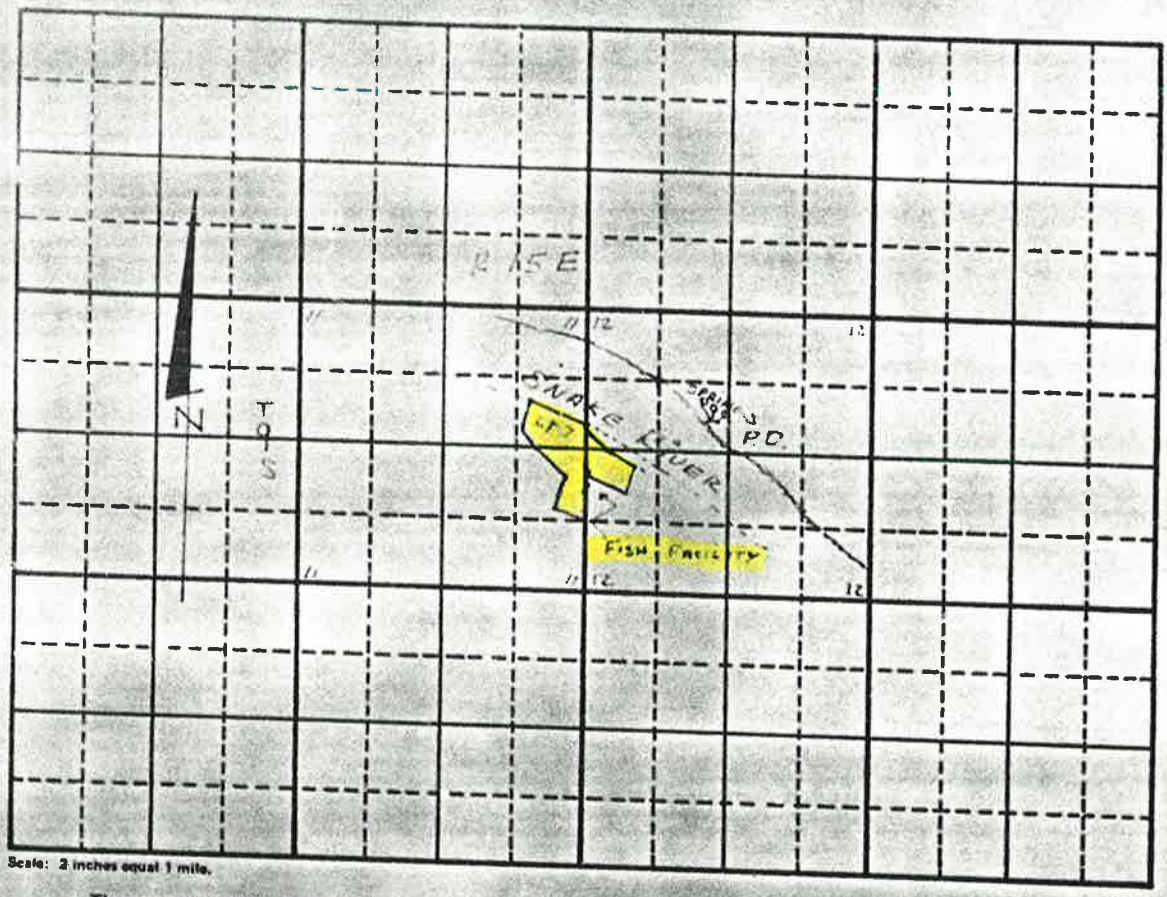
FEB 0 1 1993

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40 acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, Idaho, this 4th day of February, 19 81.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by [illegible] Fee = $20.00 Receipted by [illegible] Rcpt # 16798 Date 2 4 1981

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, Chief, Operations Bureau of the Department of Water Resources hereby APPROVE the above referenced Amendment for Permit No. 36-7033, provided that conditions of approval of said permit are met.

Witness my hand this 12th day of February 19 81.

L. Glen Saxton

Chief, Operations Bureau

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FEB 0 1 1993

Memorandum

from Dave Tuthill

2/10/81

Place of Use of Licenses 36-7033 & 36-7164 and Permit 36-7653.

The U.S. Corps of Engineers is in the process of purchasing the fish propagation facilities described by the above referenced water rights from Valley Trout Farms, Inc., the current owner. In the process of the sale, the place of use shown for the water rights was found to be different from the legal description of the property on which the fish facilities are located.

To verify the validity of change in place of use, the Department staff has (1) re-examined the place of use (see attached examiner's report), (2) reviewed the files in detail (see attached synopsis), (3) verified ownerships through the county assessor (Josiph L. Burden had possessory interest in both the incorrect and the correct places of use at the time of filing the applications), and (4) documented the request for change (see attached letter).

In addition we have reviewed the aerial photos (which are very distorted due to the canyon elevation differences) and found no additional information.

Based on this analysis, I recommend that the Director approve amended licenses that correct the place of use for 36-7033 and 36-7164, and that the Operations Bureau Chief approve an Application for Amendment for Permit No. 36-7653, with no advertising necessary.

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FEB 01 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

MICROFILMED
FEB 01 1984

July 6, 1983

Dept. of the Army
Attn: M. G. Brammer, P.E.
Chief, Engineering Div.
Walla Walla Dist., Corps of Engineers
Bldg. 602, City-County Airport
Walla Walla, WA 99362

RE: Water Rights at Crystal Springs

Dear Mr. Brammer:

Your letter dated June 22, 1983, concerning questions about the Corps of Engineers' water rights at Crystal Springs, has been referred to me for response. I will address the questions in the order they were presented.

First, regarding the acre-foot limitation applied to water right licenses Nos. 36-7033 and 36-7164, please be advised that this Department considers each water right to have three controlling parameters: rate of flow, total volume diverted, and consumptive use. In many situations, only the first of these parameters has been quantified; however, as competition for water supplies in Idaho has increased, there has been a need to more closely examine the latter two parameters to resolve disputes between competing users.

Total volume diverted and consumptive use are difficult to quantify for fish propagation facilities. However, an assumption can be made that these parameters are usually proportionate to the total volume of the facilities. Therefore, the "facility volume" is identified on the water right license to indicate the volume of fish ponds functional at the time the facility is examined. In the case of water right licenses Nos. 36-7033 and 36-7164, the examiner found 32 ponds, each measuring about 150 feet by 30 feet by 4 feet, for a total volume of 13.2 acre-feet. The intent of the corresponding condition of approval on the licenses is to not allow the water diverted under the licenses to be used in more than 32 ponds, for the protection of junior appropriators.

To respond to your second question, yes it is the intent of this Department to quantify the volume of the facility described by water right permit No. 36-7653. However, this volume will not be quantified until (1) proof

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FEB 0 1 1993

of beneficial use is submitted, (2) a field exam is conducted, and (3) a license is issued, because the requirement to submit facility plans was not in effect at the time the permit was issued and there is no indication currently in the file regarding facility size.

I hope that this information will serve to clarify the position of this Department regarding water rights for fish propagation purposes. Please advise this office if you desire further clarification.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Gravel Pits

contract)

12. GRAVEL PITS. It is understood by and between Buyer and Sellers herein that there is located upon the property described in Subsection 1 above certain gravel pits. It is expressly agreed that Buyer may immediately begin removing gravel from said gravel pits, said gravel to be sold or used for Buyer benefit. In the event of default by Buyer hereon, Sellers agree that they shall have no claim against Buyer for any gravel which has been excavated and used or sold by Buyer. Seller disclaims and has never made any warranty concerning the quantity, quality, ability to excavate, or any other aspect relating to said gravel pits.

13. WATER RIGHTS. It is expressly understood and agreed by and between the parties hereto that Joseph L. Burden presently holds Application for Water Permit No. 36-7033 in the amount of 50 c.f.s. of water. An application for extension of time to put this water to beneficial use is pending before the Director of Water Administration.

2 Rights w/sale

It is further understood and agreed that Burden presently holds Application for Water Permit 36-7164 from the State of Idaho Department of Water Administration for 50 c.f.s. of water, and proof of beneficial use of said water must be made by Burden prior to April 1, 1974.

It is further specifically agreed by and between Sellers hereto that prior to the release of any funds from escrow or trust, the Sellers shall: (a) transfer their rights in Application for Water Permit No. 36-7033 to the Buyer; (b) transfer their water rights in Application for Water Permit No. 36-7164 to the Buyer; (c) obtain permission from the proper Idaho State agency or Federal agency as required to perfect the transfer of the water permit in the "Lower Crystal Springs" in the total amount of 100 c.f.s. of water; (d) Sellers agree to obtain the necessary permits for excavating the Snake River with a dredge [illegible]

Upon performance of the foregoing conditions by the Sellers, Buyers shall [illegible]

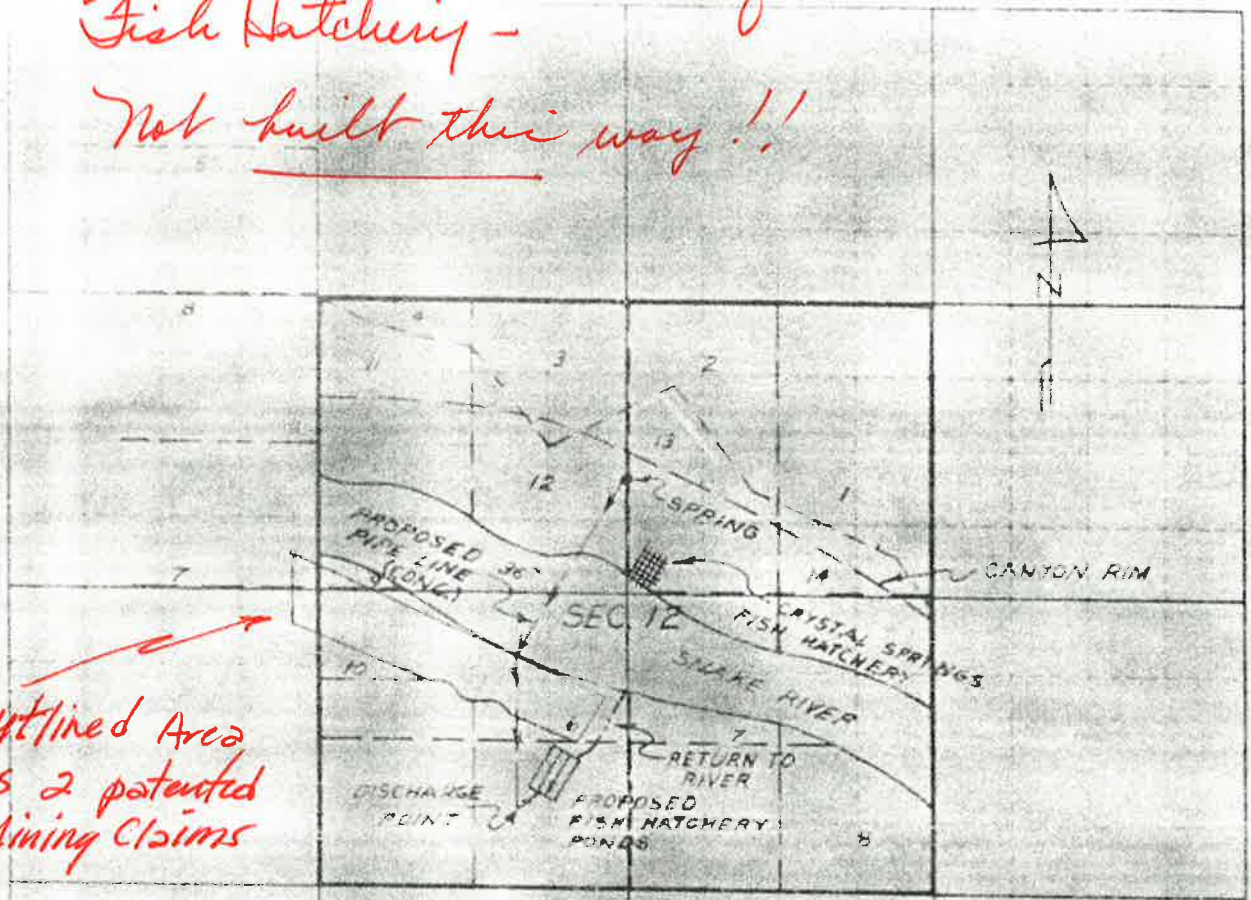
14. CONDITION PRECEDENT. It is expressly agreed by [illegible]

LeMoyne Realty

MICROFILMED
FEB 0 1 1993

Joe Burdens proposal for his Fish Hatchery -

Not built this way !!



Outlined Area is 2 patented Mining Claims

Pipe line 36" is proposed (There is another pipe line that supplies W.R. # 02705 & 02905)

SECTION 12

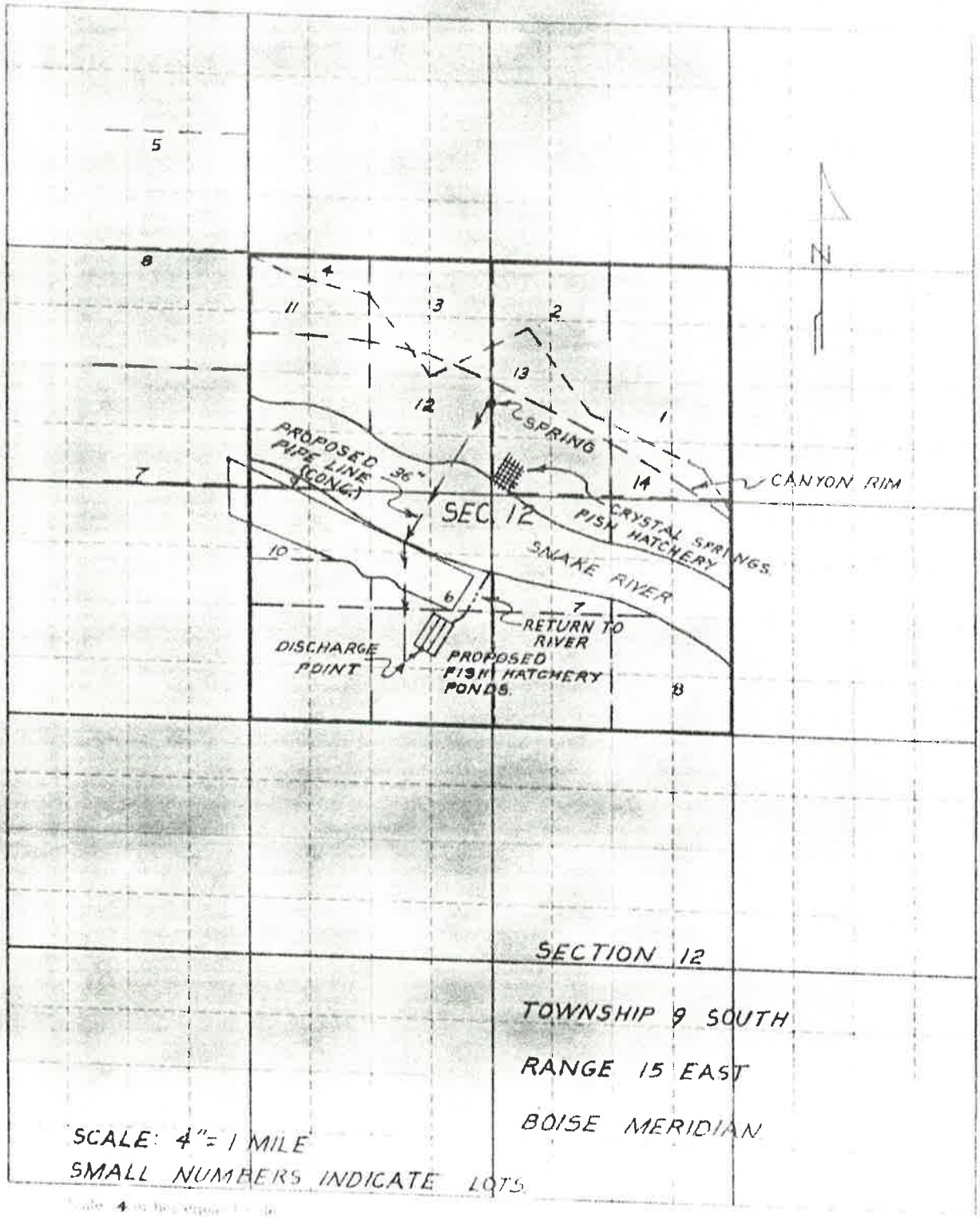
TOWNSHIP 9 SOUTH

RANGE 15 EAST

BOISE MERIDIAN

MICROFILMED
FEB 01 1993

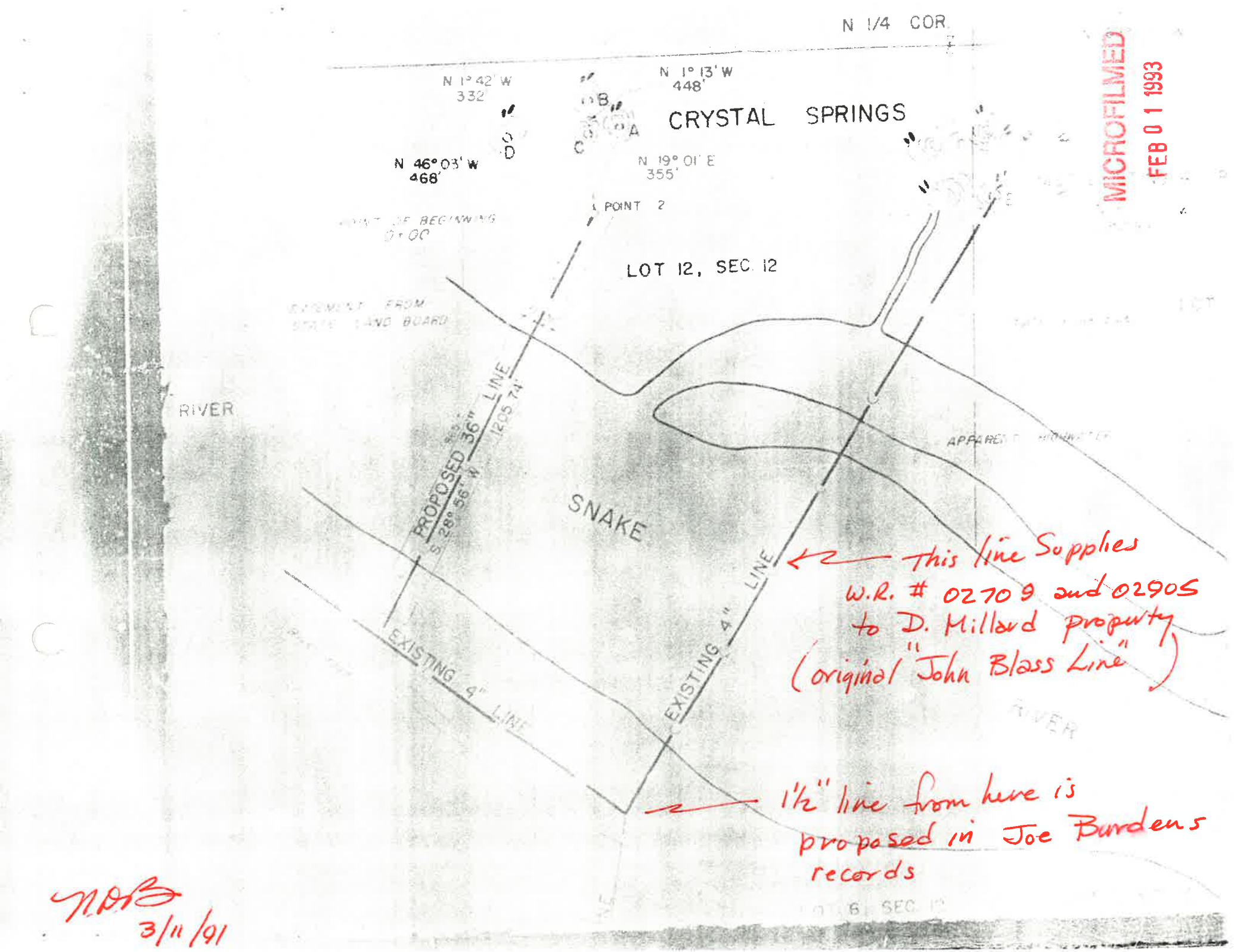
D.B.



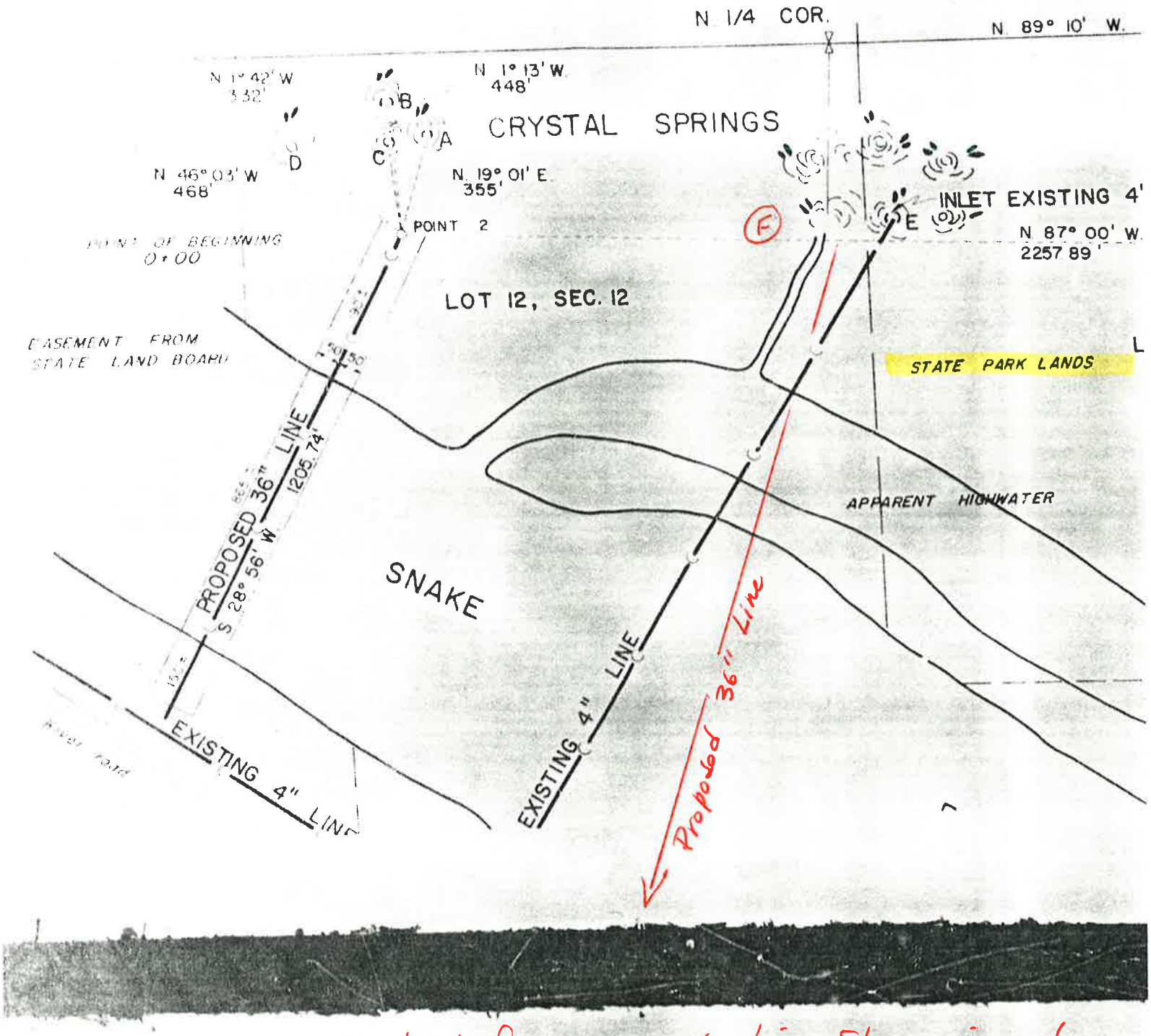
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the unappropriated waters of the State of Idaho, as follows, to-wit:

(Applicant)

MICROFILMED
FEB U 1 1993



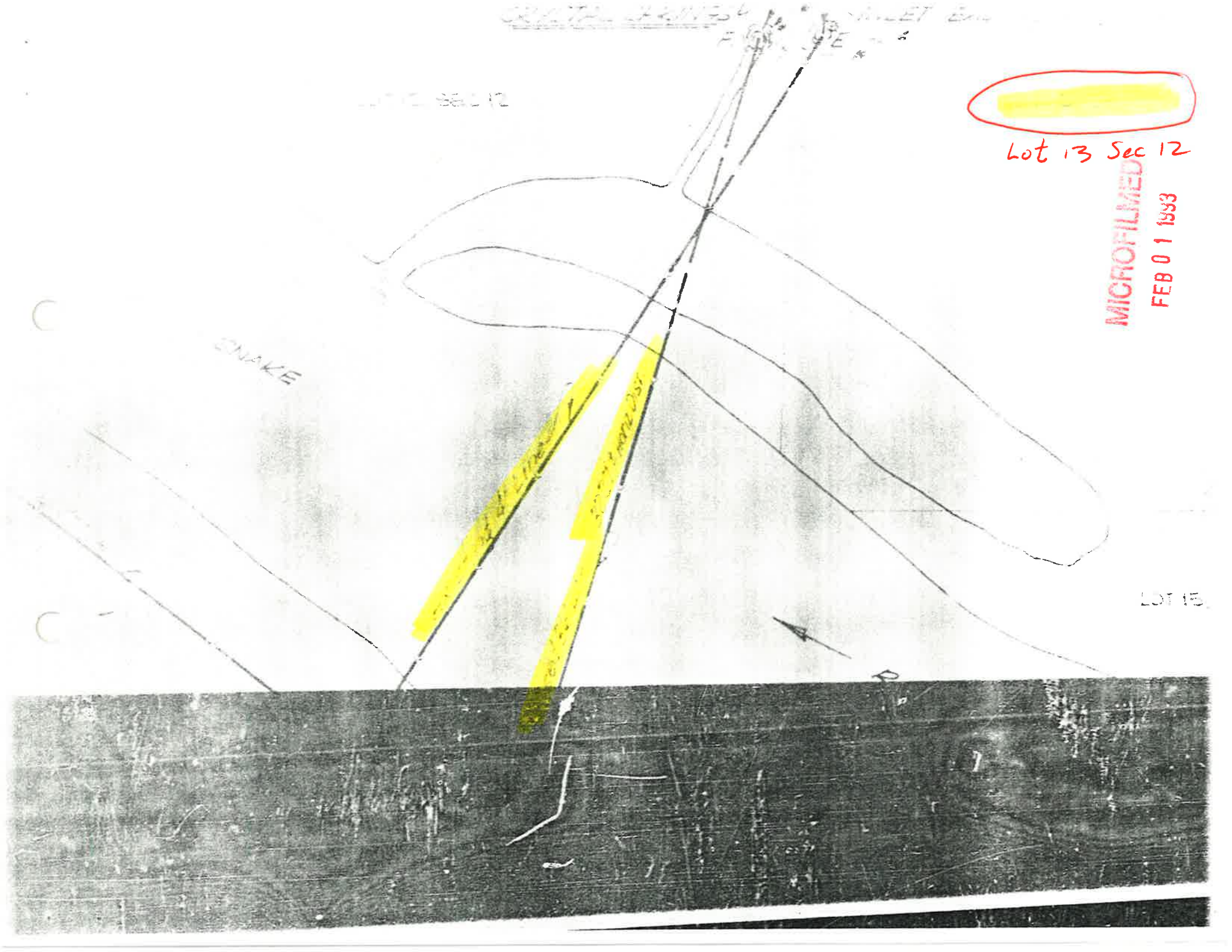
MICROFILMED
FEB 01 1993



See next sheet for proposed line shown in red here.

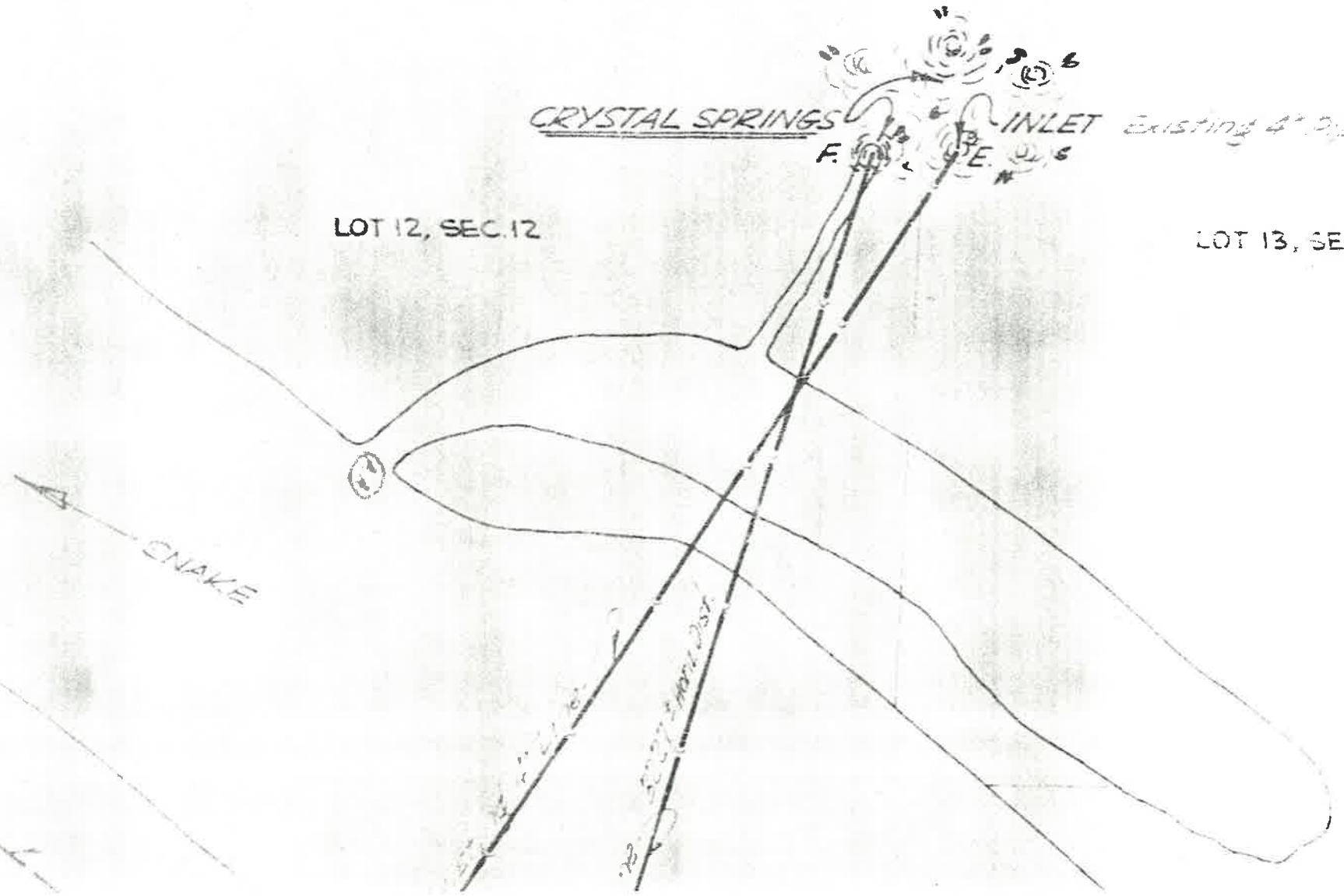
1/16 COR

MICROFILMED
FEB 0 1 1993


Lot 13 Sec 12
MICROFILMED
FEB 01 1993
CNAVE
LOT 15

MICROFILMED
FEB 0 1 1993

T. 9 S., R. 15 E., B



RIVER

LOT 7, SEC. 12

SEC 12

SW 1/4 SE 1/4 SEC 12

his authority, commencing on the 22th day of March 1972, and ending on the 29th day of March 1972, and that such survey is accurately represented upon this map.

John G Shaubhan
3/29/72

John G Shaubhan
Signature of Engineer

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FEB 01 1993

APPLICANTS CERTIFICATE

This is to certify that Joseph L. Burden who subscribed the statement hereon is the person employed by the undersign applicant to prepare this map, which has been adopted by the applicant as the approximate final location of the works thereby shown, and that this map is filed as a part of the complete application, and I further certify that the easement herein described is for a pipeline

Lloyd Webb, Attorney in fact

← See next pg for Pipe line proposal

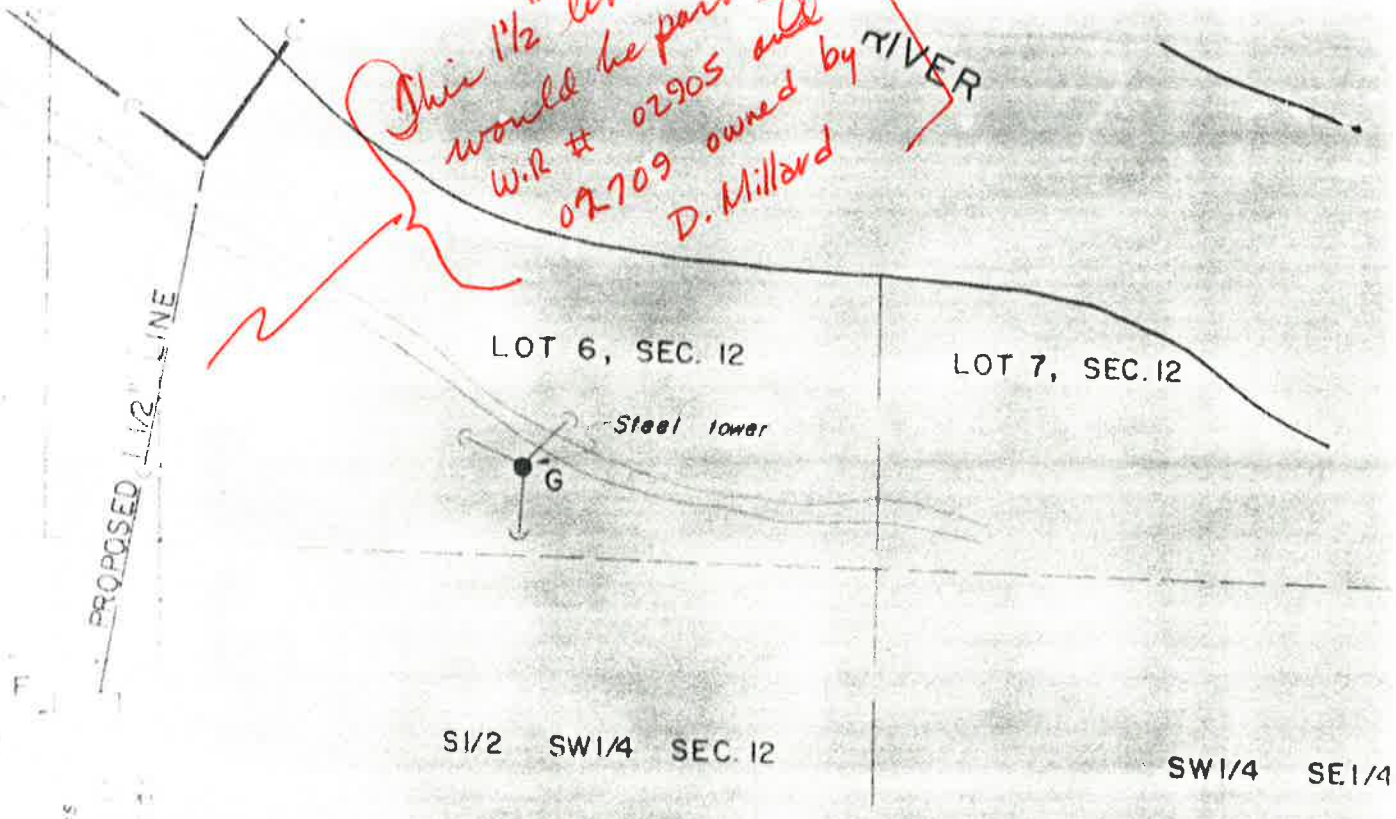
APPLICATION FOR RELOCATION OF PIPELINE EASEMENT

FOR JOSEPH BURDEN

Sec 12, T9S, R19S, BM
TWIN FALLS & GOODING COUNTIES, IDAHO

J-U-B ENGINEERS, INC.
Engineers Planners
TWIN FALLS, Idaho

DES. JS	DR. BB	CK	SHEET OF
SCALE N.T.S	DATE MAR 1972		JOB NO.



This is a portion of Survey Plat by JUB Engrs dated Mar 1972 done for Joe Burden/Lloyd Webb.

3/11/91

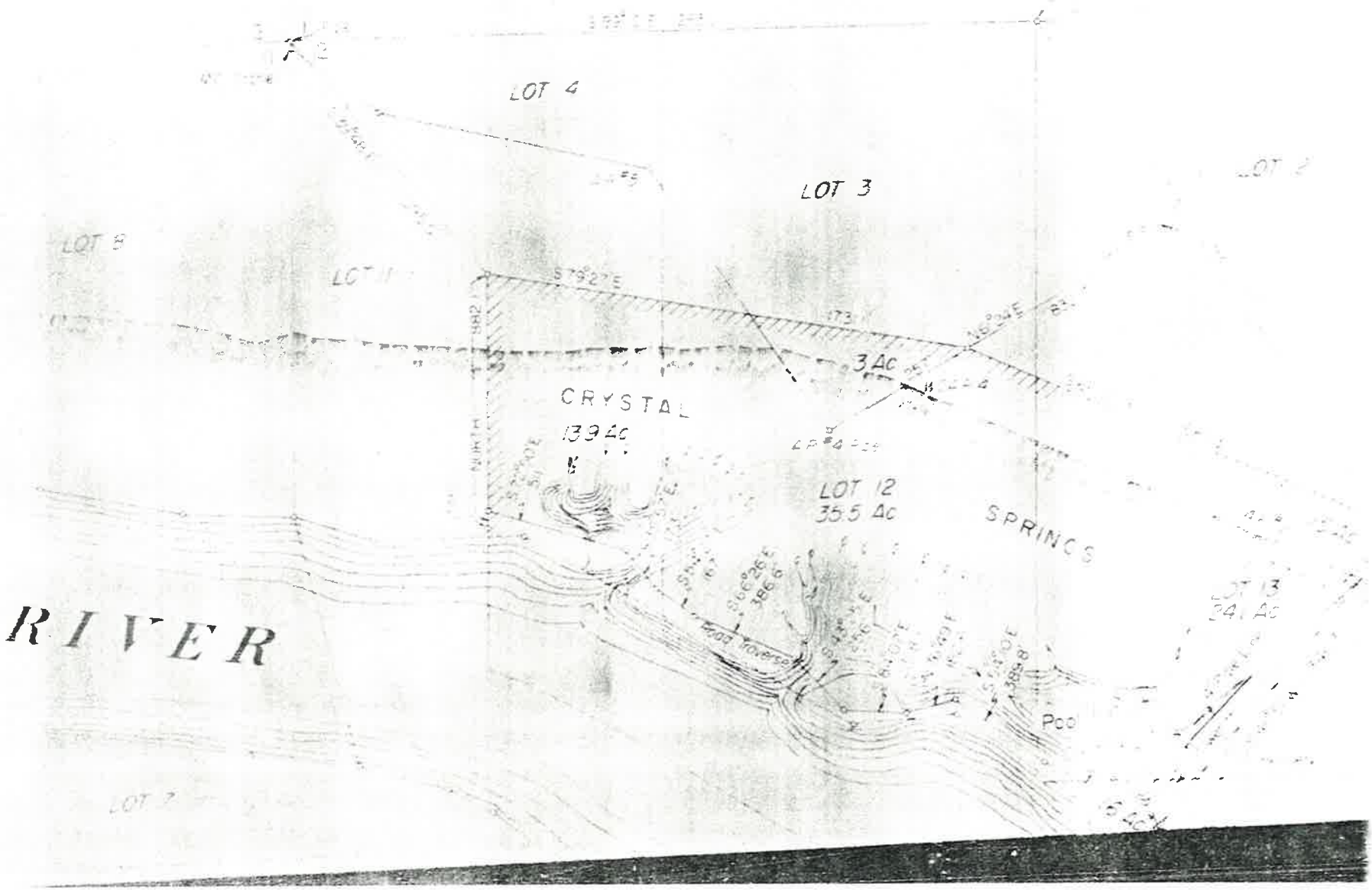
MICROFILMED
FEB 0 1 1993

MICROFILMED
FEB 0 1 1993

R.15E., B.M., IDAHO.

GOODING COUNTY

NOTE
COURSES FROM OFFICIAL GOV'T PLATS



8-44131

WARRANTY DEED

Lower Snake River
Fish & Wildlife
Compensation Plan.
PROJECT: Crystal Springs
Hatchery
Tract 501 and 601E

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of THREE MILLION FOUR HUNDRED TWENTY-FIVE THOUSAND AND NO 100 ----------

($3,425,000.00) in hand paid, receipt of which is hereby acknowledged,
KENNETH S. ELLIS AND MERNA ELLIS, Husband and Wife,
Whose Address is Route 3, Box 50, Buhl, ID 83316, and
VALLEY TROUT FARMS, INC., an Idaho Corporation
Whose Principal Place of Business is Route 3, Box 50, Buhl, ID 83316
have granted, bargained, and sold and by these presents do hereby grant,
bargain, sell, and convey unto the UNITED STATES OF AMERICA and its assigns,
all the following bounded and described real property situate in the County
of Twin Falls in the State of Idaho

Tract 500

A tract of land lying in portions of Government Lot 3 and the northeast quarter of the southeast quarter of Section 11, the southwest quarter of the northwest quarter and the northwest quarter of the southwest quarter of Section 12, all in Township 9 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho, and being more particularly described as follows

Commencing at the southeast corner of said Section 11,

thence North 07°09'05" West, 1,383.37 feet to the POINT OF BEGINNING

thence North 07°01'47" East, 780.07 feet;

thence North 84°24'21" West, 22.22 feet;

thence North 53°44'40" West, 717.69 feet;

thence North 83°07'31" West, 284.71 feet;

thence North 10°38'43" East, 411.55 feet to the high water line on the southerly left bank of the Snake River;

thence southeasterly along the southerly (left) bank of the Snake River the following courses and distances:

South 83°45'43" East, 516.39 feet;
South 79°02'15" East, 345.39 feet;
South 53°01'23" East, 563.[illegible] feet;
South 33°34'55" East, 145.37 feet;
South 50°33'57" East, 75.83 feet;

thence South 27°06'46" West, 464.20 feet;

thence North 81°09'22" West, 620.06 feet;

thence South 01°08'09" West, 699.75 feet;

NPD Form 20
Jan 1952

(1)

MICROFILMED
FEB 0 1 1993

thence North 78°38'10" West, 242.61 feet to the point of beginning.

There is EXCEPTED therefrom all those portions of Government Lots 9 and 10 and the easterly 1200 feet of the south half of the northwest quarter of the southwest quarter of said Section 12 contained within the above described tract of land.

The tract of land above described contains 25.46 acres, more or less, being acquired by the U. S. Department of the Army, Corps of Engineers.

NOTE: The bearings and distances above referred to were taken from deed descriptions actual surveys, and Bureau of Land Management Plats.

together with the easement right of ingress and egress over and across the following described land, said easement subject to joint use right of ingress and egress reserved to Crystal Springs Ranches, Inc..

Tract 601E

A parcel of land located in the southeast quarter of the southeast quarter of Section 11 and in the southwest quarter of the southwest quarter of Section 12, all in Township 9 South, Range 15 East of the Boise Meridian, Twin Falls County, Idaho, being more particularly described as follows:

Commencing at the southwest corner of said Section 12;

thence North 02°34'14" East, a distance of 984.53 feet to the POINT OF BEGINNING;

thence North 79°22'55" West, a distance of 47.35 feet;

thence North 08°38'36" East, a distance of 262.79 feet;

thence North 02°11'00" West, a distance of 79.13 feet;

thence South 78°38'05.8" East, a distance of 32.19 feet;

thence South 0°44'53" West, a distance of 114.96 feet;

thence South 08°05'51" West, a distance of 114.63 feet;

thence South 01°56'46" West, a distance of 112.90 feet, more or less, to the POINT OF BEGINNING.

There is EXCEPTED therefrom all that part of the above described parcel of land lying within the right-of-way of the county road.

The parcel of land above described contains 0.28 acres, more or less, being acquired by the U. S. Department of the Army, Corps of Engineers.

NOTE: The bearings and distances above referred to were taken from deed descriptions, actual surveys, and Bureau of Land Management Plats.

MICROFILMED
FEB 0 1 1993

WATER RIGHTS Sold with Property

And further, for the consideration hereinabove set forth, the Grantors convey all right, title, and interest in and to State of Idaho Easement No. 4261 granted to Joseph L. Burden on 11 April 1972; State of Idaho Easement No. 4262 granted to Joseph L. Burden on 11 April 1972; State of Idaho Department of Water Resources Water Right License No. 36-7033 with priority of 10 July 1968 in the amount of 50.0 c.f.s. granted to Crystal Springs Ranches, Inc.; State of Idaho Department of Water Resources Water Right License No. 36-7164 with priority of 5 March 1971 in the amount of 6.49 c.f.s. granted to Crystal Springs Ranches, Inc.; and State of Idaho Department of Water Resources Application for Permit No. 36-7653 by Valley Trout Farms, Inc., in the amount of 69.0 c.f.s. with proposed priority of 3 November 1976.

EXCEPTING AND RESERVING to the Grantors the right to remove from the project area on or before 1 March 1982, a 40' x 80' concrete hatchery building and equipment; a 20' x 86' metal frame, metal covered hatchery building and equipment; two metal feed bins; a railroad car feed storage building; and an oxygen storage tank. In the event said improvements are not removed on or before said date, the United States shall have a good and indefeasible title to said buildings and improvements without notice or further compensation.

In consideration of the protection and maintenance of the land, buildings, and structures, protection of the property against loss by fire, waste, or other causes, Grantors reserve occupancy of said property until 1 March 1982, said occupancy is reserved to Grantors exclusively and shall not be sublet or transferred.

During the term of occupancy reserved to Grantors, the United States or its agents shall have the right to enter upon the property conveyed for any purpose whatsoever, provided that such entry shall not unduly interfere with or disrupt Grantors operation of the property.

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

WATER RIGHTS EASEMENTS ETC.

SUBJECT TO existing easements for public roads, public highways, public utilities, railroads, and pipelines; reservations, exceptions, and any other outstanding rights contained in or referred to in patents issued by the United States.

TO HAVE AND TO HOLD the above described and granted premises unto the UNITED STATES OF AMERICA and its assigns, forever. We covenant to and with the above named grantee and its assigns that we are lawfully seized and possessed of the above granted premises in fee; have a good and lawful right and power to sell and convey the same; that the same are free and clear of all encumbrances except as above noted, and we will and our heirs, executors, and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

MICROFILMED
FEB 0 1 1993

2

STATE OF IDAHO)
COUNTY OF TWIN FALLS) ss.

On the 18 day of March 1981, personally came before me, as Notary Public in and for said County and State, the within named Kenneth S. Ellis and Brenda Ellis

to me personally known to be the identical persons described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

(SEAL)

Notary Public in and for the
State of Idaho
Residing at Buhl
My Commission Expires June 1984

MICROFILMED
FEB 0 1 1993

Acknowledgment
MFD Form 20c
Jan 1952

(CORPORATE FORM)

STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On this 18th day of March A.D. 19 81, before me, the undersigned, a Notary Public in and for the State of [illegible], duly commissioned and sworn personally appeared Kenneth S. [illegible] and Brenda Ellis to me known to be the President and Secretary, respectively of Valley Title Firms, Inc., the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

WITNESS my hand and official seal hereto affixed the day and year in this certificate above written.

(SEAL)

Notary Public in and for the
State of Idaho
Residing at [illegible]
My Commission expires [illegible]

STATE OF IDAHO)
County of Twin Falls) ss.
I hereby certify that this instrument was filed for record at the request of SAFECO Title
at 3 o'clock P.M. this MAR 18 1981
and in my office and duly recorded in book [illegible] of RICHARD A. PENCE Page [illegible]
Ex-Officio Recorder
Deputy

Fee $ [illegible]
Return to SAFECO Title

7992252

MICROFILMED
FEB 01 1993

NPW FORM 29 (Replaces NPW Form 197 (Test) which may be used)
Mch 1962

AND FURTHER, for the consideration aforesaid, we the grantors above named hereby convey and quitclaim unto the said UNITED STATES OF AMERICA and its assigns, all right, title, and interest which we may have in and to the banks, beds, and waters of any streams opposite to or fronting upon the lands above described and in any alleys, roads, streets, ways, strips, gores, or railroad rights-of-way abutting or adjoining said land and in any means of ingress or egress appurtenant thereto.

DATED this 18 day of March 1981.

VALLEY TROUT FARMS, INC.,
an Idaho Corporation

By Kenneth S. Ellis
KENNETH S. ELLIS
President

Kenneth S. Ellis
KENNETH S. ELLIS

Brenda Ellis
BRENDA ELLIS

ATTEST:

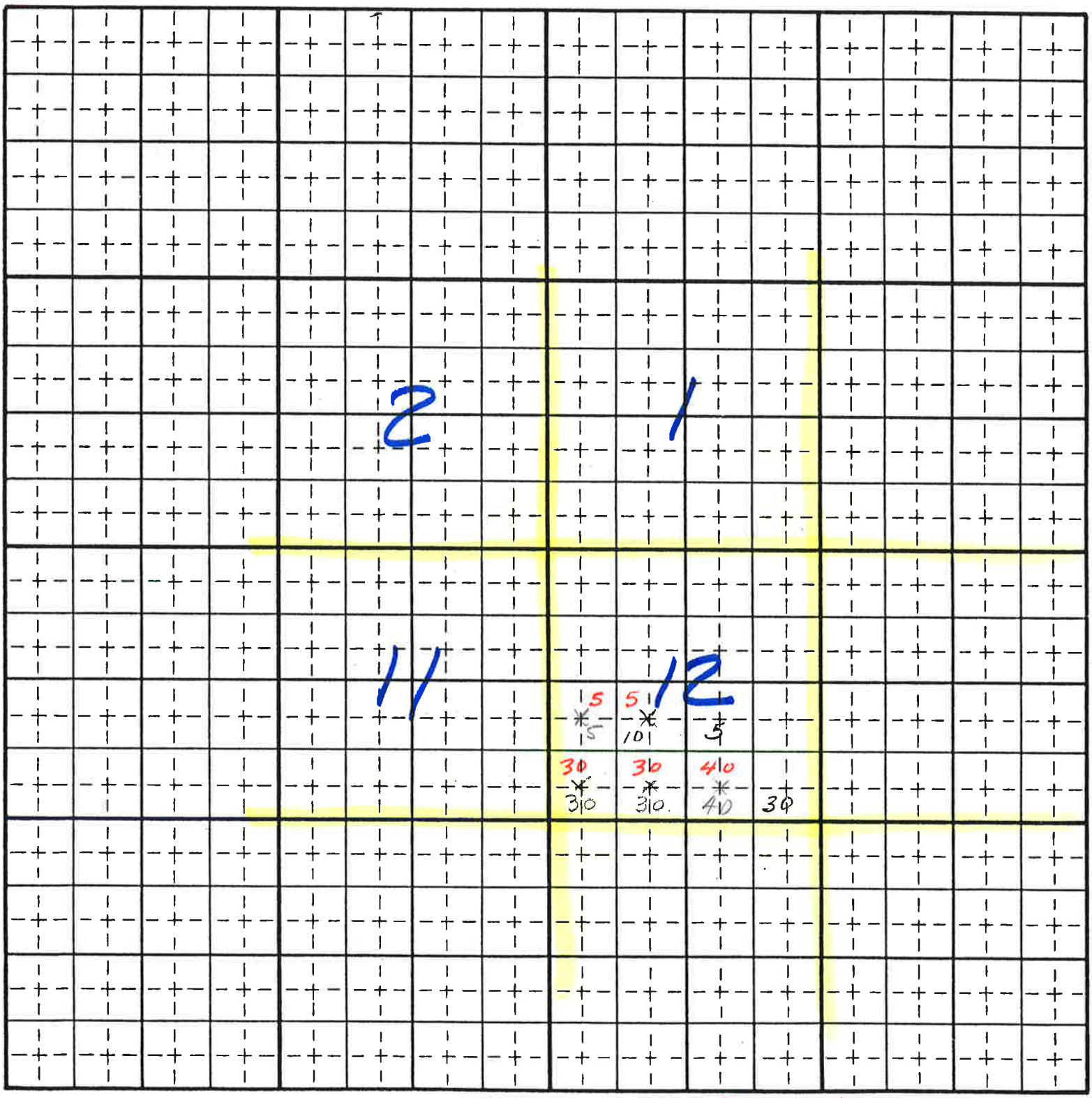
By Brenda Ellis
BRENDA ELLIS
Secretary

MICROFILMED
FEB 0 1 1993

Map of Project: show clearly the poi[illegible] diversion, place of use, section number, [illegible]ship, and range number.

Scale: 2 inches equals 1 mile

T 9S R 15E



Last Name Milland Ident No. A36 02905

Reid is #2709 acres
Pooled in #2905

MICROFILM
FEB 01

Copies: White-State, Yellow-Claimant

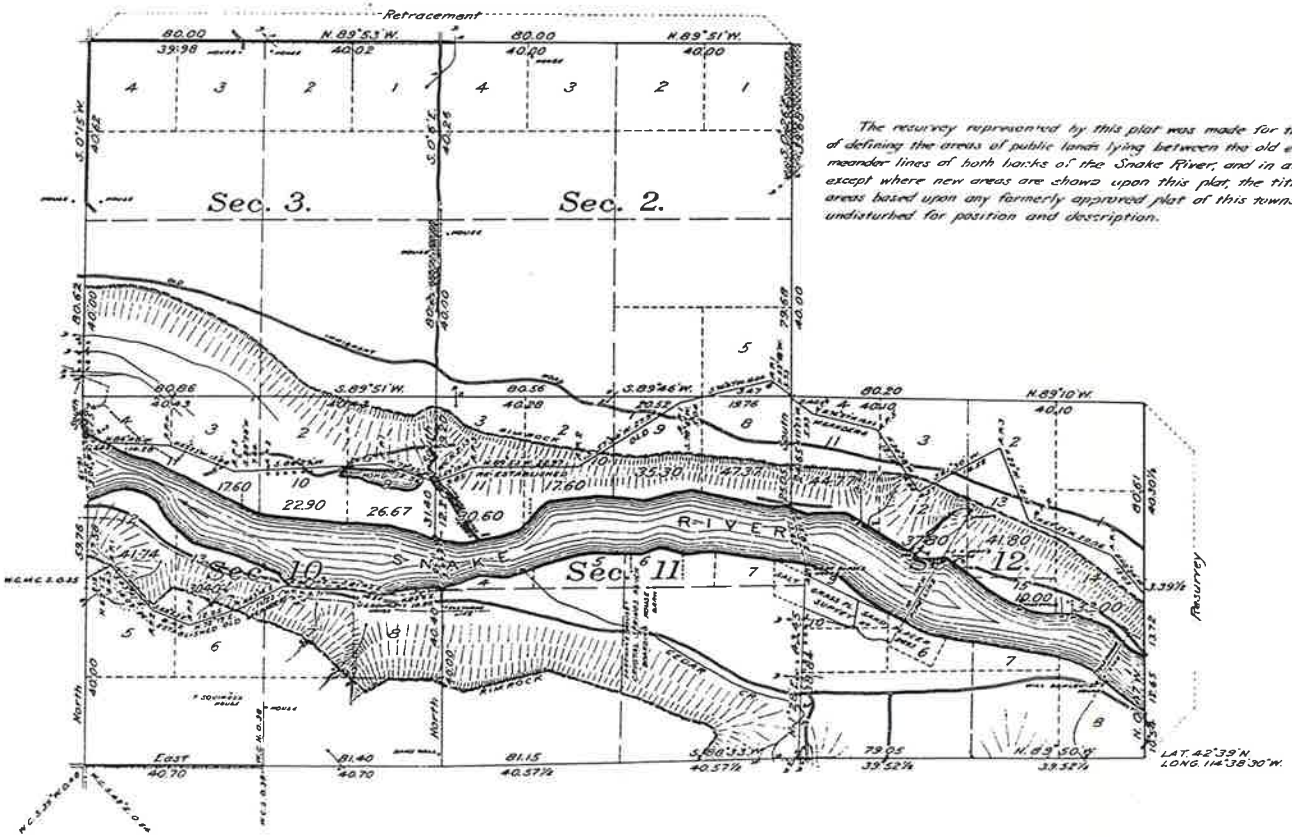
Accepted June 11, 1920 ORIGINAL

OFFICIAL "BLM" Plat used in establishing facts of investigation N. P. O'Brien 2/28/91

MICROFILMED FEB 01 1993

Dependent Resurvey of Sections 2, 3, 10, 11, and 12, Township Nº 9 South, Range Nº 15 East of the Boise Meridian, Idaho.

Scale 20 Chains to an Inch.



The resurvey represented by this plat was made for the purpose of defining the areas of public lands lying between the old erroneous meander lines of both banks of the Snake River, and in all cases except where new areas are shown upon this plat, the titles and areas based upon any formerly approved plat of this township remains undisturbed for position and description.

Surveys Designated	By Whom Surveyed	Group No.	Group Date of Instructions	Amount of Surveys Mls.	Amount of Surveys ch.	Amount of Surveys lks.	When Surveyed Begun	When Surveyed Completed
N. Boundary, Ret.	James Spofford	46	January 26, 1915	4	76	49	May 17, 1915	Aug. 13, 1915
E. and W. Boundary, Rvs.	J. Spofford on 2 meanders and Carl S. Swanholm	"	Jan 16, 1915 Sept 8, 1916	2	77	94	Aug. 23, 1915	June 5, 1917
Subdivisions, Rvs	Spofford, Robertson and Swanholm	"	" " "	21	39	21	May 17, 1915	June 5, 1917
Meanders, Re-est.	Robertson & Swanholm	"	September 19, 1916	9	68	62	May 19, 1917	June 5, 1917
Meanders	James Spofford	"	January 26, 1915	13	22	80	Aug. 10, 1915	Aug. 25, 1915
Connections	Robertson & Swanholm	"	September 19, 1916	1	9	48	May 19, 1917	June 5, 1917

The above map of Dependent Resurvey of Sections 2, 3, 10, 11, and 12, Township No. 9 South, Range No 15 East of the Boise Meridian, Idaho, is strictly conformable to the field notes of the survey thereof on file in this office, which have been examined and approved.

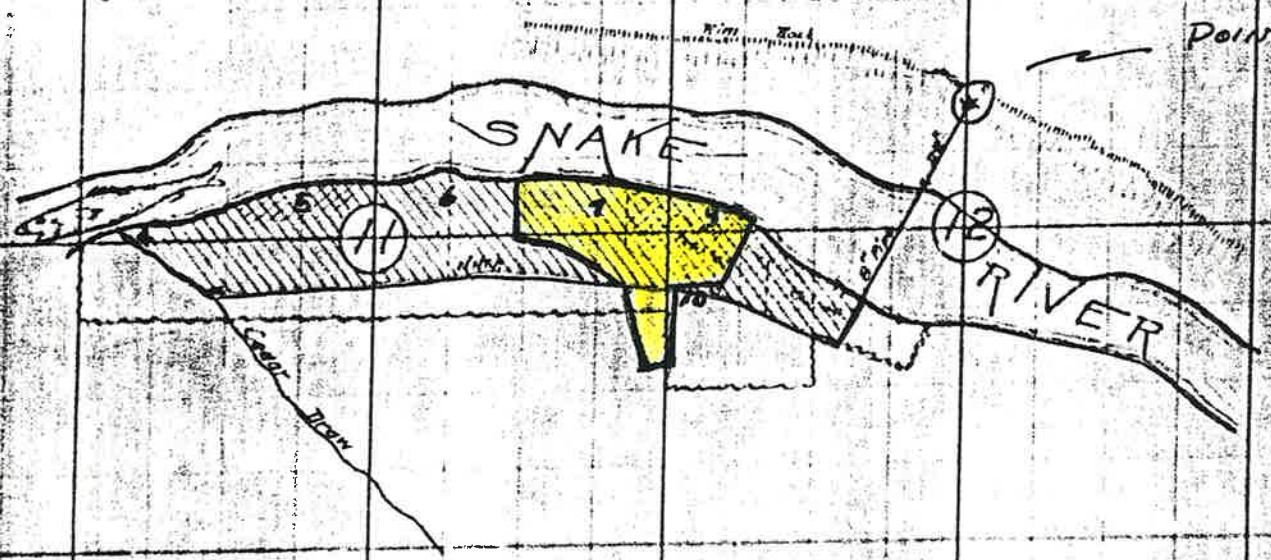
U. S. Surveyor General's Office.
Boise, Idaho, April 17, 1918.

Edward Hedden
Surveyor General.

2/22/1991 NDB

HIGHLIGHTED AREA IS APPROX LOCATION OF LAND SOLD TO C.O.E. U.S.A 3/18/81 FOR FISH HATCHERY 20 ACRES OF IRRIGATED LANDS ARE NO LONGER IRRIGATED BY WATER LICENSE # 02709 (old Permit No 2399)

ORIGINAL SKETCH BY, IDAHO DEPT. OF RECLAMATION, ENGR FRED TOLMAN, W.R. EXAMNR.



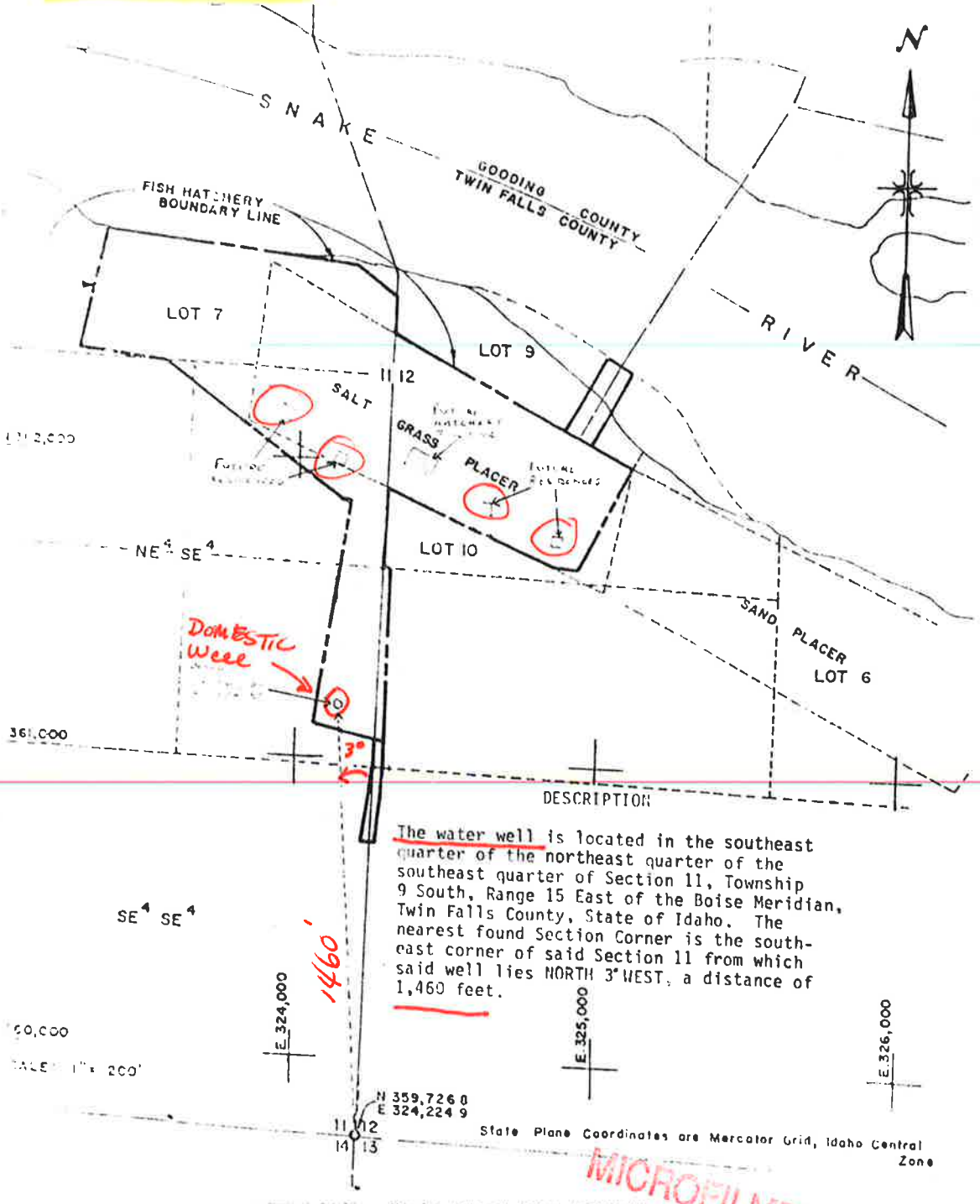
POINT OF DIVERSION NW, SW, NE 1/4, 12. T 9S R 15E BM (NOW GOV'T. LOT #13)

SHADED AREAS ARE AREAS LICENSED. NUMBERS ARE GOV'T. LOT Nos. EXAMINER STATED THAT APPROX. 100 AC. WERE UNDER DITCH WHEN LICENSED IN MAY 1941.

MICROFILMED FEB 01 1993

T09S RISE SECT. 11, 12

[illegible] Inspect: show clearly the proposed point of diversion, place of use, section number, [illegible] and range number.



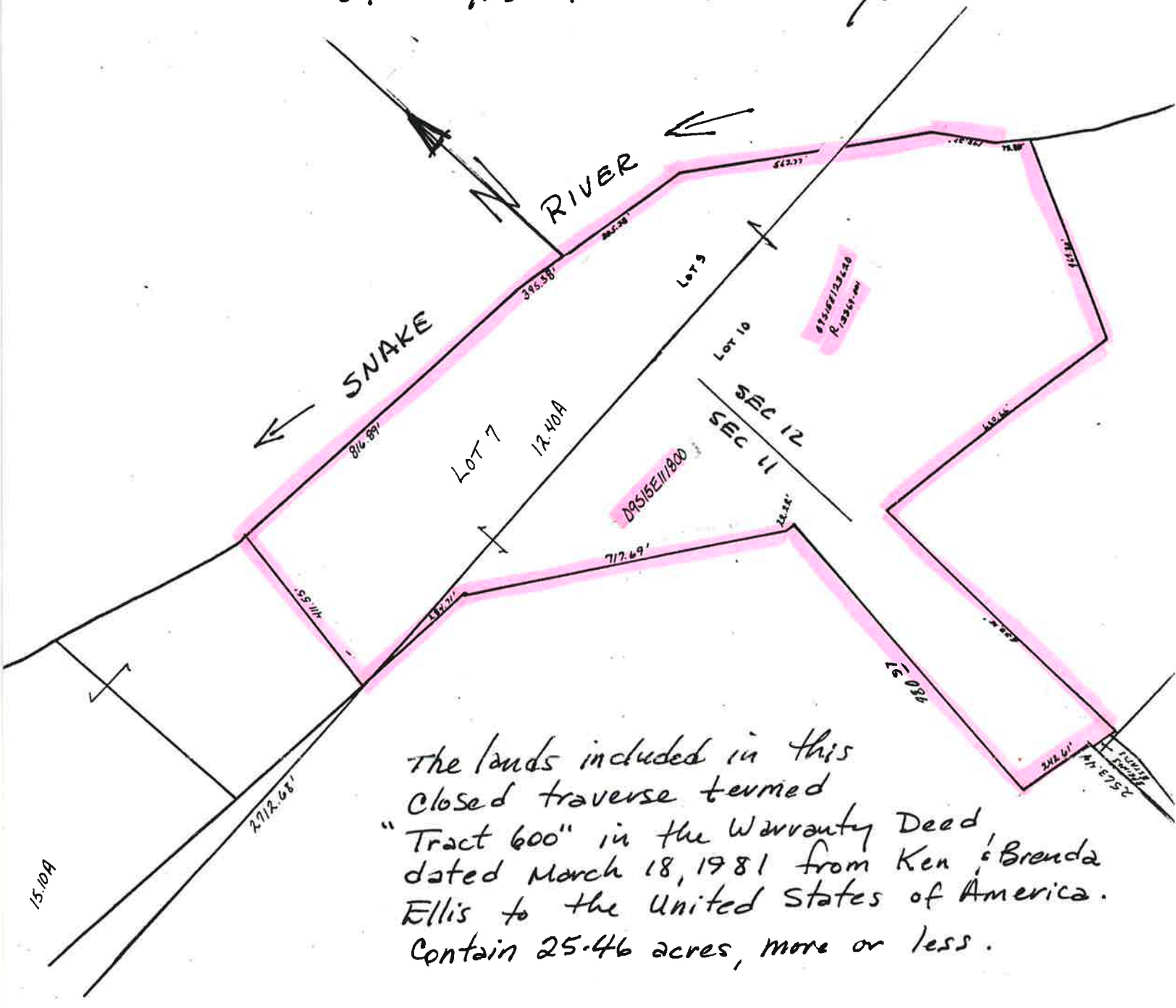
MICROFILMED
FEB 0 1 1993

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[signature]
(Applicant)

2/25/91
N. D. B.

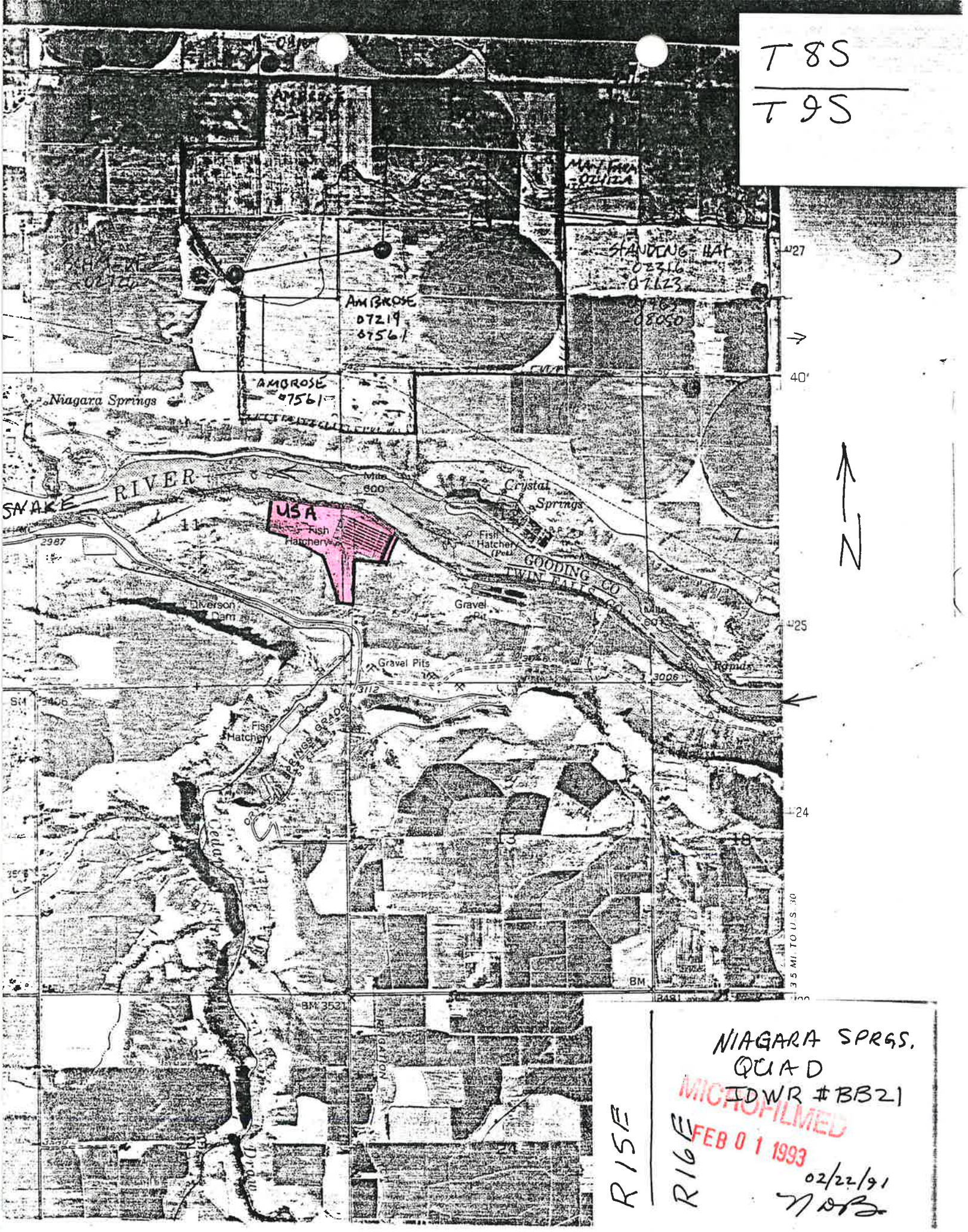
SECTIONS 11 & 12
T 09S R 15E Twin Falls County Assessors
Record of Survey of U.S. Corp
of Engrs Fish Hatchery.

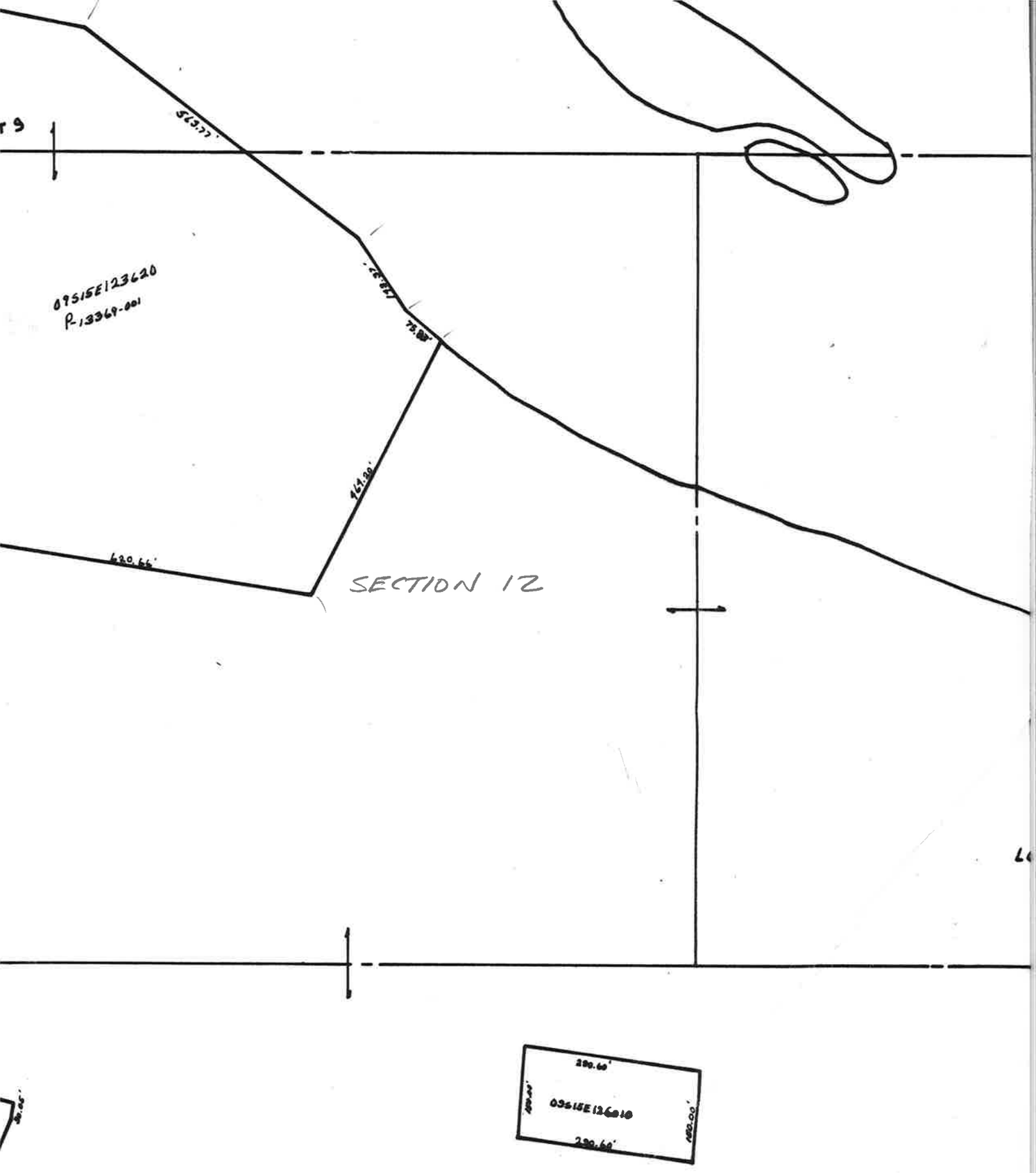


The lands included in this
Closed traverse termed
"Tract 600" in the Warranty Deed
dated March 18, 1981 from Ken & Brenda
Ellis to the United States of America.
Contain 25.46 acres, more or less.

MICROFILMED
FEB 0 1 1993

W. Res. Agent
N. D. Brown
2/26/91


T 8S
T 9S
AMBROSE
07219
07561
STANDING MAN
02316
07623
08050
AMBROSE
07561
Niagara Springs
SNAKE RIVER
USA
Fish Hatchery
Crystal Springs
Fish Hatchery (Post)
GOODING CO
TWIN FALLS CO
Diversion Dam
Gravel Pit
Gravel Pits
Rapids
Fish Hatchery
STANDING MAN GRADE
Cedar Draw
BM 3521
BM
N
R16E
R15E
NIAGARA SPRGS. QUAD
IDWR # BB21
MICROFILMED
FEB 0 1 1993
02/22/91
MDB


563.77'
09S15E123620
P-13369-001
138.37'
78.89'
161.98'
630.66'
SECTION 12
280.60'
09S15E126010
280.60'
180.00'

Snake River

816.89'

395.38'

395.38'

15.10A

411.55'

WARRANTY DEED
TRACT 600
LOT 7

12.40A

LOT 9

284.71'

2712.68'

LOT 10

D9515E111800

712.69'

22.22'

SECTION 11

PART OF CRYSTAL SPRINGS ESTATES

N 07°00'47" E

780.27'

POB

242.61'

N 07°09'05" W

1383.37'

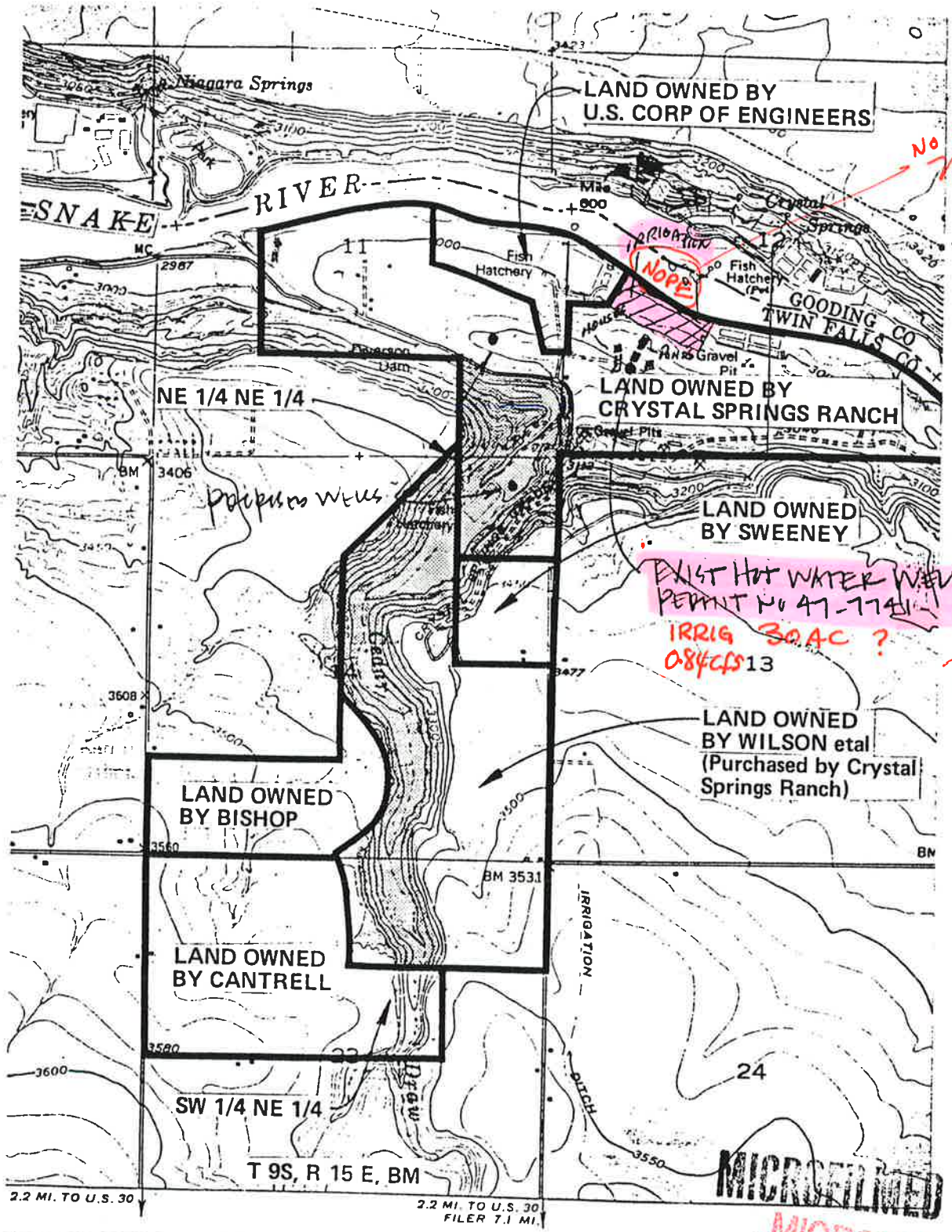
2563.44'

SPRINGS ESTATES

8400

SEC. 11
SE COR

PART OF CRYSTAL SPRINGS ESTATES



6/2/91
NO IRR
NDB

NDB

Contour Interval = 10 ft.

MICROFILMED
MAR 12 1990
MICROFILMED
FEB 01 1993

LPM

OWNERSHIP/VICINITY MAP

Crystal Springs Hunting/Fishing Reserve Ranch
Twin Falls County, Idaho

U.S. GOVT LAND OFFICE
PATENT TO MINING CLAIMS
OBTAINED THRU BLM OFFICE 2/91

7883

Hailey 010871.

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, In pursuance of the provisions of the Revised Statutes of the United States, Chapter Six, Title Thirty-two, and legislation supplemental thereto, there has been deposited in the General Land Office of the United States the Certificate of the Register of the Land Office at Hailey, Idaho, accompanied by other evidence, whereby it appears that John H. Blass,

did, on July 18, 1912, duly enter and pay for that certain mining claim or premises known as the Jim Cross and Rosa Bell placer mining claims, situate in Twin Falls County, Idaho, described as follows; the Jim Cross claim comprising the Lots five and six of section eleven in Township nine south of Range fifteen east of the Boise Meridian; and the Rosa Bell claim comprising the Lot seven of said Section eleven; and the Salt Grass and Sand Placer mining claims, designated by the Surveyor General as Survey No. 2693, embracing a portion of Sections eleven and twelve, said township and range, bounded, described, and platted as follows;

Beginning, for the description of the Salt Grass placer claim, at corner No. 1, a pine post five feet long, five inches square, marked SG-1-2693, in mound of rock, from which the quarter corner between Sections eleven and twelve in Township nine south of Range fifteen east of the Boise Meridian, bears north sixty-nine degrees five minutes east five hundred four and seven-tenths feet distant;

Thence, first course, south sixty-seven degrees thirty-eight minutes east five hundred nine and eight-tenths feet intersect the east line of the southeast quarter of Section eleven in Township nine south of Range fifteen east of the Boise Meridian, at south three hundred seventy-four and two tenths feet from the east quarter corner of said section; one thousand two hundred

RECORD OF PATENTS: Patent Number 409042

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sixty-eight and nine-tenths feet intersect the north line of the south half of the northwest quarter of the southwest quarter of Section twelve, said township and range; one thousand three hundred three feet to corner No. 2, a pine post five feet long, five inches square, marked SG 2 - SP 2 - 2693, in mound of rocks;

Thence, second course, north nine degrees ten minutes east, thirteen and three-hundredths feet intersect the north line of said south half of the northwest quarter of the southwest quarter of Section twelve; four hundred thirty feet to corner No. 3, a pine post five feet long, marked SG3-SP 1-2693, in mound of earth;

Thence, third course, north sixty-four degrees twenty minutes west one thousand four hundred six and eight-tenths feet to corner No. 4, a pine post five feet long, marked SG 4-2693;

Thence, fourth course, south thirty-five minutes west three hundred fifty-seven and sixty-seven-hundredths feet intersect the north line of said southeast quarter of Section eleven, at north eighty-nine degrees fifty-nine minutes west four hundred sixty-nine and sixty-one-hundredths feet from the east quarter corner; five hundred thirty-eight feet to corner No. 1, the place of beginning;

Beginning, for the description of the Sand placer claim, at corner No. 1, identical with corner No. 3 of said Salt Grass placer claim, from which said quarter section corner bears north seventy-two degrees thirty-five minutes west eight hundred forty and five-tenths feet distant;

Thence, first course, south nine degrees ten minutes west four hundred sixteen and ninety-seven-hundredths feet intersect the north line of said south half of the northwest quarter of the southwest quarter of Section twelve, at north eighty-nine degrees forty-five minutes west five hundred eighty-one and thirty-five-hundredths feet from the northeast corner; four hundred thirty feet to corner No. 2, identical with corner No. 2 of said Salt Grass placer claim;

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Thence, second course, south sixty-four degrees two minutes east six hundred forty-eight and ninety-five-hundredths feet intersect the east line of said south half of the northwest quarter of the southwest quarter of Section twelve, at south two hundred ninety-four and forty-six-hundredths feet from the northeast corner; also intersect the west line of the Lot six of said Section twelve; one thousand three hundred twenty four and seven-tenths feet to corner No. 3, a pine post five feet long marked SP - 3 - 2693, in mound of rock;

Thence, third course, north twenty-five degrees thirty minutes east four hundred sixty feet to corner No. 4, a pine post five feet long, marked SP 4-2693, in mound of earth;

Thence, fourth course, north sixty-five degrees fifty-seven minutes west eight hundred eighty-two and fourteen-hundredths feet intersect the west line of said Lot six of Section twelve; one thousand four hundred forty-six feet to corner No. 1, the place of beginning;-expressly excepting and excluding from these presents all that portion of the ground hereinbefore described, embraced in said southeast quarter of Section eleven and the south half of the northwest quarter of the southwest quarter and said Lot six of Section twelve; the premises herein granted, containing in the aggregate, forty-nine and twenty-three-thousandths acres.

49.230 Acres
2 claims patented
"SALT GRASS & SAND PLACERS"

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FEB 0 1 1993

409042

NOW KNOW YE, That there is therefore, pursuant to the laws aforesaid, hereby granted by the United States unto the said

John H. Blass,

, the said placer mining premises hereinbefore described;

TO HAVE AND TO HOLD said mining premises, together with all the rights, privileges, immunities, and appurtenances of whatsoever nature thereunto belonging, unto the said grantee above named and to his heirs and assigns forever; subject nevertheless to the following conditions and stipulations:

FIRST. That the grant hereby made is restricted in its exterior limits to the boundaries of the said mining premises, and to any veins or lodes of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, which may have been discovered within said limits subsequent to and which were not known to exist on February 2, 1912.

SECOND. That should any vein or lode of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, be claimed or known to exist within the above-described premises at said last-named date, the same is expressly excepted and excluded from these presents.

THIRD. That the premises hereby conveyed shall be held subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local laws, customs, and decisions of the courts. And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

FOURTH. That in the absence of necessary legislation by Congress, the Legislature of Idaho may provide rules for working the mining claim or premises hereby granted, involving easements, drainage, and other necessary means to the complete development thereof

Granted
MAY 28 1914

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-EIGHTH day of MAY in the year of our Lord one thousand nine hundred and FOURTEEN and of the Independence of the United States the one hundred and THIRTY-EIGHTH.

(SEAL)

By the President: Woodrow Wilson

By M. C. LeRoy Secretary,

L. L. B. Lamar
Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number 409042

6—224

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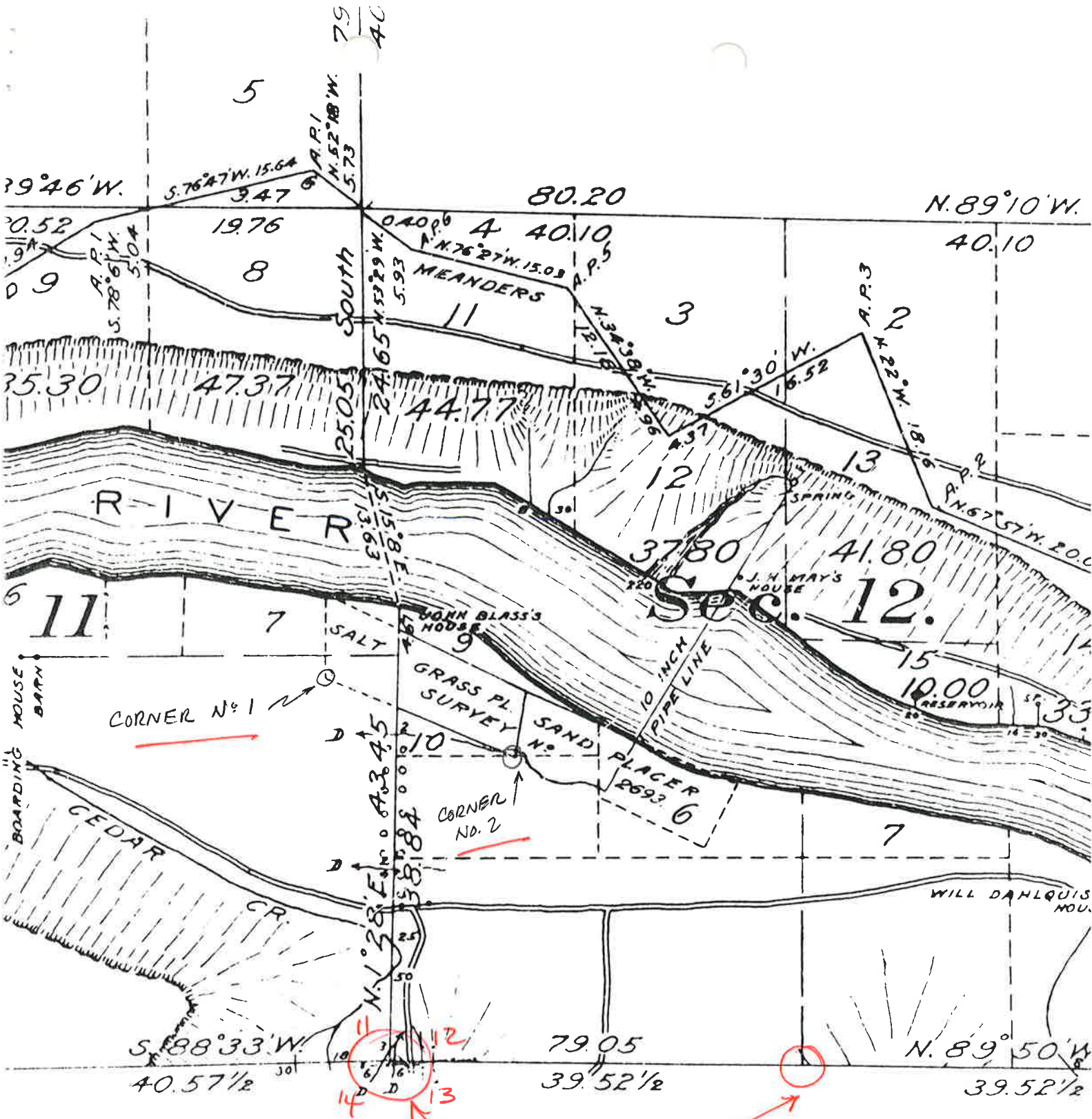
S.89°46'W.
80.20
N.89°10'W.
40.10
MEANDERS
SOUTH
RIVER
SEC. 12.
J. N. MAY'S HOUSE
SPRING
SALT
GRASS PL. SURVEY
SAND PLACER
10 INCH PIPE LINE
RESERVOIR
CORNER No. 1
CORNER No. 2
CEDAR
CR.
BOARDING HOUSE
BARN
WILL DANLQUIS
S.88°33'W.
79.05
N.89°50'W.
40.57½
39.52½
39.52½
Found & Confirmed both Brass Cap Corners 6/91 MBS
MICROFILMED
FEB 01 1993
3/6/91

County Recorder

734-4841 Clerk

No Record

Helen Pyette

Twin Falls County Clerk - Marge

736-4004 (no Record)

Copy of

Book of license

Pg 4102

dated 27 March 1942

Water License #2399

issued to John Bass

of Filer Idaho

Cec Sharla

Curtis S.O.

WA-# 944

MICROFILMED

FEB 01 1993

Jim:

Loren says Micro film should have all info that's available, including the Book & License entry @ Pg 4102

I think Lee already looked at everything. But I'll do it again on Monday Mar 4th

I found 2 diff Book & Pg entries refered to on Micro fiche

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Surface Mngmnt

Status Maps @
1:100 000 scale

one full set ea to
IDWR

1-436-5600-

678-5514 - Dist Office;

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FEB 0 1 1993

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. 2399

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. John H Blass ,farmer and live at Filer,Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. For myself

3)- Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit # 2399, Dated November 24,1926 , Febr 15,1889

Ques. 4. State source of water supply and give exact location of point of diversion.

1)- Ans. Crystal Springs. Diverted at the most upper and easterly spring on Lot 3 Sec 13,T 9 So,Rg 15 EBM original survey

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Put in a small head works and laid in the pipe line which was of 14 gage galvanized iron.capable of carrying 5.3 second feet of water known as the Blass pipe line

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

2)- Ans. Water was originally used as mining but later for irrigation and is now meadow land

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FEB 0 1 1993

state how applied amount of H.P.

Ques. 7. If for other than for irrigation purposes, state how applied, amount of water power generated, etc.

Ans. not used at present for any purpose other than irrigation.

other than irrigation

MICROFILMED
FEB 0 1 1993

February 20, 1941.

Re: 2399

#2399

Mr. John H. Blass
Filer, Idaho

Dear Mr. Blass:

We are returning your notice of Proof for Beneficial Use for correction.

1) - Your permit lists your source of water as a spring, not Crystal Springs.

2) - You applied for domestic and irrigation not mining and irrigation.

3) - Your priority date is November 7, 1908, please list on the forms.

We need the name of a Notary Public on the form and are listing Julius Schmidt of Gooding.

Since your permit water is in Gooding County, we suggest that you advertise in the Gooding Leader. Will March 29th give you sufficient time to advertise and send make your proof?

We are inclosing forms on which the corrections are to be made and mailed to this office. Your permit shows that the lands to be irrigated are described as Lots 4, 5, 6, & 7 in Section 11, 9 South, 15 East; N½NW¼SW¼, N½NE¼SW¼, N½NW¼SE¼, N½NE¼SE¼, Section 11, 9 South, 15 East; and Lot 5, Section 12, 9 South, 15 East or 159.3 acres. I believe that lot 5 is now listed as Lots 9 and 10 of 12, 9 S, 15 E. Will you list the old Lot No. in Section 12 and the new description in parenthesis.

If you wish another Notary Public or another newspaper than the above listed ones, please indicate on form 10 when you fill it out.

Very truly yours,

R. V. SEEC.

By
Chief Clerk.

ml.

March 6, 1942

Re: 2399

2399

Mr. John H. Blass
Filer, Idaho

Dear Mr. Blass:

We are in receipt of our engineer's report on the beneficial use proof on the above numbered permit, which was made March 29, 1941. His report lists ten forty acre subdivisions under irrigation which makes the beneficial use fee $20.00. Upon receipt of this fee a license will be issued to you.

Very truly yours,
E. V. [illegible]
Commissioner of Reclamation

BY: Chief Clerk.

ml.

MICROFILMED
FEB 0 1 1993

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

MICROFILMED FEB 01 1993

Notice is hereby given that at 10:00 A. M. on the 29th day of March 1941 at Gooding County of Gooding State of Idaho before Julius Schmidt, Notary Public proof will be submitted of the application to beneficial use of 3.2 for irrigation and 2.1 for placer mining cubic feet per second of the waters of Spring in accordance with the terms and conditions of Permit No. 2399 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are John F. Blass of Filer, Idaho

The use to which said water has been applied is irrigation and placer mining

The amount applied to beneficial use is 3.2 second feet for irrigation and 2.1 second feet for placer mining.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Lots 4, 5, & 7 in Section 11, 9 South 15 East; N½NW¼SW¼, N½NE¼SW¼, N½NW¼SE¼, N½NE¼SE¼, Section 11, 9 South, 15 East; and Lot 5, Section 12, 9 South, 15 East or 159.3 acres. (Lots 9 and 10 of 12, 9 South, 15 East, new)

Doesn't fit todays BLM Plat MPB 2/91

The name of the canal or ditch or other works by which said water is conducted to such place of use is the Blass pipe line.

The right to take water from such works is based upon Permit No. 2399

The source of supply from which such water is diverted is Spring

The date upon which said use was prepared to establish is Nov. 7, 1906

Commissioner of Reclamation

State of Idaho

License and Certificate of Water Right

Water License No. 2399 — Amount 2.0 c.f.s.

Water District No. — Priority March 3, 1932

THIS IS TO CERTIFY that JOHN H. BLASS of Filer, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 7, 1906, 19; that Permit No. 2399 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5.3 second feet, was issued thereunder on April 6, 1918, 19, showing that said works were completed on the 12th day of December, 1917; and that on the 29th day of March, 19 41,

JOHN H. BLASS

of Filer, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of a spring ~~a tributary of~~ and, for the purpose of irrigation and domestic use, under Use Permit No. 2399 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 4102, on the 27th day of March, 19 42;

Gooding Co

The right hereby confirmed dates from March 3, 1932, 19;

The Point of Diversion is located in Lot 3 in the ¼ ¼, Sec. 12, Tp. 9 S, R. 15 E, B. M. Gooding

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 S	15 E	11	Lots 4,5,6,7 N½NW¼SW¼ N½NW¼SE¼ N½NE¼SE¼		
		12	Lot 5 Lots 9, 10 (new survey)	159.3 acres	100.0 acres

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 27th day of March, 19 42.

R. V. BERG
Commissioner of Reclamation

(SEAL)

MICROFILMED
FEB 0 1 1993

MICROFILMED
FEB 01 1993

April 1, 1942

Re: 2399

Mr. John H. Blass
Filer, Idaho

Dear Mr. Blass:

We are enclosing License and Certificate of Water Right on the above numbered permit for the use of 2.0 c.f.s. of the waters of a spring to be used for irrigation and domestic use on Lots 4,5,6,7, N½NW¼SW¼, N½NE¼SW¼, N½NW¼SE¼, N½NE¼SE¼ of Sec. 11 and Lots 5, 9, 10 of Sec. 12, Twp. 9 S., Rge 15 E. B. M., with a priority date of March 3, 1932.

(Mar 3, 1932)

Very truly yours,
E. V. [illegible]
Commissioner of Reclamation

BY: Chief Clerk.

ml.
encl.

Sect 11

Lot 4 — N½, NW¼, SW¼
" 5 — N½, NE¼, SW¼
" 6 — N½, NW¼, SE¼
" 7 — N½, NE¼, SE¼

Section 12

Lot 5 - all
" 9 - all } assume Replaced lot 5
" 10 - all }

2399

Form 21

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 2399

This proof is for Beneficial Use

In Water District No.

1. Name of applicant John E. Blass, Filer, Idaho
2. Source of water supply unnamed spring
3. Location of point of diversion Is in the Lot 2, Sec. 12, Twp. 9 S, 15 E. of Section
T
as it is on the R South bank of County of Twin Falls Co.(according to the plat book the Snake, but the Permit Record gives it as Gooding Co.)
4. Describe works as they exist, giving dimensions and capacities of same Diversion from spring on the North side of Snake River,is made through a header box 2'X2' X 16Ft long constructed of 2" planking; thence via 150Ft of 22",and 1850 feet of 8" steel pipe to the head of service ditch upon the South side of the River. Ditch is 3Ft.wide and 1½ Ft. deep.
5. Water is used for Irrigation,and some Placer Mining
6. State whether or not water has been turned into works of diversion Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. Describe manner and place of use if for other than irrigation. Lots 4, 5, 6, & 7, Sec. 11, 9 S., 15 E. (9S 15E) 159.3-a
[illegible], Section, Township, Range, Sec. 11, 9 S., 15 E.
Lot 3, Sec. 12, 9 S., 15 E.--a total of 159.3 acres.
* Lots 9 & 10 of Sec. 12, 9 S, 15 E. are a new description, I believe. NEN
8. Submit map or attached plat, showing location and details of above description
9. What large stream would the water here appropriated finally reach? Snake River

Remarks

At time of examination, the pipe line was broken and out of use, "The last use thereof having been in 1940"
Approximately 100 acres are under ditch.

MICROFILMED
FEB 01 1993

9th of May 1941

Dtd. 9th day of May 1941

Signed Fred L. Johnson

Believe to be 1906

Boise, Idaho, December 27,

12/27/06

Mr. John H. Blake,

Abbey, Idaho.

Dear Sir:-

2390

I enclose herewith Permit No. 2390 in your favor.

in your favor

Yours truly,

State Engineer.

STATE ENGINEER

Permit # 2399 issued 12/27/—

(2399)

MICROFILMED
FEB 01 1993

12/17/1906

Boise, Idaho, December 17, 1906

MICROFILMED
FEB 01 1993

Permit No. 2400.

Mr. John M. Blaus,
Abbey, Idaho.

Dear Sir:-

Your application No. 3353 has been approved and given Permit No. 2400. On account of pressure of work, getting out my biennial report, etc., the permit has not yet been recorded, but I hope to be able to forward it to you in a few days.

Yours truly,

State Engineer.

Later Some Month
issued Permit #2399 instead of
#2400.

2399

Form 16

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Sheet 1 & 2

Permit No. 2399

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.
Ans. John H Blass ,farmer and live at Filer,Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.
Ans. For myself

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.
Ans. Permit # 2399, Dated November 24,1906 , Febr 15,1899

Ques. 4. State source of water supply and give exact location of point of diversion.
Ans. Crystal Springs. Diverted at the most upper and easterly spring on Lot 3 Sec 12,T 9 So,Rg 15 EBM original survey

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.
Ans. Put in a small head works and laid in the pipe line which was of 14 gage galvanized iron capable of carrying 5.3 second feet of water known as the Blass pipe line

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.
Ans. Water was originally used as mining but later for irrigation and is now meadow land

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FEB 0 1 1993

Ques. 7. If for other than for irrigation purposes: state how applied, amount of horse power generated, etc.
Ans. not used at present for any purpose other than irrigation

Cont from Pg 1

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 5.0 f t of water due to the sandy condition of the soil (5.3 feet)

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the original owner and filed on the water myself

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. All used at once time for mining and is all used now for irigation

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other waters other than those above mentioned have been diverted by me.

(Sign) John H. Blass

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Gooding, County of Gooding, State of Idaho, on this 29th day of March, A. D. 1941.

Notary Public for State of Idaho
Residing at Gooding, Idaho

My commission expires March 1, 1944

Sheet 2 of 2

2295

MICROFILMED
FEB 0 1 1993

No. 3553

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho.

1. Name of Applicant - JOHN S. GLASS

Postoffice address: P. O. - Abbey, Idaho.

County - Cassia.

2. The quantity of water claimed is - For irrigation 3.2 - Placer mining 2.1 cubic feet per second.

3. Source of water supply - Spring.

County of Lincoln.

4. Location of point of diversion - Lot #3 Sec. 12, T. 9 S., R. 15 E. B. M.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 159.3 acres.

(b) In the following legal subdivisions - Lots 4, 5, 6 and 7 Sec. 11, T. 9 S., R. 15 E. The N½ of the NW¼ of the SW¼ Sec. 11, T. 9 S., R. 15 E. The N½ of the NE¼ of the SW¼ Sec. 11, T. 9 S., R. 15 E. The N½ of the NE¼ of the SE¼ Sec. 11, T. 9 S., R. 15 E. The N½ of the NE¼ of the SE¼ Sec. 11, T. 9 S., R. 15 E. And Lot #5 Sec. 12, T. 9 S., R. 15 E.

II. Mining, power, manufacturing or transportation purposes:

(a) To be used for Placer Mining.

6. Estimated cost of works - $3000.00

Gin Pipe

7. Description of Works for Diversion:

I. Kinds of works - Ninety-inch galvanized iron pipe and ditches.

II. Dimensions of Works:

(d) Length of pipe is 1685 feet, and it crosses Snake river to Lot #5 Sec. 12, T. 9 S., R. 15 E., which is the point of intended use.

8. Time required for the completion of the construction of such work is five years.

9. Time required for the complete application of the water to the proposed use is ..... additional years.

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FEB 01 1993

Shut '82

(a) Number of acres to be irrigated 159.3 acres.

(b) In the following legal subdivisions - Lots 4, 5, 6 and 7 Sec. 11, T. 9 S., R. 15 E., N½ of the NW¼ of the SW¼ Sec. 11, T. 9 S., R. 15 E. The N½ of the NE¼ of the SW¼ Sec. 11, T. 9 S., R. 15 E. The N½ of the NE¼ of the SE¼ Sec. 11, T. 9 S., R. 15 E. The N½ of the NE¼ of the SE¼ Sec. 11, T. 9 S., R. 15 E. And Lot #5 Sec. 12, T. 9 S., R. 15 E.

II. Mining, power, manufacturing or transportation purposes:

(a) To be used for Placer Mining.

6. Estimated cost of works - $3000.00

7. Description of Works for Diversion:

I. Kinds of works - Nine inch galvanized iron pipe and ditches.

II. Dimensions of Works:

(d) Length of pipe is 1585 feet, and it crosses Snake river to Lot #5 Sec. 12, T. 9 S., R. 15 E., which is the point of intended use.

8. Time required for the completion of the construction of such work is five years.

9. Time required for the complete application of the water to the proposed use is ..... additional years.

Approval of State Engineer

The number of this permit is 2291.

Date of first receipt of application (Corr. A.) November 7, 1906.

Returned to applicant for correction November 7, 1906.

Corrected application received November 15, 1906.

Recorded in Book 7, page 2099. Approved November 26, 1906.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject, to the following limitations and conditions:

Continuation app for permit

9" pipe

Shut 292

MICROFILMED FEB 01 1993

Permit No. _____

Proof of Completion of Works

DEPOSITION OF HOLDER

Under Terms of H. B. 53, Laws 1917.

Ques. 1. State your name, age, residence, occupation and post office address.

Ans. John H. Blass, age 49, Residence, Filer, Idaho, Occupation, Farmer, Post Office Address, Twin Falls, Idaho, Route 2.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. Number 1329, dated November 14th, 1906, 3.0 feet, from a spring, point of diversion located in Lot 2, Sec. 2, T. 9 S., R. 16 E. B.M.

Ques. 4. State purpose for which water is to be used, and if for irrigation, state the number of acres and give description of the land you have reclaimed or intend to reclaim.

Ans. To supply fish pond for water fowls. Reference used for irrigation, Lots 2, 3, 7, Sec 2, T. 9S Range 16 E. and Lot 1 of Sec 3, T. 9 S., R. 16 E.

Ques. 5. State whether or not the water has been turned into your works of diversion, and if so, when and to what extent.

Ans. Yes, water turned in February 6, 1907, for the flower fountains since, and is now flowing therefrom.

Ques. 6. State whether or not the works of diversion are fully completed, if so on what date, and whether or not they comply in all respects with the terms of the permit.

Ans. Works fully completed on February 6, 1907.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. Complied fully with permit.

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on February 11, 1907, and give cost of same.

Ans. 24 feet wooden flume, 200 feet galvanized 27 inch, concrete box 8x8 inches.

(Sign here) John H Blass

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed before me, in Filer, Idaho County of Twin Falls, State of Idaho, on this 13th day of November, A. D. 1917.

C. Adams

My Commission expires April 24th, 1919.

Notary Public.

MICROFILMED FEB 0 1 1993

February 4, 1941

Re: 2399,

Mr. John H. Blass
Filer, Idaho

Dear Mr. Blass:

We wish to acknowledge receipt of your letter of February 1st in regard to your permit number 2399, also, we are placing your letter on file as a protest to permit number 25130 by the Idaho Power Company.

In checking permit number 2399, we find that Certificate of Completion of Works was issued on April 6th, 1918 for 5.2 second feet of spring water, giving point of diversion in Lot 3, Section 12, Township 9 South, Range 15 East, and a priority date of November 7, 1906.

Your Beneficial Use Proof required by law was due on or before November 24, 1915, but has never been made. If made now would advance your priority date for the length of time that Beneficial Use proof is past due.

For your information I might add that the Idaho Power Company's permit in question gives the spring location in Lot 12, Section 12, while your permit shows spring in Lot 3, Section 12.

We are enclosing forms if you wish to file proof of Beneficial Use.

Very truly yours,

E. V. SPENCER,
Commissioner of Reclamation.

By
Deputy Commissioner.

EVT:al.

2399

DEPARTMENT OF RECLAMATION

MICROFILMED
FEB 01 1993

April 1, 1942

Re: 2399

MICROFILMED
FEB 0 1 1993

Mr. John H. Blass
Filer, Idaho

Dear Mr. Blass:

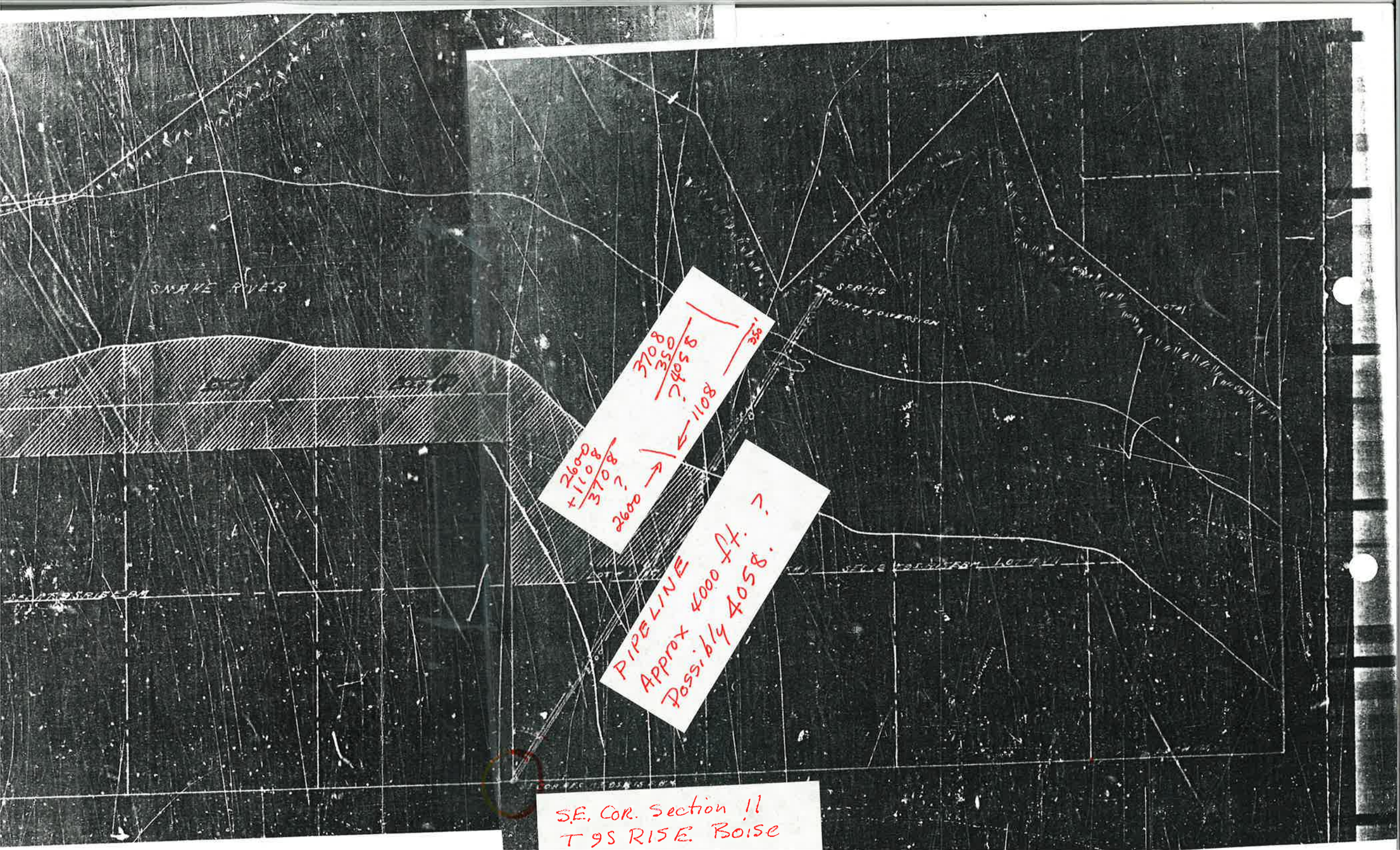
We are enclosing License and Certificate of Water Right on the above numbered permit for the use of 2.0 c.f.s. of the waters of a spring to be used for irrigation and domestic use on Lots 4,5,6,7, N½SW¼SW¼, N½NE¼SW¼, N½NE¼SE¼, N½NE¼SE¼ of Sec. 11 and Lots 5, 9, 10 of Sec. 12, Twp. 9 S., Rge 15 E. B. M., with a priority date of March 3, 1942.

Very truly yours,
E. V. ERRC
Commissioner of Reclamation

BY: Chief Clerk.

ml.
encl.

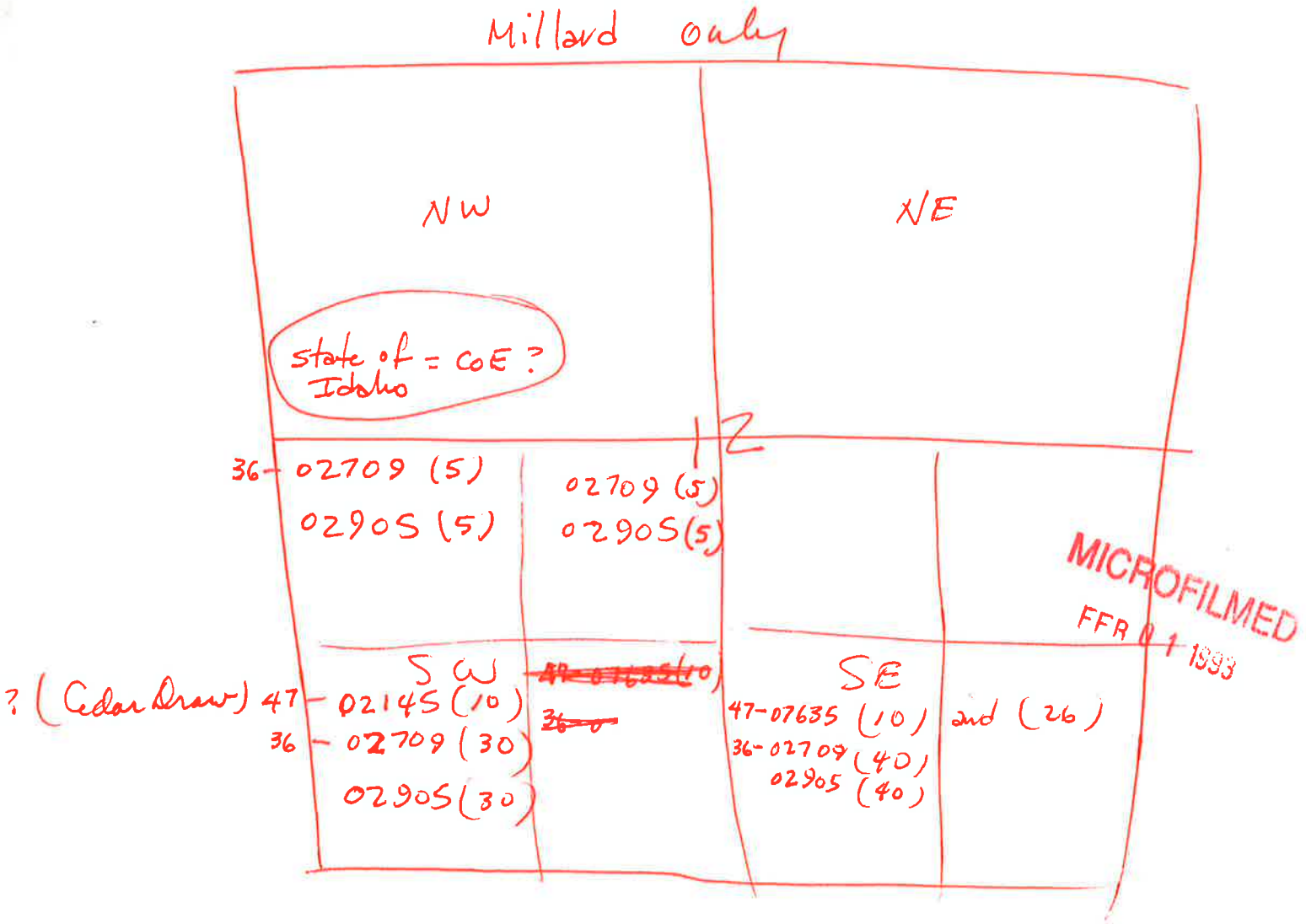
2399


SNAKE RIVER
SPRING
POINT OF DIVERSION
3708
350
4058
1108
356
2600
+1108
3708
2600
PIPELINE
Approx 4000 ft. ?
Possibly 4058.
S.E. COR. Section 11
T 9S R 15 E. Boise

SD-36 Township: 09S Range: 15E Section: 12 Tract: Lot:

SEL	Tract	LOT	Water Right No.	STATE Name Last, First	OWN	AC	STG	Max # Records 63 Priority Date	Use Code	Desc
_	SENW	12	A36-08374	WATER	K		P	07/01/1988		
_	SENW	12	R36-07963	STANDING HAT RANCH INC	C	10	L	02/03/1981	01	IRR
_	NESW	6	A36-02709	MILLARD, DAVID R.	C	5	L	03/03/1932	01	IRR
_									43	DOMEST
_	NESW	6	A36-02905	MILLARD, DAVID R.	C	5	L	03/12/1913	01	IRR
_									43	DOMEST
_	NWSW		A01-0020920	TWIN FALLS CANAL CO.	C	30	D	10/11/1900	01	IRR
_	NWSW		A36-02709	MILLARD, DAVID R.	C	5	L	03/03/1932	01	IRR
_									43	DOMEST
_	NWSW		A36-02905	MILLARD, DAVID R.	C	5	L	03/12/1913	01	IRR
_									43	DOMEST
_	SWSW	(18)	A47-02145	MILLARD, DAVID R. Cedar Draw Total 18A	C	10	(L)	05/06/1920	01	IRR
_	SWSW		A01-0020920	TWIN FALLS CANAL CO.	C	30	D	10/11/1900	01	IRR
_	SWSW		A36-02709	MILLARD, DAVID R.	C	30	L	03/03/1932	01	IRR
_									43	DOMEST
_	SWSW		A36-02905	MILLARD, DAVID R.	C	30	L	03/12/1913	01	IRR

(Enter=Continue) (GOLD7=This Query) (MENU _____)



SD-36 Township: 09S Range: 15E Section: 12 Tract: Lot:

S E L	Tract	LOT	Water Right No.	STATE Name Last, First	OWN	AC	STG	Max # Records 63 Priority Date	Use Code	Desc
_	NWSE	15	A36-07083	PROSPECT CO., THE	C		L	07/08/1969		
_	NWSE	15	A36-07151	CLEAR SPRINGS TROUT CO	C		L	01/21/1971	19	FISH
_				PROSPECT CO., THE	C					
_	NWSE	15	A36-07568	CLEAR SPRINGS TROUT CO	C		L	09/06/1975	19	FISH
_				PROSPECT CO., THE	C					
_				THE PROSPECT CO.	C					
_	SWSE		A47-07635	MILLARD, DAVID R.	C	10	P	02/21/1980	01	IRR
_									04	STOCK
_	SWSE		A36-02709	MILLARD, DAVID R.	C	40	L	03/03/1932	01	IRR
_									43	DOMEST
_	SWSE		A36-02905	MILLARD, DAVID R.	C	40	L	03/12/1913	01	IRR
_									43	DOMEST
_	SESE	8	A47-07635	MILLARD, DAVID R. waste water	C	26	P	02/21/1980	01	IRR
_									04	STOCK
_	SESE	8	A47-07635	MILLARD, DAVID R.	C		P	02/21/1980	01	IRR
_									04	STOCK

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
(Enter=Continue) (GOLD7=This Query) (MENU _____)

Waste Water used on SWSE
POD SWSESE (small draw)

Crystal Springs Ranch
47-7741 - Hot Well
47-8040
47-7971

look @ Leroy Byland
also -

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SD-36 Township: 09S Range: 15E Section: 12 Tract: Lot:

Max # Records 63

SEL	Tract	LOT	Water Right No.	STATE Name Last, First	OWNK	AC	STAT	Priority Date	Use Code	Use Desc
_	SWNW	11	R36-08374	STATE OF IDAHO WATER	C K		P	07/01/1988	34	MIF
_	SWNW	11	A36-08374	STATE OF IDAHO WATER	C K		P	07/01/1988	34	MIF
_	SWNW	11	A36-08330	STATE OF IDAHO WATER	C K		P	07/27/1987	34	MIF
_	SENW		A36-08050	STANDING HAT RANCH INC	C	2	P	12/11/1981	01	IRR
_	SENW		R36-08050	STANDING HAT RANCH INC	C	2	L	12/11/1981	01	IRR
_	SENW	12	A36-07963	STANDING HAT RANCH INC	C	10	L	02/03/1981	01	IRR
_	SENW	12	A36-08330	STATE OF IDAHO WATER	C K		P	07/27/1987	34	MIF
_	SENW	12	R36-08330	STATE OF IDAHO WATER	C K		P	07/27/1987	34	MIF
_	SENW	12	R36-08374	STATE OF IDAHO WATER	C K		P	07/01/1988	34	MIF
_	SENW	12	A36-08374	STATE OF IDAHO	C		P	07/01/1988	34	MIF

(Enter=Continue) (GOLD7=This Query) (MENU _____)

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SD-37 Township: 09S Range: 15E Section: 11 Tract: Lot:

SEL	Tract	LOT	RDV	Water Right No.	STATE Name Last, First	OWN	STG	Priority Date	Source	Max # Records 3 Total Diversion
_	NWNW	3		A36-02711	FISH & GAME, STATE OF IDAHO	K C	L	10/23/1956	NIAGARA SPR	0.800
_	NWNWNW	3		R36-02711	FISH & GAME, STATE OF IDAHO	K C	L	10/23/1956	NIAGARA SPR	0.210
_	NWNWSE			A47-10931	TRAXLER, EARL	C	J	01/01/1925	GROUNDWATER	0.040

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
(Enter=Continue) (GOLD7=This Query) (MENU _____)

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