

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-04076

1998 JUN 15 PM 12:05

NAME & ADDRESS: STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE ID 83352

SOURCE: SPRINGS TRIBUTARY: CLEAR LAKES
SPRINGS SNAKE RIVER

QUANTITY: 3.59 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 116.0 CFS. COMBINED RIGHT NOS.:
36-04148B, 36-02048, 36-02703, 36-04013A, 36-04013B, & 36-04013C.

PRIORITY DATE: 01/01/1893

POINT OF DIVERSION: T09S R14E S01 LOT 7 (SWSWNE) Within GOODING County
LOT 8 (SWSENE)
LOT 8 (SESENE)
LOT 5 (SESNNW)
LOT 13 (SESENN)
S02 LOT 5 (SESENE)
R15E S06 LOT 5 (SWSNNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.59 CFS
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T09S R14E S01	Lot 7 (SWNE) 7	Lot 8 (SENE) 8	Lot 11 (NESE) 9	Lot 14 (NWSE) 14
R15E S06	Lot 5 (SNNW) 10	Lot 6 (SENN) 2	Lot 16 (NWSW) 7	
57 ACRES TOTAL				

STOCKWATER Within GOODING County

T09S R14E S01	Lot 7 (SWNE)	Lot 8 (SENE)	Lot 11 (NESE)	Lot 14 (NWSE)
R15E S06	Lot 5 (SNNW)	Lot 6 (SENN)	Lot 16 (NWSW)	

DOMESTIC Within GOODING County

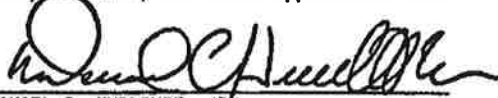
T09S R14E S01	Lot 7 (SWNE)			
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
HISTORICAL BENEFICIAL USE.

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.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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 36-04076

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE 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, 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 recommendation and the time period for filing objections has now expired.

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

PERIOD OF USE: 03-15 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 at 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 any 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 August 27, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

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

Important Information About Your Water Right

August 27, 2001

STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE, ID 83352

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 and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-04076. 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 the 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 the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5169
WATER RIGHT NO. 36-04076

RECEIVED
FEB 22 2000
Department of Water Resources
Boise, Idaho

This is to certify that: STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE ID 83352

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
WILDLIFE	01/01 to 12/31	3.59 CFS	826.0 AF
RECREATION	01/01 to 12/31	3.59 CFS	826.0 AF
AESTHETIC	01/01 to 12/31	3.59 CFS	826.0 AF
WILDLIFE STORAGE	01/01 to 12/31		23.9 AF
RECREATION STORAGE	01/01 to 12/31		23.9 AF
AESTHETIC STORAGE	01/01 to 12/31		23.9 AF
Totals		* 3.59 CFS	** 826.0 AF

SOURCE

SPRINGS
SPRINGS

TRIBUTARY OF

CLEAR LAKES
SNAKE RIVER

Priority: 01/01/1893

LOCATION OF POINT(S) OF DIVERSION:

Lot 7 (SWSWNE), Sec. 1, Township 09S, Range 14E
Lot 8 (SWSENE), Sec. 1, Township 09S, Range 14E
Lot 8 (SESENE), Sec. 1, Township 09S, Range 14E
Lot 5 (SESWNW), Sec. 1, Township 09S, Range 14E
Lot 13 (SESENE), Sec. 1, Township 09S, Range 14E
Lot 5 (SESENE), Sec. 2, Township 09S, Range 14E
Lot 5 (SWSWNW), Sec. 6, Township 09S, Range 15E
GOODING County

PLACE OF USE: WILDLIFE

TWN RGE SEC

09S 14E	1	Lot 7 (SWNE)	Lot 8 (SENE)	Lot 11 (NESE)
		Lot 14 (NWSE)		
15E	6	Lot 5 (SWNW)	Lot 6 (SENE)	Lot 16 (NWSW)

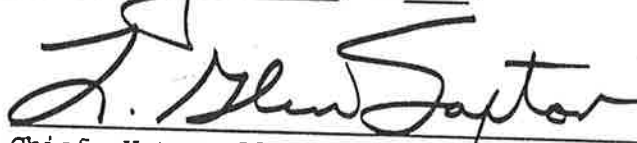
PLACE OF USE: RECREATION & AESTHETIC, same as WILDLIFE use

TRANSFER NO. 5169
WATER RIGHT NO. 36-04076

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ** 4. Right 36-04076 is limited to a total annual maximum diversion volume of 826.0 af.
- * 5. The portion of Right 36-04076 used for conveyance losses is 0.38 cfs.
6. The pond system authorized under this approval shall not exceed a 7.0 acre surface area and 1.5 acres of emergent vegetation.
7. No valid water right with a priority date of October 6, 1997 or earlier from the same source or a conjunctively administered source, shall be subject to reduced diversion and beneficial use of water in order to satisfy a call or other action based on Right 36-04076 outside of its historic irrigation season.
8. Rights 36-02048, 36-02703, 36-04013A, 36-04013B, 36-04013C, 36-04076 and 36-04148B when combined shall not exceed a total diversion rate of 116.0 cfs.

Dated this 16th day of February, 2000.


Chief, Water Allocation Bureau

MEMORANDUM

TO: Right 36-04076 *JS*
FROM: Pam Skaggs/State Office
SUBJECT: Transfer 5169
DATE: February 16, 2000

Transfer 5169 changes the nature and season of use under Right 36-04076. The applicant is the current owner of land originally developed as a small farm. This right's historical use was recently evaluated by the SRBA to include 57 acres of irrigation, 1 home and stockwater for 50 range cattle.

The applicant is developing a wetland project to mitigate the impact of this and other roadway projects. Part of the project has already been constructed and the transfer covers the entire proposed pond system. Six proposed ponds will have a storage capacity of 23.9 af and a surface area of 7.0 acres. Irrigation will cease entirely and the flow associated with this right will continue to provide year round wildlife, recreation and aesthetic flow through the wetland pond system.

The change in nature of use will result in a net reduction of consumptive use. In order to avoid expansion by allowing year round use, the total diversion volume is limited to historical use. The original use was evaluated as a result of the protest by North Snake Groundwater District identifying 826.0 afa as the historic annual diversion volume and agreed to as part of the stipulation agreement. The higher than average volume was justified when the location and system were evaluated. Region staff concurs with this recommendation.

Recommended conditions include agreed upon conditions from the stipulation, combined right limits from the SRBA partial decree, measuring and annual reporting and standard transfer conditions.

Change in Nature of Use Evaluation

	Rate	Uses	Div. Vol.	C.U. Vol.
Before	3.59 cfs	57.0 acres 50cattle/1home	783.0 afa	171.0 afa
			<u>43.0 afa</u>	<u>0.0 Afa</u>
			826.0 afa	171.0afa
After	3.59 cfs	W/R/A Flow Storage Ponds	826.0 afa	0.0 afa
			<u>23.9 afa</u>	<u>21.0 afa</u>
			826.0 afa	21.0 afa

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5169
WATER RIGHT NO. 36-04076

RECEIVED
APR 03 2002
Department of Water Resources
Southern Region

This is to certify that: STATE OF IDAHO
DEPT OF TRANSPORTATION
PO BOX 2A
SHOSHONE ID 83352

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Totals		* 3.59 CFS	** 826.0 AF

SOURCE

SPRINGS
SPRINGS

TRIBUTARY OF

CLEAR LAKES
SNAKE RIVER

Priority: 01/01/1893

LOCATION OF POINT(S) OF DIVERSION: Lot 7 (SWSWNE), Sec. 1, Township 09S, Range 14E
Lot 8 (SWSENE), Sec. 1, Township 09S, Range 14E
Lot 8 (SESENE), Sec. 1, Township 09S, Range 14E
Lot 5 (SESWNW), Sec. 1, Township 09S, Range 14E
Lot 13 (SESENW), Sec. 1, Township 09S, Range 14E
Lot 5 (SESENE), Sec. 2, Township 09S, Range 14E
Lot 5 (SWSWNW), Sec. 6, Township 09S, Range 15E
GOODING County

PLACE OF USE: WILDLIFE

TWN RGE SEC

09S 14E 1	Lot 7 (SWNE)	Lot 8 (SENE)	Lot 11 (NESE)
	Lot 14 (NWSE)		
15E 6	Lot 5 (SWNW)	Lot 6 (SENW)	Lot 16 (NWSW)

PLACE OF USE: RECREATION & AESTHETIC, same as WILDLIFE use

TRANSFER NO. 5169
WATER RIGHT NO. 36-04076

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ** 4. Right 36-04076 is limited to a total annual maximum diversion volume of 826.0 af.
- * 5. The portion of Right 36-04076 used for conveyance losses is 0.38 cfs.
6. The pond system authorized under this approval shall not exceed a 7.0 acre surface area and 1.5 acres of emergent vegetation.
7. No valid water right with a priority date of October 6, 1997 or earlier from the same source or a conjunctively administered source, shall be subject to reduced diversion and beneficial use of water in order to satisfy a call or other action based on Right 36-04076 outside of its historic irrigation season.
8. Rights 36-02048, 36-02703, 36-04013A, 36-04013B, 36-04013C, 36-04076 and 36-04148B when combined shall not exceed a total diversion rate of 116.0 cfs.

Dated this 16th day of February, 2000.


Chief, Water Allocation Bureau

STATE OF IDAHO Department of Water Resources Transfer No. 5169
DEPARTMENT OF WATER RESOURCES Region

MAY 2 8 1999

PART 1

Department of Water Resources
Name of applicant State of Idaho, Transportation Department Phone 334-8812
886-7823

Post Office address PO Box 2-A, Shoshone ID 83352-0820

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☒ Change period of use ☒ Other Partial diversion

2. Describe the reason for the proposed changes Developing wetlands wildlife area with pond system.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
36-04076	01-01-1893	3.59 cfs	Wildlife, Recreation & Aesthetic	01-01 to 12-31
		23.9 af	Wildlife, Recreation Aesthetic Storage	01-01 to 12-31
				to
				to

2. Total amount of water being transferred 3.59 cubic feet per second (and/or 23.9 ^{Storage} acre-feet per annum.

3. Source of water Springs tributary to Clear Lakes + Snake River

4. Point(s) of Diversion: No Change / As recorded.

[illegible]

5. Lands irrigated or place of use: All new uses located within same QQs as original Irrigation Use.

[illegible]

Total acres

PART 1**6. General Information:**

- a. Description of diversion system Spring collection system into irrigation ditch, diverted by pipe to stream and pond system in wetland area. (See Attachments 1 & 2).
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NA - Changing nature of use on same place of use; irrigation will cease.
- d. Remarks:
Wetland system already partially developed (2 sets of ponds) & applicant plans to develop additional ponds (#5 & 6 identified on Attachment 2.)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

2009 1003

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-04076

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	3.59 CFS
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
Totals		3.59 CFS

SOURCESPRINGS
SPRINGSTRIBUTARY OFCLEAR LAKES
SNAKE RIVER

Priority: 01/01/1893

LOCATION OF POINT(S) OF DIVERSION:

Lot 7(SWSWNE), Sec. 1, Township 09S, Range 14E
 Lot 8(SWSENE), Sec. 1, Township 09S, Range 14E
 Lot 8(SESENE), Sec. 1, Township 09S, Range 14E
 Lot 5(SESWNW), Sec. 1, Township 09S, Range 14E
 Lot 13(SESENW), Sec. 1, Township 09S, Range 14E
 Lot 5(SESENE), Sec. 2, Township 09S, Range 14E
 Lot 5(SWSWNW), Sec. 6, Township 09S, Range 15E
 GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	14E	1	Lot 7(SWNE) 7	Lot 8(SENE) 8	Lot 11(NESE) 9	38
			Lot 14(NWSE) 14			
	15E	6	Lot 5(SWNW) 10	Lot 6(SENW) 2	Lot 16(NWSW) 7	19
Total number of acres irrigated:						57

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
09S	14E	1	Lot 7(SWNE)	Lot 8(SENE)	Lot 11(NESE)
			Lot 14(NWSE)		
	15E	6	Lot 5(SWNW)	Lot 6(SENW)	Lot 16(NWSW)

PLACE OF USE: DOMESTIC

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	
09S	14E	1	Lot 7(SWNE)

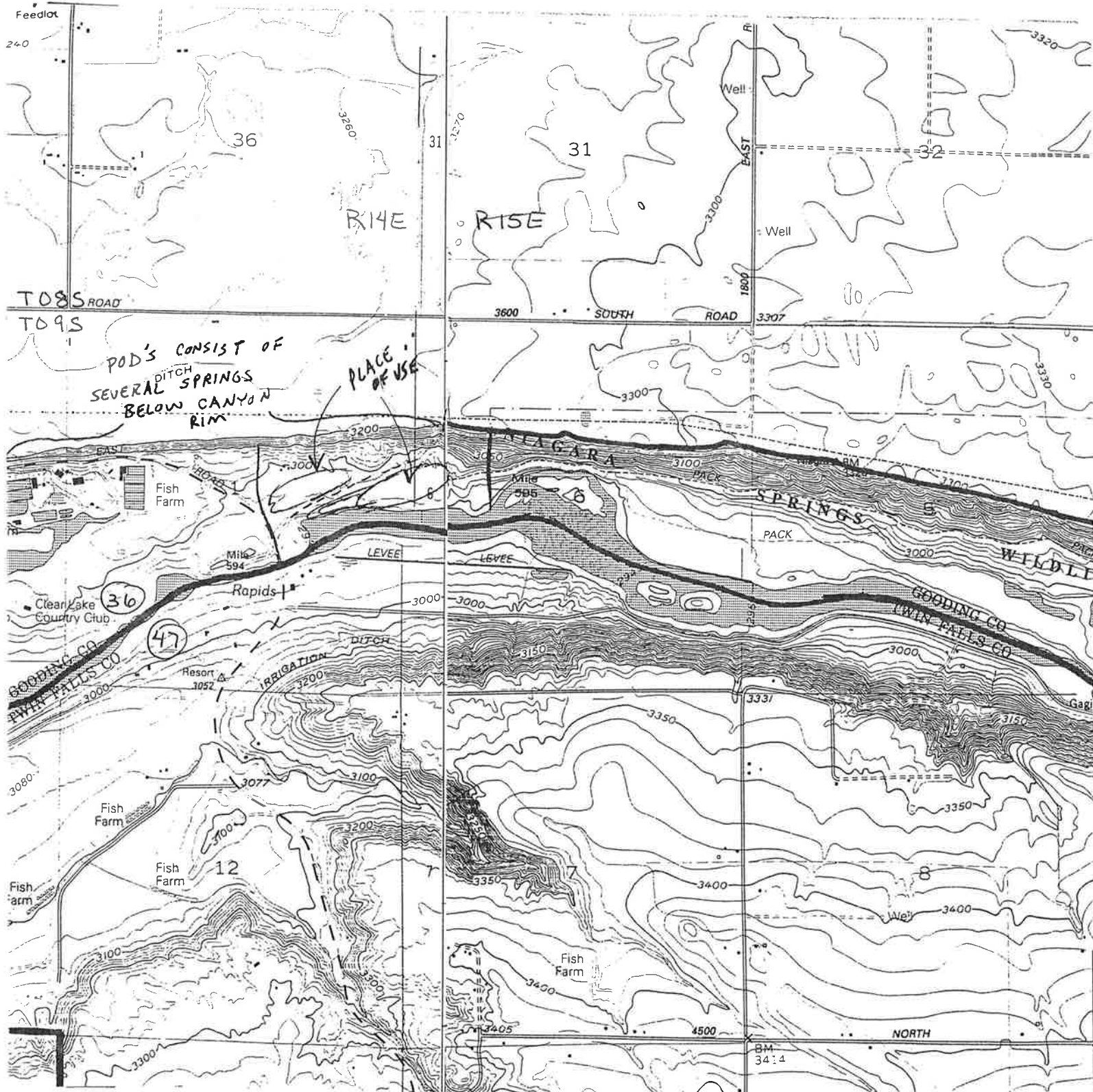
Claim No. 36-04076

CONDITIONS/REMARKS:

1. 0.38 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
2. A DIVERSION RATE OF 3.21 CFS AT THE FIELD HEADGATE IS
~~RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.~~
3. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED IN T09S, R14E, S02, SESENE LT5 AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS FROM THIS DIVERSION IS LIMITED TO 116.0 CFS.
4. OTHER RIGHT NOS.: 36-04148B, 36-02048, 36-02703, 36-04013A, 36-04013B & 36-04013C.
5. SOURCES FOR THIS RIGHT ARE SPRINGS TRIBUTARY TO CLEAR LAKES AND SPRINGS TRIBUTARY TO SNAKE RIVER.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

SEE ATTACHMENT 2, FOR MORE
 DETAIL RELATING TO PLACE OF USE.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Wildlife, Recreation & Aesthetic	3.59 cfs	24/365	01-01 to 12-31
	Wildlife, Recreation & Aesthetic Storage	23.9 cfs	24/365	01-01 to 12-31

2. Quantity and quality of return flows and location of discharge:

Wildlife, Recreation & Aesthetic flows continuously through wetland systems as available from irrigation ditch and discharges directly into Snake River in an existing channel.

3. Describe effects on other water uses resulting from the proposed change:

No other users between applicant's diversion & river. No change from original diversion system. Less consumptive uses will return more water to river, including seepage from wetlands system that should drain directly to river.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

[Signature] SR. ENVIRO. PLANNER
(Signature of Applicant)

Subscribed and sworn to before me this 3rd day of Nov, 1997.

[Signature]
(Notary Public)

My commission expires 3-2-98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 5 attachments

Received by C. SKINNER Date 10/06/97

Protest filed by - North Snake owned water Dist

Prelim. check by C. SKINNER Fee 100.00 0020642

(withdrew 5/19/99 by stipulation)

* Receipted by C. SKINNER Date 10/20/97

Published in Gooding Co. Leader

Copies of protest forwarded by ✓

Pub. dates 12/10 & 12/17/97

Hearing held by NA Date

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

rec'd. by AD~

Copy of transfer sent to lien holder

* FILING FEE DID NOT ARRIVE IN SOUTHERN REGION OFFICE UNTIL 10/20/97.

RECEIVED

OCT 21 1997

Department of Water Resources
Southern Region

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: **A36-04076**
Date Received: 7/ 1/1988
Receipt No: S000679
Received By: _____

Address change sc

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: LOUIS MADALENA 208-543-4242
Address: C/O LUDELL WALDRON CONSEVATOR
1112 MAIN ST
BUHL ID 83316

2. Date of Priority: JAN 1, 1893

3. Source: CLEAR LAKES SPRING Trib. to: CLEAR LAKES

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	1	SE	NW		6	GOODING
			NW	SW		12	GOODING
		2	NE	SE		8	GOODING

5. Description of diverting works:
DIVERSION DAMS TO OPEN GRAVITY FLOW DITCHES TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/15	5.000		
STOCKWATER	01/01	12/31	0.500		
DOMESTIC	01/01	12/31	3.000		

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

8. Total consumptive use is 333.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, SEE REMARKS; STOCKWATER,

MICROFILMED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	1	SW	NE	7	IRR	11.0
			SE	NE	8	IRR	13.0
			NE	SE	11	IRR	12.0
			NW	SE	14	IRR	24.0
						Section Acres	60.0
	15E	6	SW	NW	5	IRR	17.0
			SE	NW	6	IRR	17.0
			NW	SW	16	IRR	17.0
						Total Acres	111.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE, CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE. POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE AND PIPE.

ADDRESS CHANGE 12/14/93 BY JG.

15. Basis of Claim: STATUTORY CLAIM

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: _____

MICROFILMED

OCT 18 1994

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AFTER Dec. 22, 1993

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A36-10137 -
A36-04076

[] Old Mailing Address: Louis MADAKENA c/o Michael Madena
1697 E 3600 S

[] New Mailing Address: Wendell Id 83355
Louis MADAKENA c/o
LUDELL WALDRON CONSERVATOR
1112 MAIN ST.
Buhl, Id. 83316

New Telephone Number: (205) 543-4242

[] Signature of Claimant: Michael Madakena
Date: 12-7-93

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: 12/22/93 By: IC

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

MICROFILMED

OCT 18 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOUIS MADALENA C/O LUDELL WALDRON CONSERVATOR 1112 MAIN ST BUHL ID 83316 (208) 543-4242	01/01/1893	IRRIGATION STOCKWATER DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31	3.59 CFS 0.02 CFS 0.04 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					3.59 CFS	171.0 AFA

Water Source: SPRINGS
SPRINGS

Tributary to: CLEAR LAKES
SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T09S R14E S01 Lot07(SWSWNE) Lot08(SWSENE) Lot08(SESENE) Lot05(SESWNW) GOODING County
S01 Lot13(SESENE) GOODING County
S02 Lot05(SESENE) GOODING County
R15E S06 Lot05(SWSWNW) GOODING County

Place of use Legal Description for: IRRIGATION

NE										NW								SW								SE									
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	:	---	---	---	---	---	---	:	---	---	---	---	---	---	---	:	---
09S	14E	1	:					07-07	08-08			:							:							:	11-09	14-14					:	38.0	
09S	15E	6	:									:			05-10	06-02			:			16-07				:							:	19.0	
																														TOTAL ACRES				:	57.0

Place of use Legal Description for: STOCKWATER

			NE				NW				SW				SE							
T	R	S	Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac	
09S	14E	1					07-S		08-S										11-S		14-S	
09S	15E	6									05-S		06-S		16-S							

Place of use Legal Description for: DOMESTIC

NE								NW								SW								SE																			
			NENE		NWNE		SWNE		SENE					NENW		NWNW		SWNW		SESW					NESW		NWSW		SWSW		SESW					NESE		NWSE		SWSE		SESE	
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:				
09S	14E	1	:									:									:									:								:					

POU County: GOODING

Non-Irrigation Uses: DOMESTIC/ 1 FARMSTEAD; STOCKWATER/ 50 RANGE

Other Rights: NONE

Remarks: 0.38 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES
IN DELIVERY OF THIS RIGHT.
A DIVERSION RATE OF 3.21 CFS AT THE FIELD HEADGATE IS
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

MICROFILMED
OCT 18 1994

Remarks: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED IN T09S, R14E, S02, SESENE LT5 AND THE TOTAL
COMBINED RATE OF DIVERSION OF THESE RIGHTS FROM THIS DIVERSION
IS LIMITED TO 116.0 CFS.
OTHER RIGHT NOS.: 36-04148B, 36-02048, 36-02703, 36-04013A,
36-04013B & 36-04013C.
SOURCES FOR THIS RIGHT ARE SPRINGS TRIBUTARY TO CLEAR LAKES
AND SPRINGS TRIBUTARY TO SNAKE RIVER.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 07/06/1992 User-ID: MERRITT Subject: COPIED FROM REMARKS
DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE,
CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE.
POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE
AND PIPE.

Date: 10/28/1992 User-ID: THORNTON Subject: CHANGE IN RECOMMENDATION
CORRECTED TRIB TO CLEAR LAKES (PLURAL).

Date: 12/14/1993 User-ID: GIVENS Subject: ADDRESS CHANGE
CHANGE OF ADDRESS RECEIVED 12/14/93 C/O MIKE MADALENA, RT 2 BOX
309, WENDELL, ID 83355 TO 112 MAIN ST, BUHL ID 83316. STANDARD
FORM 3.

Audit: 00/00/00

MICROFILMED
OCT 18 1994

Water Right Number - 36-04076

Prefix Translation:

WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
MADALENA

LOUIS

1 - C/O LUDELL WALDRON CONSEVATOR

2 - 1112 MAIN ST

3 -

City- BUHL

State- ID Zip- 83316

Phone - 208-543-4242

+ - - Priority Date - - +
01/01/1893+ - - - Region - - - +
17 SOUTHERN+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - Status - - - +

+ - - - - Source - - - - - +
SPRINGS
SPRINGS+ - - - - Tributary - - - - - +
CLEAR LAKES
SNAKE RIVER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County

09S	14E	1	SW SW NE	7	(47)	GOODING
			SW SE NE	8	(47)	GOODING
			SE SE NE	8	(47)	GOODING
			SE SW NW	5	(47)	GOODING
			SE SE NW	13	(47)	GOODING
		2	SE SE NE	5	(47)	GOODING
	15E	6	SW SW NW	5	(47)	GOODING

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	3.590	
04 - STOCKWATER		01/01	12/31	0.020	
43 - DOMESTIC		01/01	12/31	0.040	

+ - Total Div. Rate - + + - Total Div. Volume - +
3.590+ - Total Consumptive Use - + + - KW Usage - +
171.0

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	14E	1	SW NE	7	7.0	01	IRRIGATION	(47) GOODING
09S	14E	1	SE NE	8	8.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NE SE	11	9.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NW SE	14	14.0	01	IRRIGATION	(47) GOODING
09S	15E	6	SW NW	5	10.0	01	IRRIGATION	(47) GOODING
09S	15E	6	SE NW	6	2.0	01	IRRIGATION	(47) GOODING
09S	15E	6	NW SW	16	7.0	01	IRRIGATION	(47) GOODING
09S	14E	1	SW NE	7		04	STOCKWATER	(47) GOODING
09S	14E	1	SE NE	8		04	STOCKWATER	(47) GOODING
09S	14E	1	NE SE	11		04	STOCKWATER	(47) GOODING
09S	14E	1	NW SE	14		04	STOCKWATER	(47) GOODING
09S	15E	6	SW NW	5		04	STOCKWATER	(47) GOODING

MICROFILMED

OCT 18 1994

Water right number - 36-04076

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
09S	15E	6	SE NW	6		04	STOCKWATER	(47) GOODING
09S	15E	6	NW SW	16		04	STOCKWATER	(47) GOODING
09S	14E	1	SW NE	7		43	DOMESTIC	(47) GOODING

Total Acres: 57.0

+ - - Diversion Means - OPEN DITCH COLLECTING SPRINGS TO DITCHES & PUMP TO SPRINKLERS

+ - - Non-Irrigation Use - DOMESTIC/ 1 FARMSTEAD; STOCKWATER/ 50 RANGE

+ - - Other Rights for Same Use - NONE

Remarks

0.38 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

A DIVERSION RATE OF 3.21 CFS AT THE FIELD HEADGATE IS RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED IN T09S, R14E, S02, SESENE LT5 AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS FROM THIS DIVERSION IS LIMITED TO 116.0 CFS.

OTHER RIGHT NOS.: 36-04148B, 36-02048, 36-02703, 36-04013A, 36-04013B & 36-04013C.

SOURCES FOR THIS RIGHT ARE SPRINGS TRIBUTARY TO CLEAR LAKES AND SPRINGS TRIBUTARY TO SNAKE RIVER.

Old Water Right Numbers

No Old Water Right Numbers Found

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Comments

Date: 07/06/1992 User Id: MERRITT Subject: COPIED FROM REMARKS
DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE, CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE.
POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE AND PIPE.

Date: 10/28/1992 User Id: THORNTON Subject: CHANGE IN RECOMMENDATION
CORRECTED TRIB TO CLEAR LAKES (PLURAL).

Date: 12/14/1993 User Id: GIVENS Subject: ADDRESS CHANGE
CHANGE OF ADDRESS RECEIVED 12/14/93 C/O MIKE MADALENA, RT 2 BOX 309, WENDELL, ID 83355 TO 112 MAIN ST, BUHL ID 83316. STANDARD FORM 3.

Audit Fields

00/00/00

MICROFILMED

OCT 18 1994

Water right number - 36-04076

Prefix Translation: WATER RIGHT

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/01/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000679	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 18 1994

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: **A36-04076**
Date Received: 7/ 1/1988
Receipt No: S000679
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: LOUIS MADALENA 208-543-4242
Address: 1112 MAIN ST
BUHL ID 83316

2. Date of Priority: JAN 1, 1893

3. Source: CLEAR LAKES SPRING Trib. to: CLEAR LAKES

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	1		SE	NW	6	GOODING
				NW	SW	12	GOODING
		2		NE	SE	8	GOODING

5. Description of diverting works:
DIVERSION DAMS TO OPEN GRAVITY FLOW DITCHES TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/15	5.000		
STOCKWATER	01/01	12/31	0.500		
DOMESTIC	01/01	12/31	3.000		

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

8. Total consumptive use is 333.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, SEE REMARKS; STOCKWATER,

MICROFILMED

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	14E	1	SW		NE	7	IRR	11.0
			SE		NE	8	IRR	13.0
			NE		SE	11	IRR	12.0
			NW		SE	14	IRR	24.0
							Section Acres	60.0
	15E	6	SW		NW	5	IRR	17.0
SE				NW	6	IRR	17.0	
NW				SW	16	IRR	17.0	
							Section Acres	51.0
							Total Acres	111.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE, CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE. POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE AND PIPE.

ADDRESS CHANGE 12/14/93 BY JG.

15. Basis of Claim: STATUTORY CLAIM

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: _____

MICROFILMED

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 18 1994

Water Right Number - 36-04076

Prefix Translation:

WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
MADALENA

LOUIS

1 - 1112 MAIN ST

2 -

3 -

City- BUHL

State- ID Zip- 83316

Phone - 208-543-4242

+ - - Priority Date - - +
01/01/1893+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - Source - - - - - +
SPRINGS
SPRINGS+ - - Tributary - - - - - +
CLEAR LAKES
SNAKE RIVER+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

09S	14E	1	SW SW NE	7	(47)	GOODING
			SW SE NE	8	(47)	GOODING
			SE SE NE	8	(47)	GOODING
			SE SW NW	5	(47)	GOODING
			SE SE NW	13	(47)	GOODING
		2	SE SE NE	5	(47)	GOODING
	15E	6	SW SW NW	5	(47)	GOODING

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	3.590	
04 - STOCKWATER		01/01	12/31	0.020	
43 - DOMESTIC		01/01	12/31	0.040	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.590 171.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	14E	1	SW NE	7	7.0	01	IRRIGATION	(47) GOODING
09S	14E	1	SE NE	8	8.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NE SE	11	9.0	01	IRRIGATION	(47) GOODING
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Water right number - 36-04076

Prefix Translation: WATER RIGHT

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
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Total Acres: 57.0

+ - - Diversion Means - OPEN DITCH COLLECTING SPRINGS TO DITCHES & PUMP TO SPRINKLERS

+ - - Non-Irrigation Use - DOMESTIC/ 1 FARMSTEAD; STOCKWATER/ 50 RANGE

+ - - Other Rights for Same Use - NONE

0.38 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
A DIVERSION RATE OF 3.21 CFS AT THE FIELD HEADGATE IS RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED IN T09S, R14E, S02, SESENE LT5 AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS FROM THIS DIVERSION IS LIMITED TO 116.0 CFS.
OTHER RIGHT NOS.: 36-04148B, 36-02048, 36-02703, 36-04013A, 36-04013B & 36-04013C.
SOURCES FOR THIS RIGHT ARE SPRINGS TRIBUTARY TO CLEAR LAKES AND SPRINGS TRIBUTARY TO SNAKE RIVER.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

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

Date: 07/06/1992 User Id: MERRITT Subject: COPIED FROM REMARKS

DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE, CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE.
POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE AND PIPE.

Date: 10/28/1992 User Id: THORNTON Subject: CHANGE IN RECOMMENDATION

CORRECTED TRIB TO CLEAR LAKES (PLURAL).

Date: 12/14/1993 User Id: GIVENS Subject: ADDRESS CHANGE

CHANGE OF ADDRESS RECEIVED 12/14/93 C/O MIKE MADALENA, RT 2 BOX 309, WENDELL, ID 83355 TO 112 MAIN ST, BUHL ID 83316. STANDARD FORM 3.

+ - - Audit Fields - - +

12/14/93 GIVENS

MICROFILMED
OCT 18 1994

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

Water right number - 36-04076

Prefix Translation: WATER RIGHT

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/01/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000679	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED

OCT 18 1994

RECEIVED

DEC 14 1993

Department of Water Resources
Southern Region Office

RECEIVED

DEC 09 1993

Department of Water Resources
Adjudication Bureau

1993 DEC -7 PM 3:03

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

In Re the General Adjudication of Rights
to the Use of Water From the Snake River
Basin Water System.

Case No. 39576

STANDARD FORM 3

The State of Idaho, ex rel. R. Keith
Higginson in his official capacity as
Director of the Idaho Department
of Water Resources,

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF
PARTY

vs.

The United States; the State of Idaho; and
all Claimants to the Use of Water From
the Snake River Basin Water System,

Respondents.

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

☐ **CONSENT TO SUBSTITUTION OF PARTY**

My name is _____

My address is _____

My phone number is: Work _____ Home _____

The name and address of the party who I wish to be substituted for are:

I am the new claimant/purchaser of _____ and

(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

(Signature of prior claimant/seller)

(Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is _____

I am the attorney of record for _____

(Identify party/claimant)

My address and phone number are _____

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on December, 1993, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):



State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

14-DEC-1993

LOUIS MADALENA
1112 MAIN ST
BUHL ID 83316

RE: Snake River Basin Adjudication (SRBA) Notice(s) of Claim
No.(s) 36-10137 & 36-04076
Change in Address

Dear Claimant(s):

Thank you for notifying us of your change in address of the water right(s) referenced above. I have changed the records in our computer system, please find enclosed a copy.

Please contact me should you have any questions.

Sincerely,

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

Judy Givens
Adjudication Secretary

jg

Enclosures - Profile Copies

MICROFILMED

OCT 18 1994

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: A36-04076
Date Received: 7/01/1988
Receipt No: S000679
Received By: LA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOUIS MADALENA 208-536-6295
Address: C/O MIKE MADALENA
RT 2 BOX 309
WENDELL, ID 83355

2. Date of Priority: JAN 01, 1893

3. Source: CLEAR LAKES SPRING Trib. to: CLEAR LAKES

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	14E	1	SE	NW		6	GOODING
			NW	SW		12	GOODING
		2	NE	SE		8	GOODING

5. Description of diverting works:
DIVERSION DAMS TO OPEN GRAVITY FLOW DITCHES TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/15	5.000		
STOCKWATER	01/01	12/31	0.500		
DOMESTIC	01/01	12/31	3.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	14E	1	SW		NE	7	IRR	11.0
			SE		NE	8	IRR	13.0
			NE		SE	11	IRR	12.0
			NW		SE	14	IRR	24.0
			Section Acres					60.0
	15E	6	SW		NW	5	IRR	17.0
			SE		NW	6	IRR	17.0
			NW		SW	16	IRR	17.0
			Section Acres					51.0
			Total Acres					111.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE, CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE. POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE AND PIPE.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Luis, Magdalena & Michael Magdalena PA. Date: 7-1-88

Date: _____

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of July 19 88 Lori White
Notary Public

Seal

Residing at T.F.
My Commission Expires 5/95

MEMORANDUM

DATE: 11-Oct-1989

FROM: Loren Holmes *LH*

TO: File 36-08393, Madalena

SUBJECT: Outcome of pre-hearing conference on Oct 10, 1989

The applicant indicated that it was his intent to use existing flows diverted under right no. 36-4076 for the additional use of fish propagation.

The protestant has filed exception to claim 36-4076 and maintains that 5 cfs is not available and that the capacity of the ditch is less than 5 cfs and that the applicant cannot show an existing beneficial use for 5 cfs.

The applicant requested that the department hold the application without action until the claim is adjudicated. Once the extent of the existing right is determined, the application may be amended to appropriate the decreed amount.

MICROFILMED

FEB 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 3, 1990

not sent

A36-04076
LOUIS MADALENA
C/O MIKE MADALENA
RT. 2 BOX 309
WENDELL

ID 83355

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILMED

FEB 05 1993

36-4076

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Twin Falls)

COMES JW your affiant, John Madalena, being duly sworn upon oath, and says as follows:

That your affiant is a resident of Gooding County, State of Idaho, and is the brother of the claimant, Louis Madalena. Your affiant was born in March 1907, in Gooding County, Idaho, and has lived in Gooding County throughout his lifetime.

That your affiant, as a boy and as a young man, lived on that property now owned by his brother, Louis Madalena, and has throughout his lifetime worked upon and continues to work upon that property owned by Louis Madalena. Your affiant has read the Claim To A Water Right filed by Louis Madalena with the State of Idaho, Department of Water Resources, and finds the contents contained therein to be true and correct to the best recollection of your affiant.

John Madalena
John Madalena

SUBSCRIBED AND SWORN TO before me this 17
May, 1979.

Robert M. Martin
Notary Public for Idaho
Residing at *Buhl Idaho*

MICROFILM

FEB 05 1980

36-4076

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Twin Falls)

COMES NOW your affiant, Elmo Short, being duly sworn upon oath, and says as follows:

That your affiant is familiar with the location of the property now owned by Louis Madalena, and located to the north of the Snake River in Gooding County, and directly north of the City of Buhl, Idaho. From 1940 through 1943 I worked for Clear Lakes Ranch owned by Mr. Otis Syster. Property owned by Clear Lakes Ranch bordered that property now owned by Louis Madalena. During the years I did some of the irrigating for Clear Lakes Ranch. I was familiar with the open ditch which conveyed water to the Madalena property. The water in that ditch had its source at springs located near the Snake River Trout Company facilities. Although I cannot give an estimate as to the quantity of water which was generally conveyed through the ditch to the Madalena property, I do recall that it was generally full and carrying all it could safely handle.

Elmo Short
Elmo Short

SUBSCRIBED AND SWORN TO before me

May 1944

MICROFILMED

FEB 05 1993

AFFIDAVIT

STATE OF IDAHO)
) ss.
 County of Twin Falls)

COMES NOW your affiant, Norman Francis, being first duly sworn upon oath, and says as follows:

That your affiant is a resident of the City of Wendell County of Gooding, State of Idaho. I am acquainted with Louis Madalena, and am familiar with the location of the property now owned by him, and located on the north side of the Snake River in Gooding County, and to the north of Buhl, Idaho. Beginning in 1913 and through 1933 I worked for Snake River Trout Company which is located near that property now owned by Louis Madalena. During those years, water was diverted from springs located near the Snake River Trout Company facilities and conveyed to an open ditch on the Madalena property. On numerous occasions during those years, I had the opportunity to observe the quantity of water being carried by that open ditch. Although, I cannot recall measuring the water in that ditch, it is my estimate that it was at all times carrying at least 5 cfs of water.

Norman Francis

SUBSCRIBED AND SWORN to before me on

May, 1939.

MICROFILMED

FEB 05 1993

AFFIDAVIT

STATE of Idaho)
) ss.
 County of Twin Falls)

COMES NOW your affiant, Percy Green, being duly sworn upon oath, and says as follows:

That your affiant is familiar with the open ditch which Louis Madalena uses to convey water to his property in Gooding County, Idaho, and near the city of Buhl, Idaho. That from about 1923 through 1941, your affiant worked for Snake River Trout Company which is also located in Gooding County, Idaho, and is near the property now owned by Louis Madalena. The water used by the Snake River Trout Company, at that time, had its origin in springs located in the general vicinity of those springs diverted and used on the Madalena property.

That a Mr. Jack Tindy was the manager of Snake River Trout Company at the time I was associated with that concern. When working near the head end of the Madalena ditch, Mr. Tindy would on a number of occasions caution me not to interfere with the head of water which was diverted to the Madalena property. On many many occasions during these years when I was associated with Snake River Trout Company, I would have occasion to observe the head of water diverted into and running down the Madalena ditch to the property now owned by Louis Madalena. While I do not recall measuring that water, it is my fair estimate that it was carrying on a regular full time basis, any where from 6 to

MICROFILMED

FEB 05 1993

36-4076

10 cfs. Generally, the ditch was full, and was carrying all the water it could safely convey.

Perry Green
Perry Green

SUBSCRIBED AND SWORN TO before me this _____ day of _____, 1979.

Notary Public for Idaho
Residing at _____

MICROFILMED

FEB 05 1993

(2)

10

22

FEB 15 1963

RECEIVED

BEFORE THE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

In the Matter of Louis Madalena) EXCEPTION TO
 Permit No. 36-4076) CLAIM TO WATER RIGHT

BE IT KNOWN That Thousand Springs Trout Farm, Inc. takes exception to the claim of water right filed by the above named applicant and seeks a clarification of the same as follows:

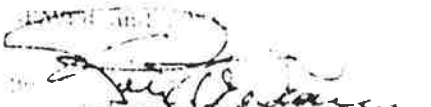
(1) The claim shows an amount of 5 second feet of water and then goes on to delineate the use of the water as 5 second feet for irrigation, 1/2 second foot for stock water, 3/4 second foot for domestic and 3/4 second foot for power.

Thousand Springs Trout Farm acknowledges the fact that the applicant has 5 second feet of water for irrigation or for whatever purpose and the applicant has previously used said water but the total of the waters shown as use total 11 1/2 second feet of water. In the event the notice of claim is for a total of 5 second feet with reuse of the waters for the various purposes outlined under the use provision of the application, the protestant would have no cause to take exception to the claim.

This protestant has upon its property the place of diversion of the applicant or claimant and knows of the same knowledge that no more than a total of 5 second feet of water have been diverted to the claimant.

The protestant would seek a clarification by the Department in this claim of water right by the claimant.

DATED This 1st day of April 1953

By 
 Robert L. Weaver
 Attorney for the
 Thousand Springs Trout Farm, Inc.

WEAVER and DYKAS
 Attorneys at Law
 120 N. Broadway
 Boise, Idaho 83721
 Phone (208) 343-1116

MICROFILMED

FEB 05 1993

Water Right Number - R36-04076

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
MADALENA

LOUIS

1 - C/O MIKE MADALENA
2 - RT. 2 BOX 309
3 -
City- WENDELL
Phone - 208-536-6295

State- ID Zip- 83355

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1893 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRINGS CLEAR LAKE
SPRINGS SNAKE RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

09S	14E	1	SW SW NE	7	(47)	GOODING
			SW SE NE	8	(47)	GOODING
			SE SE NE	8	(47)	GOODING
			SE SW NW	5	(47)	GOODING
			SE SE NW	13	(47)	GOODING
		2	SE SE NE	5	(47)	GOODING
	15E	6	SW SW NW	5	(47)	GOODING

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	3.590	
04 - STOCKWATER		01/01	12/31	0.020	
43 - DOMESTIC		01/01	12/31	0.040	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.590 171.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	14E	1	SW NE	7	7.0	01	IRRIGATION	(47) GOODING
09S	14E	1	SE NE	8	8.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NE SE	11	9.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NW SE	14	14.0	01	IRRIGATION	(47) GOODING
09S	15E	6	SW NW	5	10.0	01	IRRIGATION	(47) GOODING
09S	15E	6	SE NW	6	2.0	01	IRRIGATION	(47) GOODING
09S	15E	6	NW SW	16	7.0	01	IRRIGATION	(47) GOODING
09S	14E	1	SW NE	7		04	STOCKWATER	(47) GOODING
09S	14E	1	SE NE	8		04	STOCKWATER	(47) GOODING
09S	14E	1	NE SE	11		04	STOCKWATER	(47) GOODING
09S	14E	1	NW SE	14		04	STOCKWATER	(47) GOODING
09S	15E	6	SW NW	5		04	STOCKWATER	(47) GOODING

Water right number - R36-04076

Prefix Translation: RESEARCH

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	15E	6	SE NW	6		04	STOCKWATER	(47) GOODING
09S	15E	6	NW SW	16		04	STOCKWATER	(47) GOODING
09S	14E	1	SW NE	7		43	DOMESTIC	(47) GOODING

Total Acres: 57.0

+ - - Diversion Means - OPEN DITCH COLLECTING SPRINGS TO DITCHES & PUMP TO SPRINKLERS

+ - - Non-Irrigation Use - DOMESTIC/ 1 FARMSTEAD; STOCKWATER/ 50 RANGE

+ - - Other Rights for Same Use - NONE

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

0.38 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES
IN DELIVERY OF THIS RIGHT.
A DIVERSION RATE OF 3.21 CFS AT THE FIELD HEADGATE IS
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED IN T09S, R14E, S02, SESENE LT5 AND THE TOTAL
COMBINED RATE OF DIVERSION OF THESE RIGHTS FROM THIS DIVERSION
IS LIMITED TO 116.0 CFS.
OTHER RIGHT NOS.: 36-04148B, 36-02048, 36-02703, 36-04013A,
36-04013B & 36-04013C.

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

No Old Water Right Numbers Found

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

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - - +

00/00/0000

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

Date: 07/06/1992 User Id: MERRITT Subject: COPIED FROM REMARKS
DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE, CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE.
POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE AND PIPE.

+ - - Audit Fields - - +

08/10/92 MERRITT

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/10/1992	Old Judicial District	-
Claim Received Date	- 07/01/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P

Water right number - R36-04076

Prefix Translation: RESEARCH

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

Receipt Number	- S000679	Water District	-
POU Ownership Flag	- Y	Federal/State Indicator	- S
Name Connector	-	Presumption Flag	-
		Notice of Error Flag	-

Water Right Number - A36-04076

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

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

*** C - CURRENT OWNER ***
MADALENA

LOUIS

1 - C/O MIKE MADALENA
2 - RT. 2 BOX 309 ✓
3 -
City- WENDELL
Phone - 208-536-6295

State- ID Zip- 83355

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
01/01/1893 17 S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
CLEAR LAKES SPRING CLEAR LAKES

Twn	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
09S	14E	1	SE NW	6	(47)	GOODING		
09S	14E	1	NW SW	12	(47)	GOODING		
09S	14E	2	NE SE	8	(47)	GOODING		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/01	11/15		5.000	
04 - STOCKWATER		01/01	12/31		0.500	
43 - DOMESTIC		01/01	12/31		3.000	

+ - Total Div. Rate - + + - Total Div. Volume -, + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
5.000 333.0 ✓

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	14E	1	SW NE	7	11.0	01	IRRIGATION	(47) GOODING
09S	14E	1	SE NE	8	13.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NE SE	11	12.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NW SE	14	24.0	01	IRRIGATION	(47) GOODING
09S	15E	6	SW NW	5	17.0	01	IRRIGATION	(47) GOODING
09S	15E	6	SE NW	6	17.0	01	IRRIGATION	(47) GOODING
09S	15E	6	NW SW	16	17.0	01	IRRIGATION	(47) GOODING

Total Acres: 111.0

+ - - Diversion Means - DIVERSION DAMS TO OPEN GRAVITY FLOW DITCHES TO PLACE OF USE.

+ - - Non-Irrigation Use - Domestic, 600 Remarks, stockwater ✓

+ - - Other Rights for Same Use - None ✓

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

Water right number - A36-04076

Adj. flag translation: Adjudication Temporary Work Area

+ - - - - Remarks - - - - -
DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE,
CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE.
POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE
AND PIPE.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

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

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

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

+ - - Audit Fields - 07/01/88 WHITE

+ - - - - 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	- 03/26/1985	Old Judicial District	-
Claim Received Date	- 07/01/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Claims Tape Error Flg	-	Receipt Number	- S000679	Water District	-
Fee Exempt Flag	-	POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE AVE
TWIN FALLS ID 83301
(208) 736-3033 FAX (208) 736-3037

PHILIP E. BALI
GOVERNOR

KARL J. DREHER
DIRECTOR

November 26, 1996

CHUCK CARNAHAN
IDAHO DEPT OF TRANSPORTATION
BOX 2A
SHOSHONE ID 83352

RE: MADALENA CLAIMS - SRBA CLAIM PROOF REPORTS

Dear Chuck,

Enclosed is the proof reports we discussed during our conversation on Nov. 25, 1996. As you will see the reports are color coded; the pink set is the summary of the claim filed and attached to the back of that is the green set which represents the right as reported to the district court. I have stapled each separate claim/right together to help keep the paperwork straight.

I have also sent a copy of my file notes of our discussion from yesterday. It is sent for your information.

If you have further questions feel free to call me at our office. Please note: IDWR will be moving our office, EFFECTIVE DECEMBER 15, 1996 new address is --

1342 Fillmore St Suite 200
Twin Falls ID 83301-3380

Phone numbers will be the same as before.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

A36-4076

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

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

IDWR Employee/Agent Steve Clelland

November 25, 1996 10:50am

NAME:
CHUCK CARNAHAN IDOT

RE:
QUESTIONS ON PARTIAL DECREE

HE ASKED ABOUT THE PARTIAL DECREE... SAYS IT LISTED GROUNDWATER BUT THE SOURCE IS ACTUALLY A SPRING. I TOLD HIM OF THE ERROR CORRECTION FORMS NEEDED AND NOT YET AVAILABLE; I WILL NOTE HIS ADDRESS AND SEND THEM OUT WHEN RECEIVED. CLAIM: A36-10137

HE THEN ASKED ABOUT USE OF THE OTHER RIGHTS THEY HAVE TO PRESERVE WILDLIFE PONDS AND HABITAT AT THE CLEAR LAKE GRADE AREA (NEW). I EXPLAINED THE FORFEITURE ISSUES, EXTENTIONS OF TIME, AND POSSIBLE TRANSFERS IN NATURE OF USE. I OFFERED TO MAIL OUT PROOFS ON THE RIGHTS I COULD FIND FROM THE MADALENA FARM FOR HIM TO REVIEW AND WHEN HE DECIDES WHAT HE NEEDS TO DO HE CAN CONTACT OUR OFFICE FOR FURTHER ASSISTANCE.

MAILED OUT PROOFS ON CLAIMS: A36-02493B, A36-02228A, A36-07682, A36-08276, A36-07597A, A36-04076, A36-10137 & A36-10212. ALSO SENT THE CURRENT DIRECTOR'S REPORT PROOFS.

TO: IDAHO DEPT. OF TRANSPORTATION
BOX 2A, SHOSHONE, ID 83352
PHONE: 886-7823

November 25, 1996 11:10am

NAME:
GRACE MADALENA CALLIN W/ MSG.

RE:
DECREE CHANGE OF OWNER

SHE CALLED FOLLOWING THIS ABOVE CALL FROM IDOT... I DID NOT SPEAK TO HER BUT SHE LEFT THE MSG. OF A CHANGE OF OWNER ON THE PARTIAL DECREE. PHONE: 543-6775. RETURNED CALL BUT NO ANSWER.

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: **A36-04076**
Date Received: 7/ 1/1988
Receipt No: S000679
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: STATE OF IDAHO 208-886-7800
Address: DEPT OF TRANSPORTATION
PO BOX 2 A
SHOSHONE ID 83352

2. Date of Priority: JAN 1, 1893

3. Source: CLEAR LAKES SPRING Trib. to: CLEAR LAKES

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	1		SE	NW	6	GOODING
				NW	SW	12	GOODING
		2		NE	SE	8	GOODING

5. Description of diverting works:
DIVERSION DAMS TO OPEN GRAVITY FLOW DITCHES TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/15	5.000		
STOCKWATER	01/01	12/31	0.500		
DOMESTIC	01/01	12/31	3.000		

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

8. Total consumptive use is 333.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, SEE REMARKS; STOCKWATER,

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	1	SW	NE	7	IRR	11.0
			SE	NE	8	IRR	13.0
			NE	SE	11	IRR	12.0
			NW	SE	14	IRR	24.0
						Section Acres	60.0
	15E	6	SW	NW	5	IRR	17.0
			SE	NW	6	IRR	17.0
			NW	SW	16	IRR	17.0
						Total Acres	111.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE, CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE. POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE AND PIPE.

ADDRESS CHANGE 12/14/93 BY JG.

OWNERSHIP CHANGE FROM LOUIS M. MADALENA C/O LUDELL WALDRON TO STATE OF IDAHO, DEPT OF TRANSPORTATION. COPY OF WARRANTY DEED SUBMITTED WITH FORM.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: September 29, 1994

RECEIVED

DEC 23 1994

LEGAL DESCRIPTION OF PROPERTY: Township 9S Range 15E Department of Water Resources
Section 6, 1/4 of 1/4 of 1/4, Govt. Lot , BM.
Lot , Block , Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

Please see attached legal descriptions.

DEC 27 1994

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) Department of Water Resources
NO NUMBERED CLAIMS....LEGAL INDICATES TWO: Southern Region Office

[] Water Right Number(s) 36-04076 & 36-10137
Assigned by IDWR:

[] Name and Address of Former Owner/Claimant(s)(Seller): Louis M. Madalena, c/o Ludell Waldron
1112 Main Street
Buhl, ID 83316

[] New Owner/Claimant (Purchaser): Idaho Transportation Department

[] New Mailing Address: P.O. Box 2-A
Shoshone, ID 83352

[] New Telephone Number: (208) 886 - 7800

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes xx no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
Claim is to all natural spring water lying south of the north Snake River Canyon Rim.

[] Attach proof of ownership, describe proof attached: Warranty Deed attached

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) Scott E. Malone Date 12/22/94
Scott E. Malone for Idaho Transportation Dept

[] Signature of Former Owner/Claimant(s): Date
 Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/23/94 By: JS

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

DEC 04 1996

WARRANTY DEED

RECEIVED

DEC 23 1994

Project No. STP-RS-2709(008) & WETLANDS

Key No. 3586

Parcel No. 2 (Wetlands), Id. Nos. 3586L09 & 0037526

Department of Water Resources

THIS INDENTURE, Made this 29th day of SEPTEMBER 1994, between
LUDELL WALDRON, guardian and conservator of THE ESTATE OF LOUIS M.
MADALENA, a protected person, Grantor, and the STATE OF IDAHO, IDAHO
TRANSPORTATION DEPARTMENT, by and through the IDAHO TRANSPORTATION BOARD,
3311 West State Street, Boise, Idaho 83703, Grantee.

WITNESSETH, That the said Grantor, for value received, does grant,
bargain, sell, convey and confirm unto the said Grantee, all the following
described real property situated in County of Gooding, State of Idaho,
to-wit:

A parcel of land being all of Government Lot 16 and those
portions of Government Lots 5 & 6, lying Southerly of the Snake
River Canyon Rim, all in Section 6, Township 9 South, Range 15
East, Boise Meridian, situated in Gooding County, State of Idaho;

Together with all of Government Lot 11 and that portion of
Government Lot 14, lying Northeasterly of the Southwesterly right
of way line of Clear Lake Road and all those portions of
Government Lots 7 & 8, lying Southerly of the Snake River Canyon
Rim, all in Section 1, Township 9 South, Range 14 East, Boise
Meridian, in said Gooding County;

EXCEPTING from both of the above parcels any portion thereof
lying within the boundaries of the tract of land as described in
that certain Warranty Deed dated November 17, 1993 and recorded
December 1, 1993 as Instrument No. 154976, records of said
Gooding County;

Also conveyed herewith are the rights to approximately 3.5 cubic
feet per second of Spring Water or that amount, if different, as
a result of the pending Snake River Adjudication.

The Snake River Canyon Rim is at approximate elevation 3250 feet
at the East end of the above conveyed property and 3200 feet at
the West end of said conveyed property.

The Total area conveyed by this instrument is approximately 88.97
acres.

WARRANTY DEED

Project No. STP-RS-2709(008) & WETLANDS
Key No. 3586
Parcel No. 2 (Wetlands), Id. Nos. 3586L09 & 0037526

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, and Grantee's assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to reservations, restrictions, dedications, easements, right of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

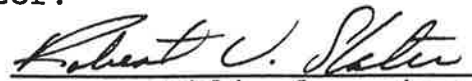
IN WITNESS WHEREOF, The said Grantor has hereunto set his hand and seal the day and year first above written.


LUDELL WALDRON, guardian &
conservator of the Estate of Louis
M. Madalena, a protected person

STATE OF IDAHO)
County of TWIN FALLS) ss.

On this 29TH day SEPTEMBER, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared LUDELL WALDRON, guardian and conservator of the Estate of Louis Madalena, a protected person, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as such guardian and conservator.

(SEAL)


Notary Public for IDAHO
Residing at TWIN FALLS
My commission expires 11/1/99

CONVERSATION MEMORANDUM

11:00 am

ID Dept of Transportation

NAME OF PARTY Scott E. Malone

DATE 12/28/94

EMPLOYEE: Judy

FILE 36-04076 & 36-10137

RE: Change of Ownership

When the C/O came in to our office - 12/27/94 - there was not a Adjudication
Claim Number listed. A legal description was listed at the top and a copy of the
Warranty Deed attached. I ran a listing of the AJQ1 and a legal search and came
up with the above- listed numbers. I called for Mr. Malone to verify the two
claim numbers - he is out of the office til the first of the next year. I left
message for him to call me, but I will go ahead with the Change of Ownerships.

MICROFILMED

DEC 04 1996

SD-0604-2 Township: 09S			Range: 15E		Section: 6		Tract:		Lot:	
S	L		STATE	Name	O	S	Max #	Records	57	
E	O	Water		Name	W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---
---	SWNW	5	36-04076		---	10	J	01/01/1893	43	DOMEST
---	SWNW	5	36-04076	MADALENA, LOUIS	C		J	01/01/1893	01	IRR
---									04	STOCK
---	SWNW	5	A36-04076	MADALENA, LOUIS	C	17	S	01/01/1893	43	DOMEST
---									01	IRR
---									04	STOCK
---	SEnw		A36-02493C	MADALENA, GRACE V	C	3	L	06/28/1961	43	DOMEST
---				MADALENA, JOHN	C				01	IRR
---	SEnw		A36-02493A	SPLIT RIGHT	C	3		06/28/1961	01	IRR
---				MADALENA, FRANK	O					
---	SEnw		36-02493A	MADALENA, FRANK	O	3		06/28/1961	01	IRR
---				SPLIT RIGHT	C					
---	SEnw	6	36-02493C	MADALENA, GRACE V	C	3	L	06/28/1961	01	IRR
---				MADALENA, JOHN	C					
---	SEnw	6	36-04076	MADALENA, LOUIS	C		J	01/01/1893	01	IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

DEC 04 1996

SD-0601-2 Last Name: MADALENA

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
---	MADALENA						
---	JOHN	C	36-07682	02/14/1977	GROUNDWATER	1.240	01 IRR
---	GRACE V	C	36-07682	02/14/1977	GROUNDWATER	1.240	01 IRR
---	GRACE V	C	36-02228A	07/13/1953	GROUNDWATER	1.580	01 IRR
---	LOUIS	C	36-10137	01/01/1938	GROUNDWATER	0.040	43 DOMEST
---							04 STOCK
---	LOUIS	C	A36-04076	01/01/1893	CLEAR LAKES	5.000	01 IRR
---							04 STOCK
---							43 DOMEST
---	LOUIS	C	A36-10137	01/01/1938	GROUNDWATER	0.040	43 DOMEST
---							04 STOCK
---	LOUIS	C	36-04076	01/01/1893	SPRINGS	3.590	01 IRR
---					SPRINGS		04 STOCK
---							43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

DEC 04 1996

SD-0604-2 Township: 09S Range: 15E Section: 6				Tract:		Lot:		
S	L	STATE	NAME	O	S	Max #	Records	
E	O	Water	Name	W	T	Priority	Use	
L	Tract	Right No.	Last, First	N	AC	G	Date	
							Code	
							Desc	
SENW	6	36-04076				J	01/01/1893	04 STOCK
SENW	6	36-04076	MADALENA, LOUIS	C	2	J	01/01/1893	43 DOMEST
SENW	6	A36-04076	MADALENA, LOUIS	C	17	S	01/01/1893	01 IRR
NESW	11	A47-04495	BANQUO CORP.	O	5	S	04/15/1969	04 STOCK
NWSW	12	A47-04495	MILLER, STEVEN S.	C				43 DOMEST
NWSW	16	36-04076	BANQUO CORP.	O	22	S	04/15/1969	01 IRR
NWSW	16	36-04076	MILLER, STEVEN S.	C				
NWSW	16	36-04076	MADALENA, LOUIS	C		J	01/01/1893	01 IRR
NWSW	16	36-04076	MADALENA, LOUIS	C	7	J	01/01/1893	04 STOCK
NWSW	16	36-04076	MADALENA, LOUIS	C				43 DOMEST
NWSW	16	36-04076	MADALENA, LOUIS	C				01 IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

SD-0604-2 Township: 09S			Range: 15E		Section: 6		Tract:		Lot:	
S	L		STATE		O	S	Max #	Records	57	
E	O	Water	Name		W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
-	-	-	-	-	-	-	-	-	-	-
-	NWSW	16	36-04076		-	7	J	01/01/1893	04	STOCK
-	NWSW	16	A36-04076	MADALENA, LOUIS	C	17	S	01/01/1893	43	DOMEST
-									01	IRR
-									04	STOCK
-	SWSW	13	A47-04302	BANQUO CORP.	O	4	S	04/01/1942	43	DOMEST
-				IFNB, AGENT	O				01	IRR
-				MILLER, STEVEN S.	C				04	STOCK
-	SWSW	13	A47-04495	BANQUO CORP.	O	5	S	04/15/1969	01	IRR
-				MILLER, STEVEN S.	C					
-	SESW		A47-04302	BANQUO CORP.	O	6	S	04/01/1942	01	IRR
-				IFNB, AGENT	O				04	STOCK
-				MILLER, STEVEN S.	C					
-	NESE		A01-00212Z1	LARGE CLAIM	C	8	D	01/01/1901	39	GWR FS
-	NESE	14	A36-07234	LANGFORD, FLOYD J	O	21	L	06/08/1972	01	IRR
-				FISH & GAME	K					

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(GOLD7=This Query)

(Menu _____)

MICROFILMED

DEC 04 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 29, 1994

STATE OF IDAHO
DEPARTMENT OF TRANSPORTATION
C/O SCOTT E MALONE
PO BOX 2-A
SHOSHONE ID 83352

RE: Snake River Basin Adjudication (SRBA) Change of Ownership
No. 36-04076 & 36-10137 LOUIS M MADALENA

Dear Claimant(s):

Thank you for notifying us of your change in Ownership on the water right claim(s) referenced above. I have changed the records in our computer system, please find enclosed a copy. Please note that the Director's report for Basin 36 has been filed with the court and the recommendations for the above-listed right(s) remain listed in the former owners name.

If you have not filed the Standard Form #No 3 with the Adjudication Court here in Twin Falls, you will need to do so, since this is part of the process now in the Change of Ownership(s) in Basin 36.

Should you have any questions, you can contact this office, the SRBA District Court (736-3011).

Sincerely,

Judy Givens
Technical Records Specialist

/jg
Enclosures: Proof Reports
Standard Forms #3

MICROFILMED

DEC 14 1996

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO DEPT OF TRANSPORTATION PO BOX 2 A SHOSHONE ID 83352 (208) 886-7800	01/01/1893	IRRIGATION STOCKWATER DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31	3.59 CFS 0.02 CFS 0.04 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	3.59 CFS	171.00 AFA

D LOUIS MADALENA
C/O LUDELL WALDRON CONSERVATOR
1112 MAIN ST
BUHL ID 83316
(208) 543-4242

Water Source: SPRINGS
SPRINGS

Tributary to: CLEAR LAKES
SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T09S R14E S01 Lot07(SWSWNE) Lot08(SWSENE) Lot08(SESENE) Lot05(SESWNW) GOODING County
S01 Lot13(SESENW) GOODING County
S02 Lot05(SESENE) GOODING County
R15E S06 Lot05(SWSWNW) GOODING County

Place of use Legal Description for: IRRIGATION

			NE			NW			SW			SE			
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	SUM
09S 14E	1	:			07-07	08-08								11-09	38.0
09S 15E	6	:						05-10	06-02		16-07			14-14	19.0
															TOTAL ACRES 57.0

Place of use Legal Description for: STOCKWATER

			NE			NW			SW			SE			
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	SUM
09S 14E	1	:			07-S	08-S								11-S	14-S
09S 15E	6	:						05-S	06-S		16-S				

Place of use Legal Description for: DOMESTIC

			NE			NW			SW			SE			
T	R	S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	SUM
09S 14E	1	:			07-D										

POU County: GOODING

Non-Irrigation Uses: DOMESTIC/ 1 FARMSTEAD; STOCKWATER/ 50 RANGE

Other Rights: NONE

Remarks: 0.38 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES
IN DELIVERY OF THIS RIGHT.

A DIVERSION RATE OF 3.21 CFS AT THE FIELD HEADGATE IS
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED IN T09S, R14E, S02, SESENE LT5 AND THE TOTAL
COMBINED RATE OF DIVERSION OF THESE RIGHTS FROM THIS DIVERSION
IS LIMITED TO 116.0 CFS.

OTHER RIGHT NOS.: 36-04148B, 36-02048, 36-02703, 36-04013A,
36-04013B & 36-04013C.

SOURCES FOR THIS RIGHT ARE SPRINGS TRIBUTARY TO CLEAR LAKES
AND SPRINGS TRIBUTARY TO SNAKE RIVER.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

MICROFILMED

DEC 04 1996

Water Right Number - 36-04076

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
STATE OF IDAHO1 - DEPT OF TRANSPORTATION
2 - PO BOX 2 A
3 -
City- SHOSHONE State- ID Zip- 83352
Phone - 208-886-7800*** D - DIR RPT OWNER ***
MADALENA

LOUIS

1 - C/O LUDELL WALDRON CONSERVATOR
2 - 1112 MAIN ST
3 -
City- BUHL State- ID Zip- 83316
Phone - 208-543-4242+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1893 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
SPRINGS CLEAR LAKES
SPRINGS SNAKE RIVER

TwN	Rng	Sec	Tract	Lot	RFlg	County
09S	14E	1	SW SW NE	7	(47)	GOODING
			SW SE NE	8	(47)	GOODING
			SE SE NE	8	(47)	GOODING
			SE SW NW	5	(47)	GOODING
			SE SE NW	13	(47)	GOODING
		2	SE SE NE	5	(47)	GOODING
	15E	6	SW SW NW	5	(47)	GOODING

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15		3.590	
04 - STOCKWATER		01/01	12/31		0.020	
43 - DOMESTIC		01/01	12/31		0.040	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.590 171.0

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	14E	1	SW NE	7	7.0	01	IRRIGATION	(47) GOODING
09S	14E	1	SE NE	8	8.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NE SE	11	9.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NW SE	14	14.0	01	IRRIGATION	(47) GOODING
09S	15E	6	SW NW	5	10.0	01	IRRIGATION	(47) GOODING
09S	15E	6	SE NW	6	2.0	01	IRRIGATION	(47) GOODING

MICROFILMED
JUL 4 1996

Water right number - 36-04076

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
09S	15E	6	NW SW	16	7.0	01	IRRIGATION	(47) GOODING
09S	14E	1	SW NE	7		04	STOCKWATER	(47) GOODING
09S	14E	1	SE NE	8		04	STOCKWATER	(47) GOODING
09S	14E	1	NE SE	11		04	STOCKWATER	(47) GOODING
09S	14E	1	NW SE	14		04	STOCKWATER	(47) GOODING
09S	15E	6	SW NW	5		04	STOCKWATER	(47) GOODING
09S	15E	6	SE NW	6		04	STOCKWATER	(47) GOODING
09S	15E	6	NW SW	16		04	STOCKWATER	(47) GOODING
09S	14E	1	SW NE	7		43	DOMESTIC	(47) GOODING

Total Acres: 57.0

+ - - Diversion Means - OPEN DITCH COLLECTING SPRINGS TO DITCHES & PUMP TO SPRINKLERS

+ - - Non-Irrigation Use - DOMESTIC/ 1 FARMSTEAD; STOCKWATER/ 50 RANGE

+ - - Other Rights for Same Use - NONE

Remarks

0.38 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

A DIVERSION RATE OF 3.21 CFS AT THE FIELD HEADGATE IS RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED IN T09S, R14E, S02, SESENE LT5 AND THE TOTAL COMBINED RATE OF DIVERSION OF THESE RIGHTS FROM THIS DIVERSION IS LIMITED TO 116.0 CFS.

OTHER RIGHT NOS.: 36-04148B, 36-02048, 36-02703, 36-04013A, 36-04013B & 36-04013C.

SOURCES FOR THIS RIGHT ARE SPRINGS TRIBUTARY TO CLEAR LAKES AND SPRINGS TRIBUTARY TO SNAKE RIVER.

Old Water Right Numbers

No Old Water Right Numbers Found

Conditions of Approval

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date - 00/00/0000

Comments

Date: 07/06/1992 User Id: MERRITT Subject: COPIED FROM REMARKS
DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE, CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE.
POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE AND PIPE.

Date: 10/28/1992 User Id: THORNTON Subject: CHANGE IN RECOMMENDATION
CORRECTED TRIB TO CLEAR LAKES (PLURAL).

MICROFILMED
DEC 04 1996

Water right number - 36-04076

Prefix Translation: WATER RIGHT

+ - - - - - Comments - - - - - +
 Date: 12/14/1993 User Id: GIVENS Subject: ADDRESS CHANGE
 CHANGE OF ADDRESS RECEIVED 12/14/93 C/O MIKE MADALENA, RT 2 BOX 309, WENDELL, ID 83355 TO 112 MAIN ST, BUHL ID 83316. STANDARD
 FORM 3.
 Date: 12/27/1994 User Id: JGIVENS Subject: OWNERSHIP CHANGE
 CHANGE OF OWNERSHIP RECEIVED IN OUR REGION 12/27/94 FORMER OWNER LOUIS M MADALENA C/O LUDELL WALDRON. COPY OF WARRANTY DEED
 SUBMITTED WITH FORM.

+ - - Audit Fields - - +
 12/27/94 JGIVENS

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/01/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000679	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED

DEC 04 1996

Excess Flow Analysis

ADN

7/6/82

The property is watered from a ditch that runs from west to east and in its course it collects several seeps. The head of the ditch was at a large spring that is presently used by others. The attached map shows the property and how it is presently irrigated. The middle portion is presently sprinkled via a small pump which supplies two wheel lines. The upper portion where the old vineyard is is wild flooded & the pasture area at the tail end is also wild flooded.

Analysis finds

0.76 cfs

vineyard

0.55 cfs

sprinkler

1.90 cfs

pasture.

3.21 cfs

+ .38

3.59 cfs

Conveyance from
large spring.

MICROFILMED

OCT 18 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOUIS MADALENA C/O MIKE MADALENA RT. 2 BOX 309 WENDELL ID 83355 (208) 536-6295	01/01/1893	IRRIGATION STOCKWATER DOMESTIC	03-15 11-15 01-01 12-31 01-01 12-31	3.59 CFS 0.02 CFS 0.04 CFS	
TOTAL DIVERSION:					3.59 CFS	
CONSUMPTIVE USE:						171.05 AFA

Water Source: SPRINGS
SPRINGS

Tributary to: CLEAR LAKES
SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T09S R14E S01 Lot07(SWSWNE) Lot08(SWSENE) Lot08(SESENE) Lot05(SESWNW) GOODING County
S01 Lot13(SESENW) GOODING County
S02 Lot05(SESENE) GOODING County
R15E S06 Lot05(SWSWNW) GOODING County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	14E	1	:					07-07												:	38.0
09S	15E	6	:							05-10	06-02				16-07					:	19.0
																				TOTAL ACRES	57.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09S	14E	1	:					07-S										11-S	14-S	:
09S	15E	6	:							05-S	06-S				16-S					:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
09S	14E	1	:					07-D												:

POU County: GOODING

Non-Irrigation Uses: DOMESTIC/ 1 FARMSTEAD; STOCKWATER/ 50 RANGE

Other Rights: NONE

Remarks: 0.38 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES
IN DELIVERY OF THIS RIGHT.
A DIVERSION RATE OF 3.21 CFS AT THE FIELD HEADGATE IS
RECOMMENDED FOR THE PLACE OF USE DESCRIBED ABOVE.

FEB 05 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

Remarks: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED IN T09S, R14E, S02, SESENE LTS AND THE TOTAL
COMBINED RATE OF DIVERSION OF THESE RIGHTS FROM THIS DIVERSION
IS LIMITED TO 116.0 CFS.

OTHER RIGHT NOS.: 36-04148B, 36-02048, 36-02703, 36-04013A,
36-04013B & 36-04013C.

SOURCES FOR THIS RIGHT ARE SPRINGS TRIBUTARY TO CLEAR LAKES
AND SPRINGS TRIBUTARY TO SNAKE RIVER.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 07/06/1992 User-ID: MERRITT Subject: COPIED FROM REMARKS
DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE,
CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE.
POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE
AND PIPE.

Date: 10/28/1992 User-ID: THORNTON Subject: CHANGE IN RECOMMENDATION
CORRECTED TRIB TO CLEAR LAKES (PLURAL).

Audit: 10/28/92 THORNTON

already
micro filmed
10-4-94
TLD

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)VERIFIED BY: HHH 08/18/92 11:38:52
Page 1

Water Right Number - R36-04076

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
MADALENA

LOUIS

1 - C/O MIKE MADALENA
2 - RT. 2 BOX 309
3 -
City- WENDELL
Phone - 208-536-6295

State- ID Zip- 83355

+ - - Priority Date - - +
01/01/1893+ - - - Region - - - +
17 SOUTHERN+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - Status - - - +

+ - - - - Source - - - - - +
SPRINGS
SPRINGS+ - - - - Tributary - - - - - +
CLEAR LAKE
SNAKE RIVER

+ - - - - Point of Diversion - - - - - +						
Twn	Rng	Sec	Tract	Lot	RFlg	County
09S	14E	1	SW SW NE	7	(47)	GOODING
			SW SE NE	8	(47)	GOODING
			SE SE NE	8	(47)	GOODING
			SE SW NW	5	(47)	GOODING
			SE SE NW	13	(47)	GOODING
	15E	2	SE SE NE	5	(47)	GOODING
		6	SW SW NW	5	(47)	GOODING

+ - - - - Water Use - - - - - +						
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume	
01 -	IRRIGATION	04/01	10/31	3.590		
04 -	STOCKWATER	01/01	12/31	0.020		
43 -	DOMESTIC	01/01	12/31	0.040		

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
3.590		171.0	

+ - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	14E	1	SW NE	7	7.0	01	IRRIGATION	(47) GOODING
09S	14E	1	SE NE	8	8.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NE SE	11	9.0	01	IRRIGATION	(47) GOODING
09S	14E	1	NW SE	14	14.0	01	IRRIGATION	(47) GOODING
09S	15E	6	SW NW	5	10.0	01	IRRIGATION	(47) GOODING
09S	15E	6	SE NW	6	2.0	01	IRRIGATION	(47) GOODING
09S	15E	6	NW SW	16	7.0	01	IRRIGATION	(47) GOODING
09S	14E	1	SW NE	7		04	STOCKWATER	(47) GOODING
09S	14E	1	SE NE	8		04	STOCKWATER	(47) GOODING
09S	14E	1	NE SE	11		04	STOCKWATER	(47) GOODING
09S	14E	1	NW SE	14		04	STOCKWATER	(47) GOODING
09S	15E	6	SW NW	5		04	STOCKWATER	(47) GOODING

MICROFILMED
 FEB 05 1993

*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	-

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

Water right number - R36-04076

Prefix Translation: RESEARCH

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

Response Filed Date	- 00/00/0000	Verified Date	- 08/18/1992	Old Judicial District	-
Claim Received Date	- 07/01/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S000679	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

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FEB 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:30:13
06/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-04076

LAST: MADALENA
ADDRESS: C/O MIKE MADALENA
RT. 2 BOX 309
CITY: WENDELL
PHONE NUMBER: 208-536-6295

FIRST: LOUIS

STATE: ID ZIP: 83355

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: DOMESTIC USE FOR OPERATING A WATER WHEEL WHICH RUNS A GRINDSTONE,
CREAM SEPARATOR, AND BUZZ SAW, AS WELL AS GENERAL DOMESTIC USE.
POINT OF DELIVERY CHANGED FROM CONCRETE AND ROCK CHECK TO VALVE
AND PIPE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

RECEIVED
FEB 05 1991

A. AJ CLAIM: # A36-04076 PRIORITY DATE: 01-01-1893 STAGE: S
B. WR RECORD: # 36-04076 PRIORITY DATE: 01-01-1893 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
NFIELD
EXAMINER
N

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

REMARKS:

affidavits in original file

=====

RECOMMENDED PRIORITY DATE:
01-01-1893

REVIEWED BY

lw

DATE

7/16/90

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FEB 05 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-04076	09S	14E	1		NW	SW	12	GOODING
A36-04076	09S	14E	1		SE	NW	6	GOODING
A36-04076	09S	14E	2		NE	SE	8	GOODING

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: CLEAR LAKES SPRING

TRIB: CLEAR LAKES

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-04076	09S	14E	1		NW	SW	12	GOODING
36-04076	09S	14E	1		SE	NW	6	GOODING
36-04076	09S	14E	2		NE	SE	8	GOODING

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: CLEAR LAKES SPRING

TRIB: CLEAR LAKES

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

See Map

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

SOURCE: ~~CLEAR LAKES SPRING~~TRIB: ~~CLEAR LAKES~~REVIEWED BY: AdmDATE: 7/6/92

Source: Springs trib Clear Lake (SESENE Sec 2)

Source: Springs trib Snake River (All others)

T9S, R14E Sec 1 SW SW NE Lt. 7

SW SE NE Lt. 8

SE SE NE Lt. 8

SE SE NW Lt. 13

Sec 2 SE SE NE Lt. 5

T9S R15E Sec 6 SW SW NW Lt. 5

Spring in Sec 2 is also used by Clear Springs Trout Co.
 & others.

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 FEB 05 1993

A. ROOT WATER RIGHT NUMBERS: A36-04076

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	15E	6	SE	NW	6	MADALENA , LOUIS	A36-04076 /17.0	36-04076 /17.0			
09S	14E	1	SE	NE	8	MADALENA , LOUIS	A36-04076 /13.0	36-04076 /13.0			
09S	14E	1	NE	SE	11	MADALENA , LOUIS	A36-04076 /12.0	36-04076 /12.0			
09S	15E	6	SW	NW	5	MADALENA , LOUIS	A36-04076 /17.0	36-04076 /17.0			
09S	15E	6	NW	SW	16	MADALENA , LOUIS	A36-04076 /17.0	36-04076 /17.0			
09S	14E	1	SW	NE	7	MADALENA , LOUIS	A36-04076 /11.0	36-04076 /11.0			
09S	14E	1	NW	SE	14	MADALENA , LOUIS	A36-04076 /24.0	36-04076 /24.0			
TOTAL ACRES							A36-04076	111.00	111.00		

SEE Map

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
YFIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

FEB 05 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-04076 IRRIGATION	FROM 03-01 TO 11-15	5.000 CFS
A36-04076 STOCKWATER	FROM 01-01 TO 12-31	.500 CFS
A36-04076 DOMESTIC	FROM 01-01 TO 12-31	3.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		5.000 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-04076 IRRIGATION	FROM 03-01 TO 11-15	5.000 CFS
36-04076 STOCKWATER	FROM 01-01 TO 12-31	.500 CFS
36-04076 DOMESTIC	FROM 01-01 TO 12-31	3.000 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		5.000 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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FEB 05 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 5.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.000 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?

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

DATABASE EXAMINER
Y

FIELD

EXAMINER

Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

See Attached

SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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FEB 05 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ 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 = 333.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

See Attached Excess Flow & conveyance
Loss Calculations.

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FEB 05 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	~~03-01~~	~~11-15~~	~~5.000~~	~~3.59~~	DATABASE	EXAMINER	DATABASE	EXAMINER
STOCKWATER	01-01	12-31	~~0.500~~	<u>0.02</u>			~~333.0~~	<u>171</u>
DOMESTIC	01-01	12-31	~~2.000~~	<u>0.04</u>				
TOTAL FOR THIS RIGHT			~~5.000~~					

REVIEWED BY: ADDATE: 7.59

Domestic Use is for farmstead. The old mill & water wheel have been abandoned for many years.

Stockwater for estimated 50 head of cattle.

MICROFILM

FEB 05 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-04076

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
5.000EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-04076	5.000	-		36-04076	5.000
	TOTAL CFS	5.000				5.000

DIVERSION RATE REVIEW

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

DATABASE
YFIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED
FEB 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:30:13
06/30/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-04076

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

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

FEB 05 1993

SURVEY AREA: WOOD RIVER AREA, IDAHO, GOODING COUNTY AND PARTS OF BLAINE, LINCOLN, AND MINIDOKA COUNTI

AD
7/6/92
MICROFILMED
FEB 05 1993

MAP UNIT ID: 681FAB					
MAP SYMBOL: FAB SOIL NAME: FATHOM LOAMY FINE SAND, 1 TO 4 PERCENT SLOPES					
MUID	DEPTH (IN)	USDA TEXTURE	AVAILABLE WATER CAP (IN/IN)	SOIL REACTION (PH)	ORGANIC MATTER (PCT)
581FAB	0 -7	LFS	0.09 -0.10	7.9 -8.4	.5 -.9
681FAB	7 -51	LFS LS	0.09 -0.10	7.9 -9.0	0. -.5

MAP UNIT ID: 681FAC					
MAP SYMBOL: FAC SOIL NAME: FATHOM LOAMY FINE SAND, 4 TO 10 PERCENT SLOPES					
MUID	DEPTH (IN)	USDA TEXTURE	AVAILABLE WATER CAP (IN/IN)	SOIL REACTION (PH)	ORGANIC MATTER (PCT)
581FAC	0 -7	LFS	0.09 -0.10	7.9 -8.4	.5 -.9
681FAC	7 -51	LFS LS	0.09 -0.10	7.9 -9.0	0. -.5

MAP UNIT ID: 681FAD					
MAP SYMBOL: FAD SOIL NAME: FATHOM LOAMY FINE SAND, 10 TO 20 PERCENT SLOPES					
MUID	DEPTH (IN)	USDA TEXTURE	AVAILABLE WATER CAP (IN/IN)	SOIL REACTION (PH)	ORGANIC MATTER (PCT)
581FAD	0 -7	LFS	0.09 -0.10	7.9 -8.4	.5 -.9
681FAD	7 -51	LFS LS	0.09 -0.10	7.9 -9.0	0. -.5

MAP UNIT ID: 681FKE					
MAP SYMBOL: FKE SOIL NAME: FATHOM-KUDLAC-ANCHUSTEQUI COMPLEX, 8 TO 35 PERCENT SLOPES					
MUID	DEPTH (IN)	USDA TEXTURE	AVAILABLE WATER CAP (IN/IN)	SOIL REACTION (PH)	ORGANIC MATTER (PCT)
581FKE	0 -7	LFS	0.09 -0.10	7.9 -8.4	.5 -.9
681FKE	7 -51	LFS LS	0.09 -0.10	7.9 -9.0	0. -.5
681FKE	0 -18	SIL	0.14 -0.16	7.9 -9.0	.5 -1.
681FKE	19-50	SIL SICL	0.12 -0.15	7.9 -9.0	0. -.5
581FKE	0 -11	L	0.13 -0.15	8.5 -9.0	1. -2.
681FKE	11-50	SR SICL FS	0.07 -0.19	9.0 -9.5	0. -1.

MAP UNIT ID: 681FPB					
MAP SYMBOL: FPB SOIL NAME: FATHOM-ACKLEY COMPLEX, 0 TO 4 PERCENT SLOPES					
MUID	DEPTH (IN)	USDA TEXTURE	AVAILABLE WATER CAP (IN/IN)	SOIL REACTION (PH)	ORGANIC MATTER (PCT)
681FPB	0 -9	FS	0.06 -0.08	6.5 -7.8	.5 -1.
681FPB	9 -22	FS LFS	0.07 -0.10	6.5 -7.8	0. -.5

5% slope

$$.095 \times 36" = 3.42" = \text{WHC}$$

$$\text{Avail water} = \frac{1}{2}(\text{WHC}) = 1.71"$$

Assume 10 day rotation

Recommended 7 day

Jute!a Family

3.0

West Ave new house

GRADED BORDER EVALUATION

Job name: MADILINA
By: ADM

Location: CLEAR LAKES GRADE
Date: Jul 7, 1992

Roughness coefficient (n)= 0.250 Intake family (If)=3.00
Slope (S)= 0.0500 ft/ft Border width (W)= 20 ft
Net application (Fn)= 1.71 inches Border length (L)= 580 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
0.60		Gross depth is less than required	gross application depth			
0.61		Gross depth is less than required	gross application depth			
0.62		Gross depth is less than required	gross application depth			
0.63		Gross depth is less than required	gross application depth			
0.64		Gross depth is less than required	gross application depth			
0.65		Gross depth is less than required	gross application depth			
0.66		Gross depth is less than required	gross application depth			
0.67		Gross depth is less than required	gross application depth			
0.68		Gross depth is less than required	gross application depth			
0.69		Gross depth is less than required	gross application depth			
0.70		Gross depth is less than required	gross application depth			
0.71		Gross depth is less than required	gross application depth			
0.72		Gross depth is less than required	gross application depth			
0.73		Gross depth is less than required	gross application depth			
0.74		Gross depth is less than required	gross application depth			
0.75		Gross depth is less than required	gross application depth			
0.76	0.038	22.64	20.84	0.09	7.6	(2)(3)
0.77	0.039	22.94	20.84	0.39	7.5	(2)(3)
0.78	0.039	23.24	20.84	0.69	7.4	(2)(3)
0.79	0.040	23.54	20.84	0.98	7.3	(2)(3)

(2) Erosive stream-- non-sod forming crops.

(3) Erosive stream-- sod forming crops.

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E2st 2nd

GRADED BORDER EVALUATION

Job name: MADALINA
By: ADM

Location: CLEAR LAKES GRADE
Date: Jul 7, 1992

Roughness coefficient (n)= 0.250 Intake family (If)=3.00
Slope (S)= 0.0500 ft/ft Border width (W)= 50 ft
Net application (Fn)= 1.71 inches Border length (L)= 580 ft
Inflow time (Ti)= 8 hours, 0 minutes

FAB
FAC

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
1.85						Gross depth is less than required gross application depth
1.86						Gross depth is less than required gross application depth
1.87						Gross depth is less than required gross application depth
1.88						Gross depth is less than required gross application depth
1.89						Gross depth is less than required gross application depth
1.90	0.038	22.64	20.84	0.09	7.6	(2)(3)
1.91	0.038	22.76	20.84	0.21	7.5	(2)(3)
1.92	0.038	22.88	20.84	0.33	7.5	(2)(3)
1.93	0.039	23.00	20.84	0.45	7.4	(2)(3)
1.94	0.039	23.12	20.84	0.57	7.4	(2)(3)
1.95	0.039	23.24	20.84	0.69	7.4	(2)(3)
1.96	0.039	23.36	20.84	0.81	7.3	(2)(3)
1.97	0.039	23.48	20.84	0.92	7.3	(2)(3)
1.98	0.040	23.60	20.84	1.04	7.2	(2)(3)
1.99	0.040	23.72	20.84	1.16	7.2	(2)(3)
2.00	0.040	23.83	20.84	1.28	7.2	(2)(3)

- (2) Erosive stream-- non-sod forming crops.
(3) Erosive stream-- sod forming crops.

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CONVEYANCE LOSS - WORSTELL

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	1400	4.0	2.00	0.14	0.76	3.21	0.0441	0.03	3.59
2	1100	3.0	2.00	0.08	0.55	2.45	0.0340	0.04	2.68
3	2000	3.0	2.00	0.15	1.90	1.90	0.0798	0.30	2.05
4	0	12.0	2.00	0.00	0.00	0.00	0.0000	0.00	0.00
5	0	12.0	2.00	0.00	0.00	0.00	0.0000	0.00	0.00
6	0	12.0	2.00	0.00	0.00	0.00	0.0000	0.00	0.00
7	0	12.0	2.00	0.00	0.00	0.00	0.0000	0.00	0.00
8				0.00	0.00	0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	4500			0.38	3.21			0.38	

REACH = SECTION OF CHANNEL

LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS

AVE WIDTH = AVERAGE TOP WIDTH OF REACH

SEEPAGE = SOIL SEEPAGE RATE OF REACH

WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD

DELIVERY = TOTAL DELIVERIES IN REACH

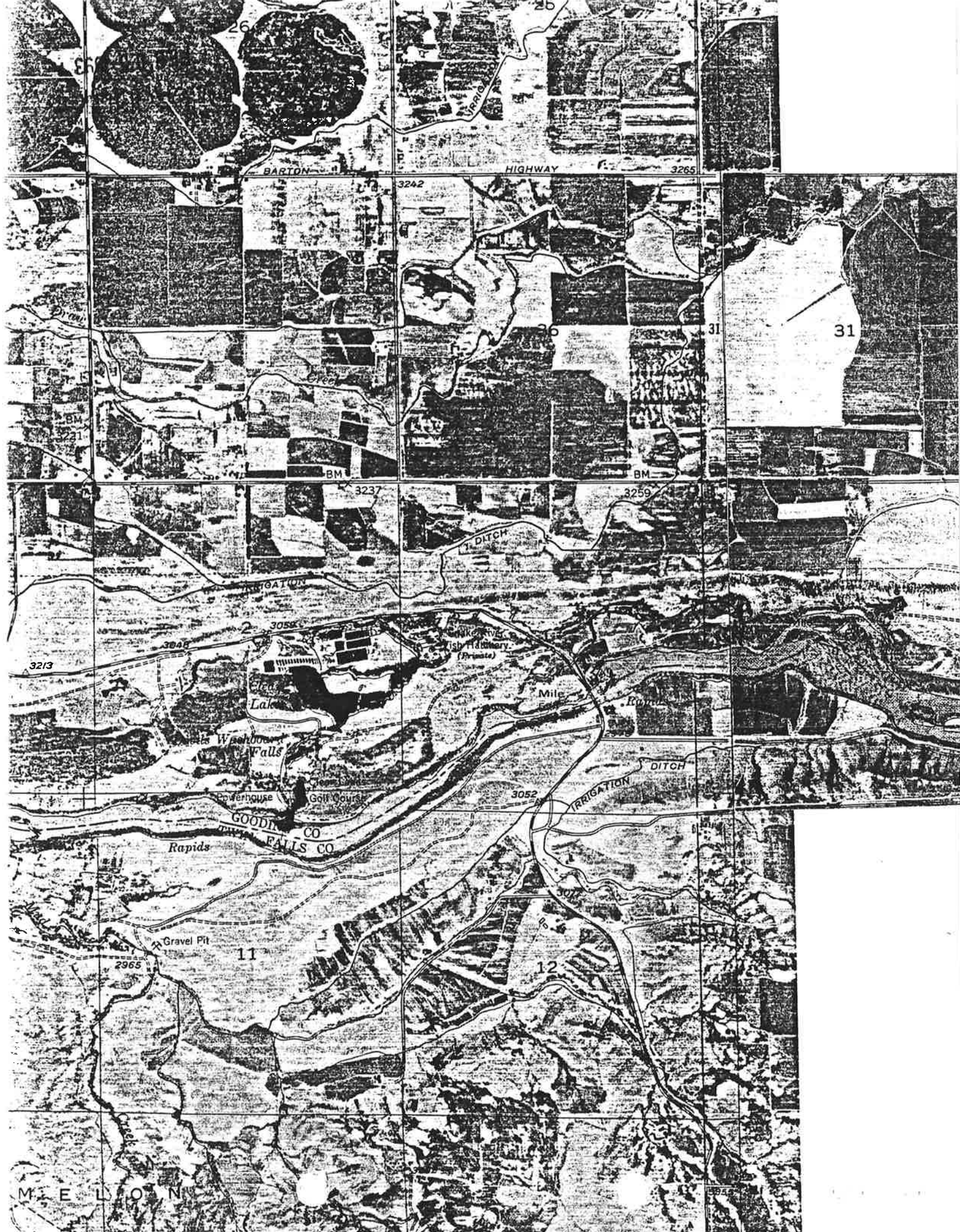
DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)

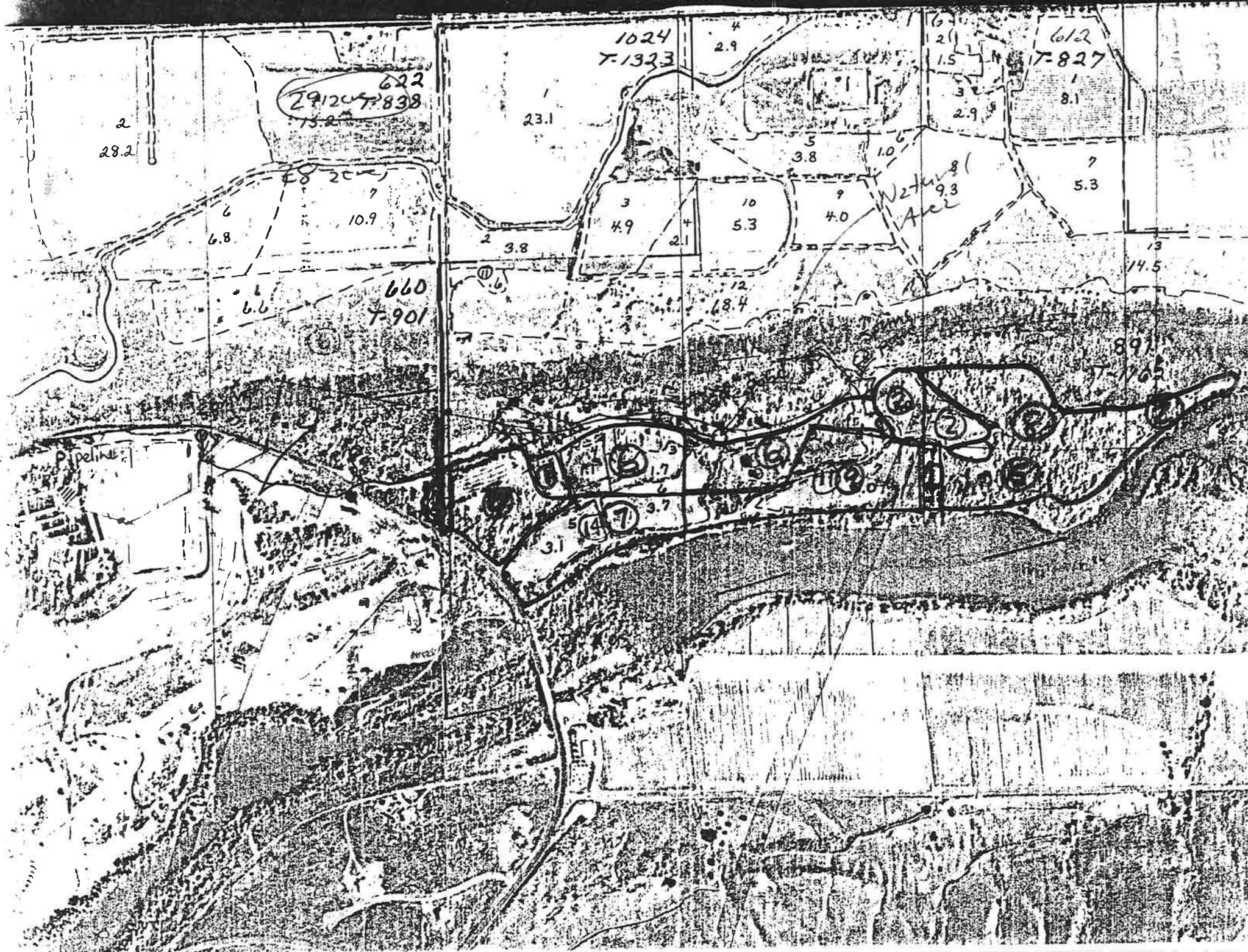
LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT

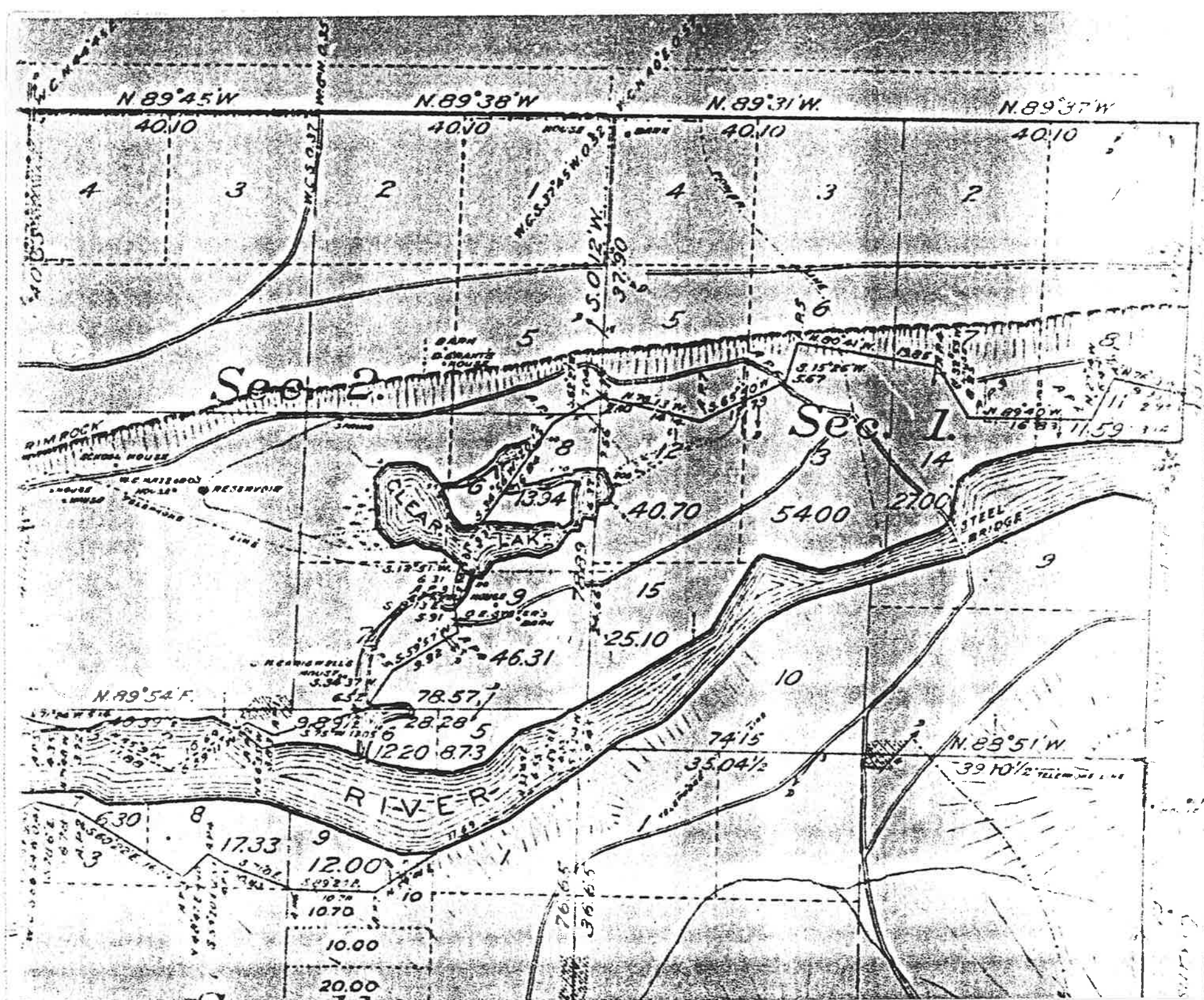
DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH

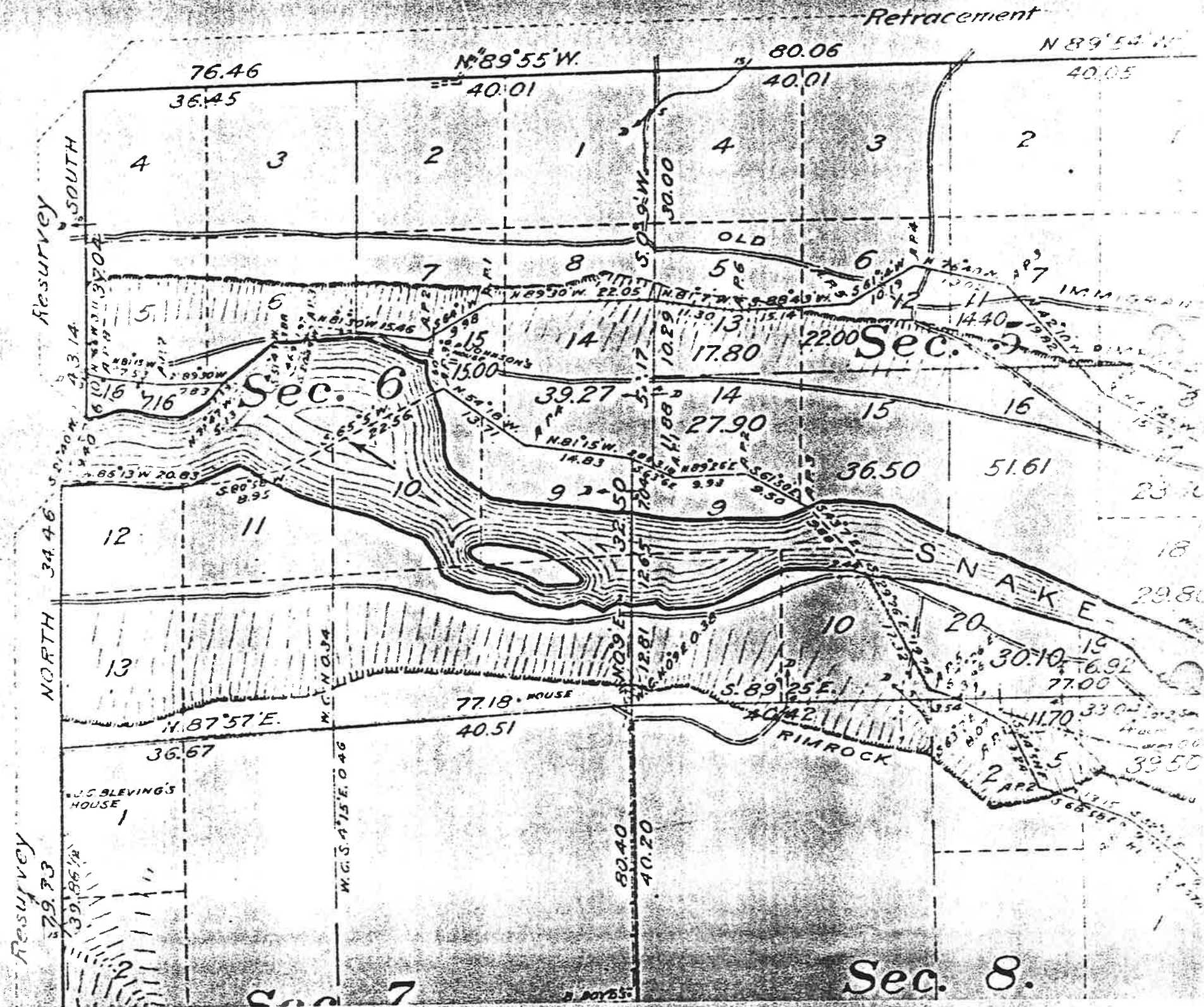
FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

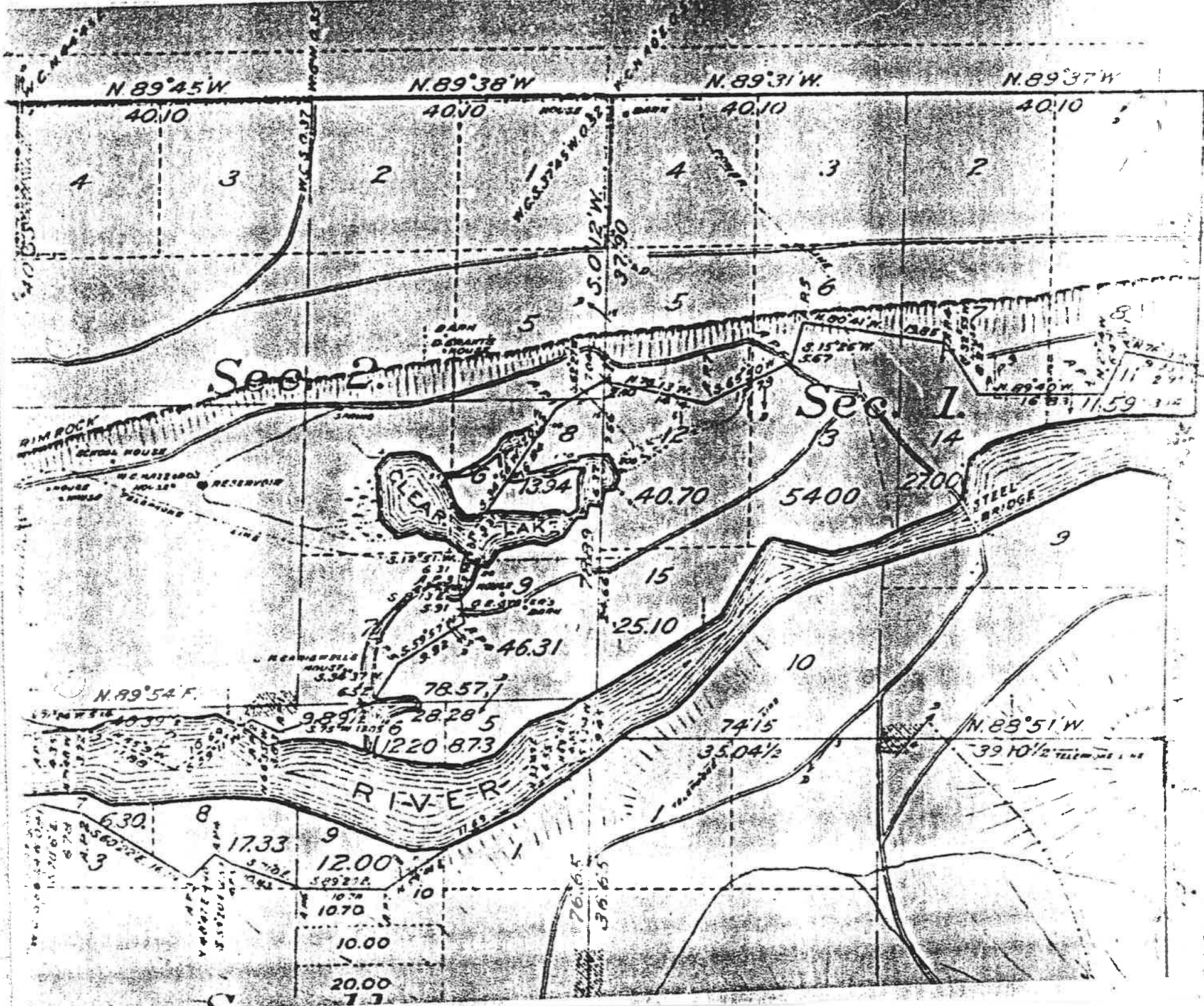
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MODE SELECT
INPUT

OUTER DIAMETER
6.0795 IN

PIPE MATERIAL
? AL.DI

WALL THICKNESS
0.0570 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
4.028 IN U

ZERO MODE
CLEAR

ZERO MODE
AUT ZERO

ZERO MODE
ZERO OPR

MODE SELECT
T0 CHECK

0223.4 MMSEC
100.25 % T0

DAMPING SET
20 SEC

DAMPING SET
20 SEC

08-17 15:0500 *R
+249.114E 0GPM

08-17 15:0500 *R
+247.265E 0GPM

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0.55
cfs

NOTES

TO: A36-04076

DATE: 7/26/90

$Q = 8.8 \times 15 \times .7$

Pump 15HP, 350 GPM

$64 \times 2.31 +$

8301907 Berkely

92.4

147.84

64 PSI

$Q = .625$

Need 4

use $246 \times .625 \times 1.98$

FROM: W

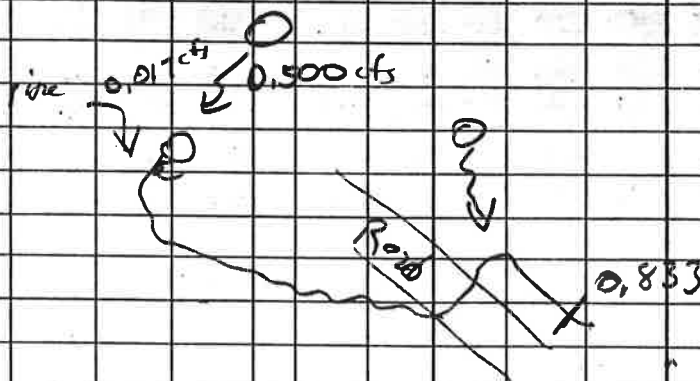
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New leakage for
pipe

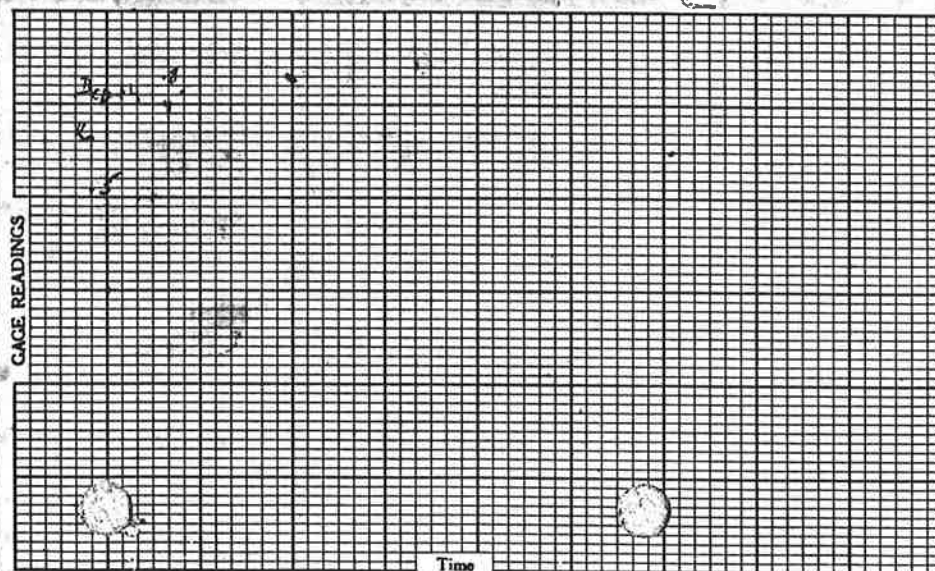
.4 gal / 32 sec,

= 0.017 cfs



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Angle coefficient	Dist. from initial point	Width	Depth	Observation depth	Revolutions	Time in seconds	VELOCITY		Adjusted for hor. angle or -----	Area	Discharge	
							At point	Mean in vertical				
												.90
												.92
												.94
												.96
												.97
												.98
												.99
												1.00
												.99
												.98
												.97
												.96
												.94
												.92
												.90



DISCHARGE MEASUREMENT NOTES

Checked by _____

G. H. of zero flow ----- ft.

FEB 05 1993

[illegible]

Meas. No. _____
Comp. by _____
Checked by _____

[illegible]

Flow _____ Weather _____
 Other _____ Air _____ °F@ _____
 Gage _____ Water _____ °F@ _____
 _____ Record removed _____ Intake flushed ^u _____

Observer _____

Control _____

Remarks -----

G. H. of zero flow ft.

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[illegible]

Meas. No. _____
 Comp. by _____
 Checked by _____

GAGE READINGS

Weighted M. G. H.....			
G. H. correction.....			
Correct M. G. H.....			

Susp. coef. _____ Meter No. _____
Type of meter *Pymy*
Date rated _____ for rod, other _____
Meter _____ ft. above bottom of weight.
Spin before meas. _____ after _____
Meas. plots _____ % diff. from rating _____
Wading, cable, ice, boat, upstr., downstr., side
bridge _____ feet, mile, above, below
gage, and _____
Check-bar, found _____
changed to _____ at _____
Correct _____
Levels obtained _____

Measurement rated excellent (2%), good (5%), fair (8%), poor (over 8%), based on following conditions: Cross section

Flow ----- Weather -----
 Other ----- Air ----- °F@ -----
 Gage ----- Water ----- °F@ -----
 ----- Record removed ----- Intake flushed $\frac{U}{L}$ -----

Observer _____

Control _____

Remarks _____

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G. H. of zero flow ----- ft.

River at—

[illegible]

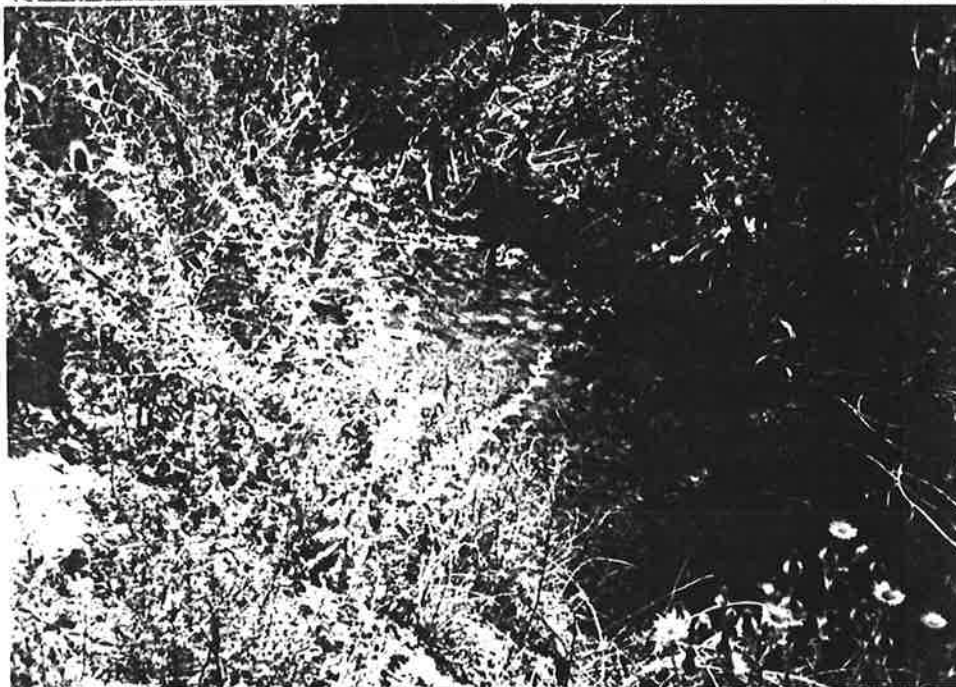


End of Clear Springs Pipe
Also located spring,

8/17/90

Spring #2 meas.

& bucket meas.
of leak



Meas. #3

8/17/90

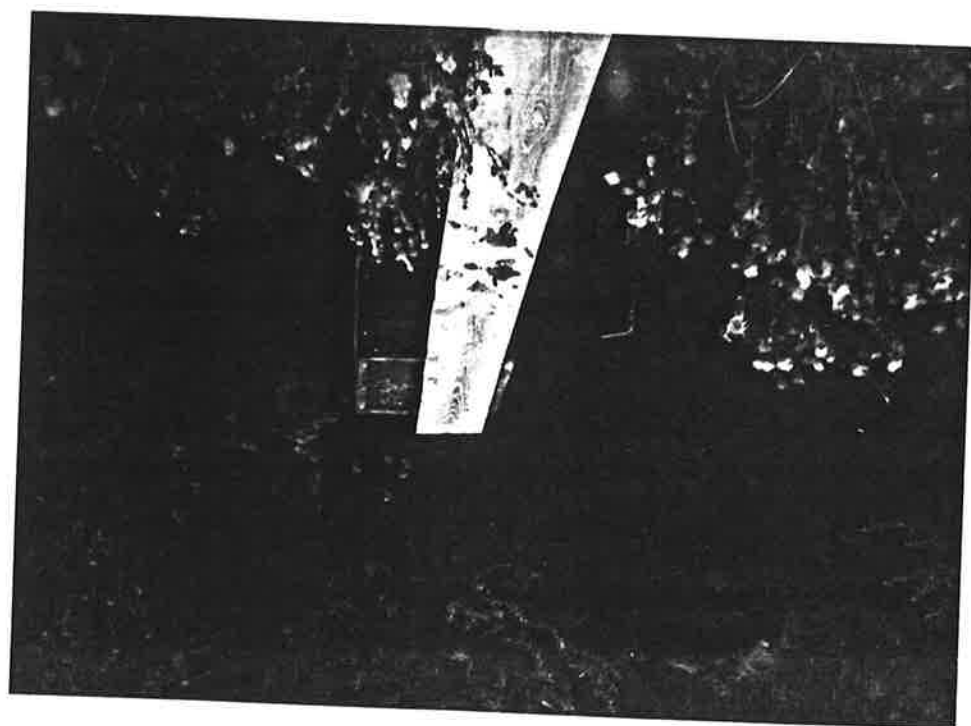


Meas. #4

pond
-not dead



30'x30' pond
with overflow
to river



8/17/90



old house & old delapidated
water wheel.

7/11/90

CONVERSATION MEMORANDUM

NAME OF PARTY MIKE MADALENA
 EMPLOYEE: TW

DATE 7/26/90
 FILE A36-04076

RE: POD = Controversy with Clear Springs
over original POD which has since
been re-landscaped. Hasn't been
used by Claimant since 1986. In
1987 C.S. payed Claimant to stop using
water for construction. In 1988 & 89
Claimant able to draw from
Spring from pipe that runs under
South side of rd. Claimant's ditch
now starts @ bottom of East fish
pond fed by Natural spring + some
pipe leakage. Additional Springs
picked up in ditch on North side of rd. 50 yds
farther East, just above lower golf
course entrance, where ditch runs
under Rd. Ditch flows into ^{30x30} Pond on
farm. Sprinklers installed in 1988.
Water wheel no longer used. Ditch installed
in 1890's fed by several springs on farm
Orchard still irrig. grapes, trees etc.
Pond consists of 8" pipe drain that flows
to river + 6" screened intake pipe for
sprinklers with 15 HP pump.

Claimant considering claim amendment
on additional springs + earlier priority

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Notes - Tape taken during F.I.C.
7/26/90 AD~



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Mattelena Flows

8/17/90
Merritt + Worstell

Estimates of Flow -

Ditch in tall Weeds - Farthest point of our travel

1' wide

1/2' depth

channel choked with weeds
cleared a short section.

Approx Flow Veloc. 2' in 6 sec.

(spillway)
Over flow pipe in small pond that feeds pump
for sprinkler system

16" dia Steel pipe.

Head above : .14 Ft.

Top edge of : .14

this pipe : .18

(4 measurements)

.16
.62

$$\frac{.62}{4} = 0.155' \text{ average head}$$

Ditch from spring in grape field

12" wide

0.3 ft deep

choked with weeds
(cleaned a 5' section)

Approx Flow Velocity 5' in 13 sec.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-279(1), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Louis Madalena

Route #4, Buhl, Idaho 83316

(Name of Claimant)

(Mailing Address)

(Zip Code)

Telephone No. 208-338-1112

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) January 1, 1893
A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Clear Lakes Spring
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
tributary to Clear Lakes

(for, good, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
Quantity	Use	Period of Use From	To	(Mo., Day)	(Mo., Day)
<u>5 cfs</u>	Use <u>irrigation</u>	<u>1/1</u>	<u>11/15</u>		
<u>0.5 cfs</u>	Use <u>stock watering</u>	<u>1/1</u>	<u>12/31</u>		
<u>3 cfs</u>	Use <u>domestic use</u>	<u>1/1</u>	<u>12/31</u>		
	Use				
	Use				
	Use				
<u>5 cfs</u>	TOTAL QUANTITY USED.				

- (4) A) Point of diversion: (Location of point where water is diverted from its source)
Lot 8 N. Sec. 2 Twp. 9 So. Rge. 14 E. B.M. County of Gooding
Additional points of diversion: Lot 12, Section 1, Township 9 So., Range 14 E., B.M., Gooding Co.
County of Gooding, Lot 6, Section 1, Township 9 So., Range 14 E., B.M., Gooding Co.
- B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Water is diverted by means of a diversion dam after which the water is transported through an open ditch to claimant's property.
- (5) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	1	Lot 7																11 acres
9S	15E	6	Lot 5																11
9S	14E	1	Lot 8																17
9S	14E	1	Lot 14																24
9S	14	1	Lot 11																12
9S	15	6	Lot 6																17
9S	15	6	Lot 16																17
																			7

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible. Said water has been used for general domestic household use as well as use in operating a water wheel used to run a grindstone, cream separator, and buzz saw. Also, the water is used on a year around basis for stock watering.

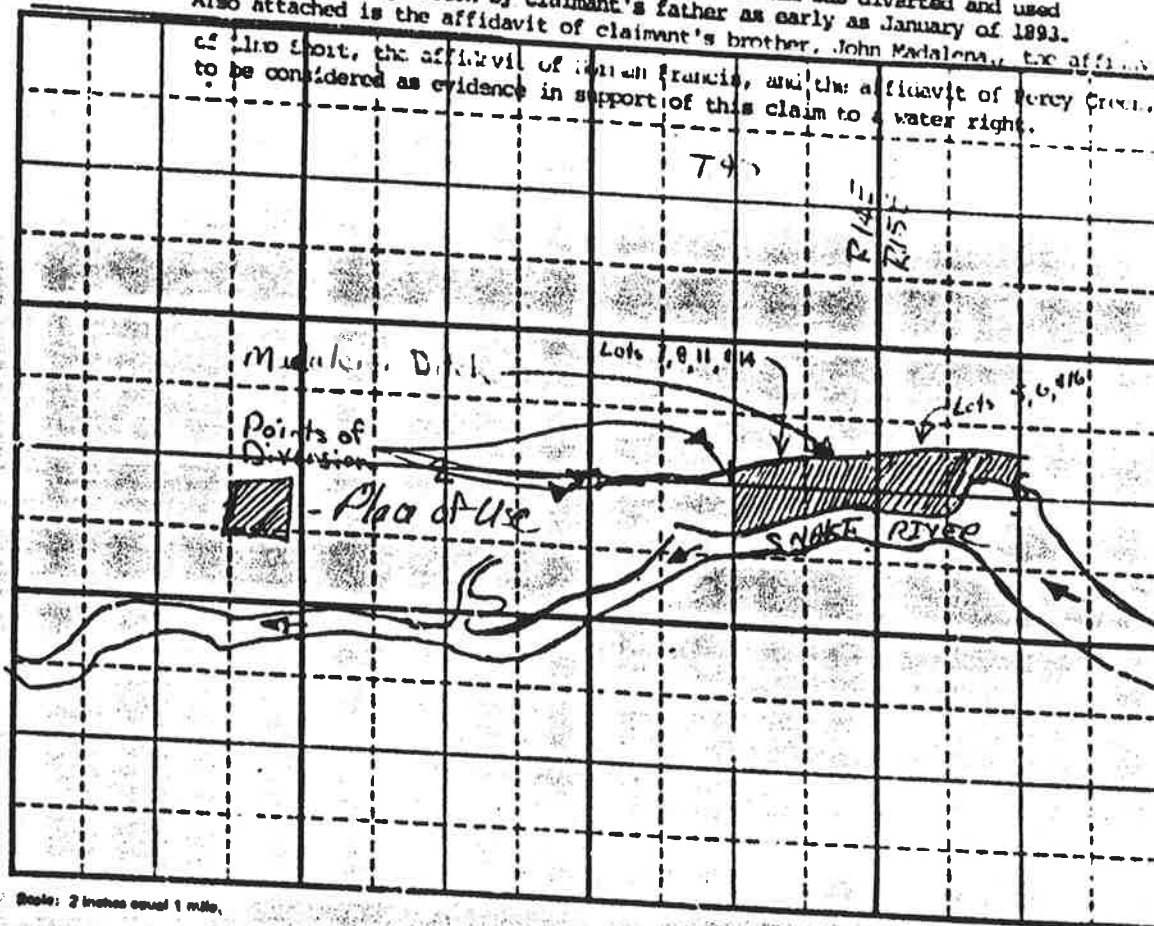
No. of acres 100

- NOTE Include here the type and number of stock watered approximately 70 head beef cattle
- (7) If you are claiming water as a member of an organization, list name of organization: not applicable

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SEP 05 1983

(b) Remarks Attached to this form is a notice posted by claimant's father under the old water laws of the State of Idaho, in which it is indicated that the water which is the subject matter of this claim was diverted and used on the lands in question by claimant's father as early as January of 1891. Also attached is the affidavit of claimant's brother, John Madalena, ex officio, of the Board of Commissioners of the State of Idaho, and the affidavit of Percy C. Smith, to be considered as evidence in support of this claim to a water right.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Twin Falls

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 23rd day of May

John Madalena
(Claimant)

1979.

Notary Public
Residing at

D. Brent Martin
Burke Idaho

My commission expires

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\$20.00 fee received by

Published in

Dates

Date

Date

Date

Date

Exception filed by

Filed due to
claimant by

Date

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FEB 05