

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 36-4157F
Date Received:
Receipt No:
Received By:

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

1. Name of Claimant(s)

SUSAN MILLENKAMP
471 N 300 W
JEROME ID USA 83338

Phone: (208)324-1232

WILLIAM J MILLENKAMP
471 N 300 W
JEROME ID USA 83338

Phone: (208)324-1232

2. Date of Priority: 06/01/1956

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
07S	16E	28	SE	NE		JEROME	
07S	16E	28	SE	NE		JEROME	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
STOCKWATER	01/01	12/31	0.33		49.2

7. Total Quantity Appropriated is:
0.33 C.F.S. and/or 49.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	16E	27	NW SW	NW NW	STOCKWATER STOCKWATER	
07S	16E	28	SE	NE	STOCKWATER	

11. Place of use in counties: JEROME

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Prior to the issuance of a drilling permit for the proposed new well, the well previously used under Right 36-4157C located in NWSW, S30, T7S, R15E, shall be abandoned in a manner which complies with Department well abandonment rules.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

The total instantaneous diversion of water from all points of diversion under Transfer 68529 shall not exceed 0.33 cfs, nor total combined annual volume of 49.2 af.

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.

Use of water under this right may be affected by an agreement between the protestant and the right holder.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

15. Basis of Claim: Statutory Claim

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68529

Southern
RECEIVED
APR 12 2001
Department of Water Resources
Southern Region

This is to certify that: MILLENKAMP CATTLE
471 N 300 W
JEROME ID 83335

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
36-4157C	AJC/Statutory Claim	06/01/1956	0.57 cfs	113.2 af		28.3	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-4157C	YES	YES	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-4157C	36-4157F	0.33 cfs	49.2 af	N/A	N/A	36-4157E	0.24 cfs	47.6 af	11.9	11.9
TOTALS		0.33 cfs	49.2 af	N/A	N/A		0.24 cfs	47.6 af	11.9	11.9

Detailed Water Right Description(s) attached

Dated this 10th day of April, 2001

L. Glen Saylor
Chief, Water Allocation Bureau

26-4157C

WATER RIGHT NO. 36-4157E
As Modified by Transfer No. 68529

In accordance with the approval of Transfer No. 68529, Water Right No. 36-4157E is now described as follows.

Right Holder: DONNA ANDREWS AND/OR
 KEVIN ANDREWS
 1763 E 3000 S
 WENDELL ID 83355

Priority Date: 06/01/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.24 CFS	47.6 AF
			0.24 CFS	47.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 3 SENWSW Sec. 30 Twp 07S Rge 15E GOODING County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 15E 30																	11.9
																	L3

Total Acres: 11.9

CONDITIONS OF APPROVAL

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 10th day of April, 2001


 Chief, Water Allocation Bureau

WATER RIGHT NO. 36-4157F
As Modified by Transfer No. 68529

In accordance with the approval of Transfer No. 68529, Water Right No. 36-4157F is now described as follows.

Right Holder: SUSAN MILLENKAMP And
 WILLIAM J MILLENKAMP
 471 N 300 W
 JEROME ID 83338

Priority Date: 06/01/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.33 CFS	49.2 AF
			0.33 CFS	49.2 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 3 SENE Sec. 28 Twp 07S Rge 16E JEROME County

GROUND WATER Lot 3 SENE Sec. 28 Twp 07S Rge 16E JEROME County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	16E	27						X	X										
07S	16E	28				X													

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Prior to the issuance of a drilling permit for the proposed new well, the well previously used under Right 36-4157C located in NWSW, S30, T7S, R15E, shall be abandoned in a manner which complies with Department well abandonment rules.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. The total instantaneous diversion of water from all points of diversion under Transfer 68529 shall not exceed 0.33 cfs, nor total combined annual volume of 49.2 af.
5. 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.

WATER RIGHT NO. 36-4157F
As Modified by Transfer No. 68529

CONDITIONS OF APPROVAL

6. Use of water under this right may be affected by an agreement between the protestant and the right holder.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this

10th day of April, 2001



Chief, Water Allocation Bureau

Adjudication Claim Report 36-4157F

WATER RIGHT NUMBER: 36-4157F

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JACK A MC ENTIRE 2327 128TH AVE SE BELLEVUE, WA 98005 (206)746-9791
Original Owner	LOIS JENSEN BELLEVUE, WA 98005
Current Owner	SUSAN MILLENKAMP 471 N 300 W JEROME, ID 83338 (208)324-1232
Current Owner	WILLIAM J MILLENKAMP 471 N 300 W JEROME, ID 83338 (208)324-1232

Priority Date: 06/01/1956
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.330 CFS	49.20 AF
	<u>Total Diversion:</u>	0.330 CFS	49.20 AF

Location of Point(s) of Diversion

GROUND WATER JEROME County	SE1/4NE1/4	Sec. 28, Twp 07S, Rge 16E, B.M.
GROUND WATER JEROME County	SE1/4NE1/4	Sec. 28, Twp 07S, Rge 16E, B.M.

Place of Use

STOCKWATER

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 36-4157F

Conditions of Approval:

1. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. 067 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.
4. 020 Use of water under this right may be affected by an agreement between the protestant and the right holder.
5. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Remarks:

1. General Prior to the issuance of a drilling permit for the proposed new well, the well previously used under Right 36-4157C located in NWSW, S30, T7S, R15E, shall be abandoned in a manner which complies with Department well abandonment rules.
2. General The total instantaneous diversion of water from all points of diversion under Transfer 68529 shall not exceed 0.33 cfs, nor total combined annual volume of 49.2 af.

Comments:

1. CLELLAND 10/3/1991 COPIED FROM REMARKS
Comment: OWNERSHIP CHANGE 5/14/91 BY JG. FORFEITURE/ABANDONMENT THIS WELL AND RIGHT WAS LAST USED IN THE SEASON OF 1985 PER POWER RECORDS. THERE IS AN APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE. EXTENSION WAS GRANTED UNTIL APRIL 1, 1996.
2. PSKAGGS 6/17/2000 TRANSFER 5716
Comment: Transfer 5716 adds/changes the point of diversion, changes the place, nature & season of use under all of Right 36-14860 & a portion of Right 36-04157A, splitting the right into Parts C & D. TRANSFER 5683 Transfer 5683 adds/changes the points of diversion, changes the place, nature & season of use under a portion of Right 36-04157, splitting the right into Parts A & B, moving Part B to Basin 37.
3. JFREITAG 9/27/2000 TRANSFER NO. 5846
Comment: Purpose of transfer is to provide water for a calf raising operation. There are two wells in T07S, R16E, S28, SENE.
4. PSKAGGS 4/10/2001 9:08:10 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 68529

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 36-4157F

Dates and Other Information:

Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: And
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES 11/09/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: SUSAN MILLENKAMP
471 N 300 W
JEROME ID 83338

WILLIAM J MILLENKAMP
471 N 300 W
JEROME ID 83338

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.33 CFS
49.2 AFY

USE OF THIS RIGHT FROM ALL POINTS OF DIVERSION IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.33 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 49.2 AF.

PRIORITY DATE: 06/01/1956

POINT OF DIVERSION:

T07S R16E S28 SENE Within JEROME County

T07S R16E S28 SENE Within JEROME County

TWO POINTS OF DIVERSION LOCATED IN T07S, R16E, S28, LOT 3 SENE.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.330 CFS 49.20 AFY

PLACE OF USE: STOCKWATER Within JEROME County

T07S R16E S27	NWNW	T07S R16E S27	SWNW
T07S R16E S28	SENE		

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

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

EXPLANATORY MATERIAL: Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-4157C.

36-4157

1st Partial Decree

NAP'D

4-7-2000

+5683

B = 37-8911

A

5716

C

D (comm # STK) DATA ENTERED

T#

68529

4-2001

F (comm) DATA ENTERED

E

T#

69072

36-15624

36-15625

37-20617

IRR

37-20612

INDUSTRIAL