

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-16

RIGHT NUMBER: 36-07209

NAME & ADDRESS: BRUCE HUNSAKER
REBECCA HUNSAKER
BLAINE COOK
DEON COOK
501 RIVERSIDE DR
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 4.01 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02434 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.01 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1702 AF.

PRIORITY DATE: 11/17/1971

POINT OF DIVERSION: T07S R26E S28 SWNWSE Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION NONE	03-15 11-15	4.01 CFS

PLACE OF USE:	IRRIGATION	Within BLAINE County		
	T07S R26E S28	NENE 3	NWNE 3	SWNE 39 SENE 40
		NESW 37	NWSW 30	SESW 25 NESE 38
		NWSE 39	SWSE 40	SESE 40
	S33	NENE 40	NWNE 40	SENE 30
	S34	SWNW 20	NESW 14	NWSW 28
	506 ACRES TOTAL			

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 464 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF THIS RIGHT WITH RIGHT NO. 36-02434 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 464 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-17

RIGHT NUMBER: 36-07209 (CONT)

EXPLANATORY MATERIAL: (CONT)

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RIGHT NO. 36-02434 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

THE NUMBER OF IRRIGATED ACRES FOR THIS RIGHT WAS DETERMINED
BASED ON A DIVERSION RATE OF 0.00864 CFS PER ACRE AT THE FIELD
HEADGATE.

COPY

2000 JUN 23 PM 1:56

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS

) Water Rights 36-02433, 36-02434,
) 36-02435, 36-02618, 36-07209,
) 36-15264A and 36-15264B

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 36-02433, 36-02434, 36-02435, 36-02618, 36-07209,
36-15264A and 36-15264B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
6/20/2000

36-02433, 36-02434, 36-02435,
36-02618, 36-07209, 36-15264A
AND 36-15264B

PAGE 1

From (Claimant/Seller):

Name of Claimant: DALE H KLINGLER
Address: 4567 FEDERAL BLVD
SAN DIEGO CA 92102
Phone: (619) 266-1303

To (Claimant/Purchaser):

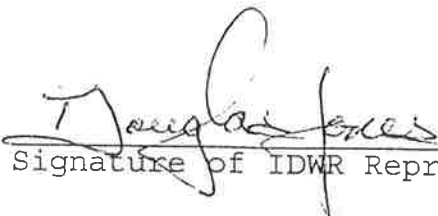
Name of Claimant: DEON COOK
BLAINE COOK
Address: 501 RIVERSIDE DR
BURLEY ID 83318
Phone: (208) 678-0327

Name of Claimant: REBECCA HUNSAKER
BRUCE HUNSAKER
Address: 501 RIVERSIDE DR
BURLEY ID 83318
Phone: (208) 678-0327

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 6/22/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

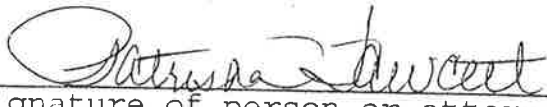
I certify that on 6/23/2000 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

DALE H KLINGLER
5021 ESTATES WAY
EL CAJON CA 92020
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

DEON COOK
BLAINE COOK
501 RIVERSIDE DR
BURLEY ID 83318

REBECCA HUNSAKER
BRUCE HUNSAKER
501 RIVERSIDE DR
BURLEY ID 83318
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BRUCE & REBECCA HUNSAKER
DEON & BLAINE COOK
501 RIVERSIDE DR
BURLEY ID 83318

RE: SRBA Claim(s) 36-02433, 36-02434, 36-02435, 36-02618,
36-07209, 36-15264A, 36-15264B

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Water right 36-15267 has already been decreed and our state office staff in Boise will data enter the ownership change for this right. You will receive notification from them when the change has been completed. Rights 36-08277, 36-15265 and 36-15266 have been decreed as 'disallowed' and are no longer considered valid water rights.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure

cc: Dale Klingler

JUN 07 1999

Department of Water Resources
Southern Region

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

36-02433, 36-02434, 36-02435, 36-02618, 36-07209, 36-08277, 36-15264A
36-15264B, 36-15265, 36-15266, 36-15267,

1. Water Right Number(s) _____
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Dale H. Klingler
5021 Estates Way
El Cajon, CA 92020
4. New Owner/Claimant(s) Bruce Hunsaker, Rebecca Hunsaker, Blaine Cook and Deon Cook
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address 501 Riverside Drive
City, State and ZIP Code Burley, ID 83318
New Telephone Number (208) 678-0327

5. Date you acquired the property yes
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)
- | | | |
|---|---|---------------------|
| <u>Bruce Hunsaker</u>
Bruce Hunsaker | <u>Rebecca Hunsaker</u>
Rebecca Hunsaker | Date <u>4-12-99</u> |
| <u>Blaine Cook</u>
Blaine Cook | <u>Deon Cook</u>
Deon Cook | Date <u>4-12-99</u> |

- (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

JUN-02-99 WED 10:54 AM

1ST M. PATTERSON

FAX NO. 208 263567

P.01/03

22417

RECEIVED

JUN 07 1999

Department of Water Resources
Southern RegionWARRANTY DEED

Only FOR VALUE RECEIVED, DALE H. KLINGLER and JUANITA KLINGLER TRUST U.T.D. June 8, 1994, JUANITA KLINGLER, Trustee U.T.D. June 8, 1994, the Grantor, does hereby grant, bargain, sell and convey to BRUCE HUNSAKER and REBECCA HUNSAKER, husband and wife; and BLAINE COOK and DEON COOK, husband and wife, whose present address is 501 Riverside Drive, Burley, ID 83318, the Grantees, the following described premises, located in Blaine County, Idaho, to-wit:

The real property described on Exhibit "A" attached hereto and by this reference incorporated herein.

27833

The real property described is subject to the following:

BLAINE CO. REQUEST

~~FIRST AMERICAN TITLE~~

'99 JUN 1 PM 3 49

MARSHA REWMANN, CLERK

FEES \$ 900

- (1) Reservations contained in State Deeds for the State of Idaho to Dale H. Klingler recorded March 9, 1972, as Instruments Nos. 142715 and 142716 records of Blaine County, Idaho, granting ditch right-of-ways and reserving to the State of Idaho all mineral rights, including sand and gravel.
- (2) A right of way 125 feet in width to Idaho Power Company recorded September 16, 1980, as Instrument No. 206958, Blaine County, Idaho, records, as amended in 1998 for communication systems thereon.
- (3) An exclusive Road Easement to the U. S. Department of Interior/Bureau of Land Management recorded April 16, 1992, as Instrument No. 339916.
- (4) A Real Estate Mortgage and Fixture Filing in favor of Northwest Farm Credit Services, ACA recorded August 23, 1993, as Instrument No. 356001, Blaine County records. The debt secured hereby shall be paid by the Grantor of this Warranty Deed.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that Grantor is the owner in fee of said premises, that said premises are free from all encumbrances and that she will warrant and defend the same from all lawful claims whatsoever.

Post-it® Fax Note		7671	Date	6/2/99	# of pages	3
To	Larry Brandy		From	Maureen		
Co./Dept.			Co.			
Phone #			Phone #			

DATED this 25 day of May, 1999.

DALE H. KLINGLER and ^{g.h.}
JUANITA KLINGLER TRUST U.T.D.
JUNE 8, 1994

By Juanita Klingler
Juanita Klingler
Trustee

STATE OF IDAHO)
County of Cassia) ss.

On this 25 day of May, 1999, before me the undersigned Notary Public in and for said State, personally appeared JR Juanita Klingler, Trustee of the Dale H. Klingler and JR Juanita Klingler Trust U.T.D. June 8, 1994, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she as Trustee executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

Larry Roberts
Notary Public
State of Idaho

Larry Roberts
Notary Public
Residing at Burley, Idaho
My Commission Expires: 6-30-03

EXHIBIT "A"

LEGAL DESCRIPTION OF REAL PROPERTY

TOWNSHIP 7 SOUTH, RANGE 26 EAST, BOISE MERIDIAN,
BLAINE COUNTY, IDAHO

SECTION 20: NE $\frac{1}{4}$; S $\frac{1}{2}$; and S $\frac{1}{2}$ NW $\frac{1}{4}$

SECTION 21: All

SECTION 22: NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; and W $\frac{1}{2}$

SECTION 27: W $\frac{1}{2}$

SECTION 28: All

SECTION 29: NE $\frac{1}{4}$; S $\frac{1}{2}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; and NE $\frac{1}{4}$ NW $\frac{1}{4}$

SECTION 32: E $\frac{1}{2}$; N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 33: All

SECTION 34: W $\frac{1}{2}$

TOWNSHIP 8 SOUTH, RANGE 26 EAST, BOISE MERIDIAN,
BLAINE COUNTY, IDAHO

SECTION 4:

Lots 1, 2, 3, all of Lot 4, EXCEPT beginning at a point 25 feet South and 25 feet East of the Government Survey Stake placed on the Northwest corner of Section 4, Township 8 South, Range 26 East, Boise Meridian; thence 70 yards due South; thence 140 yards due East; thence 70 yards due North and thence 140 yards due West to the place of beginning, designated as Tax Lot 1175 on Blaine County Tax Assessor's Rolls.

S $\frac{1}{2}$ N $\frac{1}{2}$; N $\frac{1}{2}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SW $\frac{1}{4}$

SECTION 5: Lots 1, 2, 3, SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$

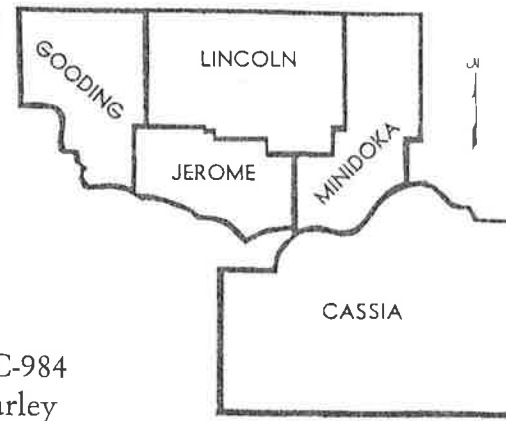
SECTION 8: NE $\frac{1}{4}$ NE $\frac{1}{4}$ and all of SE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPT that portion that lies South of the Highway and Oregon Short Line Railroad right-of-way, designated as Tax Lot 3281 on Blaine County Tax Assessor's Rolls.

SECTION 9: N $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$; all of SW $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPT that portion that lies South of the Highway and Oregon Short Line Railroad right-of-way designated as Tax Lot 3283 on Blaine County Tax Assessor's Rolls.

Together with all water and water rights, however evidenced, appurtenant to the above described real property.

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: EC-984
OFFICE: Burley

June 4, 1999

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

JUN 07 1999

Department of Water Resources
Southern Region

Dear Sir/Madam:

Enclosed with this letter please find an original executed Notice of Change of Water Right Ownership and copy of the recorded Warranty Deed on property located in Blaine County, Idaho.

Would you please make the necessary changes in your records to indicate the new owners as Bruce Hunsaker, Rebecca Hunsaker, Blaine Cook and Deon Cook for future water assessments. Please send a receipted copy of this Notice to this office.

Should you have any questions concerning this matter, please don't hesitate to contact me.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0608 - FAX 436-1199

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: A36-07209

Date Received: 11/ 6/1991

Receipt No: _____

Received By: _____

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

1. Name: DALE H KLINGLER 619-266-1303
Address: 4567 FEDERAL BLVD
SAN DIEGO CA 92102

2. Date of Priority: NOV 17, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	26E	28	SW	NW	SE		BLAINE

5. Description of diverting works:
DEEP WELL, PUMP MOTOR AND SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.010		

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

8. Total consumptive use is 1392.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	26E	28	SW	NE		IRR	39.0
			SE	NE		IRR	20.0
			NE	SW		IRR	30.0
			NW	SW		IRR	30.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	26E	28	SE	SW		IRR	25.0
			NE	SE		IRR	38.0
			NW	SE		IRR	35.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	297.0
		33	NE	NE		IRR	35.0
	NW		NE		IRR	40.0	
	SE		NE		IRR	30.0	
						Section Acres	105.0
		34	SW	NW		IRR	20.0
			NE	SW		IRR	14.0
			NW	SW		IRR	28.0
						Section Acres	62.0
						Total Acres	464.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
36-02434

14. Remarks:
PLACE OF USE HAS BEEN CHANGED SLIGHTLY PRIOR TO 1980.

15. Basis of Claim: LICENSE

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 _____

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: A36-07209
Date Received: _____
Receipt No: 5014553
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Dale H. Klingler Phone: (619) 266-1303
Address: 4567 Federal Blvd.
San Diego, California 92102
2. Date of Priority: November 17, 1971
3. Source: Groundwater Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
7S	26E	28	SW	NW	SE		Blaine
5. Description of diversion works:
Deep well, pump, motor and sprinkler system
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.
Irrigation	March 15	Nov. 15	4.01		
7. Total Quantity Claimed is:
4.01 C.F.S. (and/or) (Acre Feet)
8. Total consumptive use claimed is:
1,392 Acre Feet Per Annum.
9. Non-irrigation uses:
None.
10. Description of place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
7S	26E	28	SW	NE		Irr.	39
			SE	NE		Irr.	20

	NE	SW	Irr.	30
	NW	SW	Irr.	30
	SE	SW	Irr.	25
	NE	SE	Irr.	38
	NW	SE	Irr.	35
	SW	SE	Irr.	40
	SE	SE	Irr.	40
33	NE	NE	Irr.	35
	NW	NE	Irr.	40
	SE	NE	Irr.	30
34	SW	NW	Irr.	20
	NW	SW	Irr.	28
	NE	SW	Irr.	14

TOTAL ACRES: 464

11. In which county (ies) are lands listed above as place of use located?
Blaine
12. Do you own the property listed above as place of use? Yes.
13. Other water rights used at the same place and for the same purposes as describe above.
License 36-2434
14. Remarks: Place of use has been changed slightly - all prior to 1980
15. Basis of Claim: License
Water Right Number: 36-7209
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 ____ x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individual(s):

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


Dale H. Klingler

11/8/91
Date

State of California)
County of San Diego) ss.

Subscribed and sworn (or affirmed) before me this 8 day of November, 1991.



(SEAL)

Martha C. Gomez
Notary Public for California
Residing at: 2220 5th St SD CA
My Commission Expires: 8-28-92

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling, will be acting as attorney at law on behalf of the claimant signing the above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature: Roger D. Ling

Address: P. O. Box 396, Rupert, ID 83350

Date: Dec 1, 1991

MICROFILMED
FEB 03 1993



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

20-May-1992

ROGER LING
PO BOX 396
RUPERT ID 83350

RE: ADJUDICATION CLAIM NO. A36-02433, A36-02434, A36-02435,
A36-02618, A36-07209, A36-07627,
A36-08277, A36-15264, A36-15265,
A36-15266, A36-15267, A36-15270

Mr. Ling:

Pursuant to the notification that you are representing the claimant(s) on the above referenced Adjudication Claim(s), please find enclosed the receipt and a copy of the computer generated claim(s) based on the information from the original claim(s) which has been entered in our computer records.

Please review the record(s) and if you have any corrections or any questions, feel free to contact this office.

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures

MICROFILMED

FEB 03 1993

NO. OF CLAIMS IN POLYGON 2CLAIM NUMBERS 36-2434 36-7209DATE 8-1-97AGENT KKCTRANSFER NUMBER 110OBJECTION FILED 110TOTAL ACRES FROM RECOMMENDATION 506GEOGRAPHIC INFO SYSTEM 507.7

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	75	26E	28	3	3	39	40					37	30		25	38	39	40	40
GIS			28			39	40					37	30		25	38	39	40	40
RECOM	75	26E	33	40	40		30												
GIS				40	40		30												
RECOM	75	26E	34							20		14	28						
GIS										20		14	28						
RECOM																			
GIS																			

UPDATED

B36-DBPOU.DBF

8-826 (assigned)

POLYGON #

UPDATED

ATTRIBUTES OF B36-POU.SHP (21)

B36-DBPOD.DBF

8-8

ATTRIBUTES OF B36-POD.SHP (22)

36-15 266, disallowed, recommended as 36-7209acres found in Q.Q. not claimedBruce Hunsaker farming property. He indicated that fewer acres than recom. are currently being in. He may file a transfer in Fall (1997).Although GIS shifts acres in some Q&S claim OK for decree A.T.T.KKC 8-1-97P/U CONFLICT yes (X) no ()P/D CONFLICT yes () no (X)SENT FOR DECREE yes () no ()Ready for decree

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA 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 Kelly K Christensen

CUSTOMER:
BRUCE HUNSAKER

DATE: August 1, 1997 11:53 am

SUBJECT: RECOMMENDATION REVIEW OF SYSTEMS

1. 36-02090, 36-02582, 36-07246, & 36-10863

2. 36-10850

3. KLINGER CLAIMS 36-02433, 36-02434, 36-02435, 36-15264,

36-07627, 36-15265, 36-07209, 36-15266, & 36-2618

phone () walk-in(X)

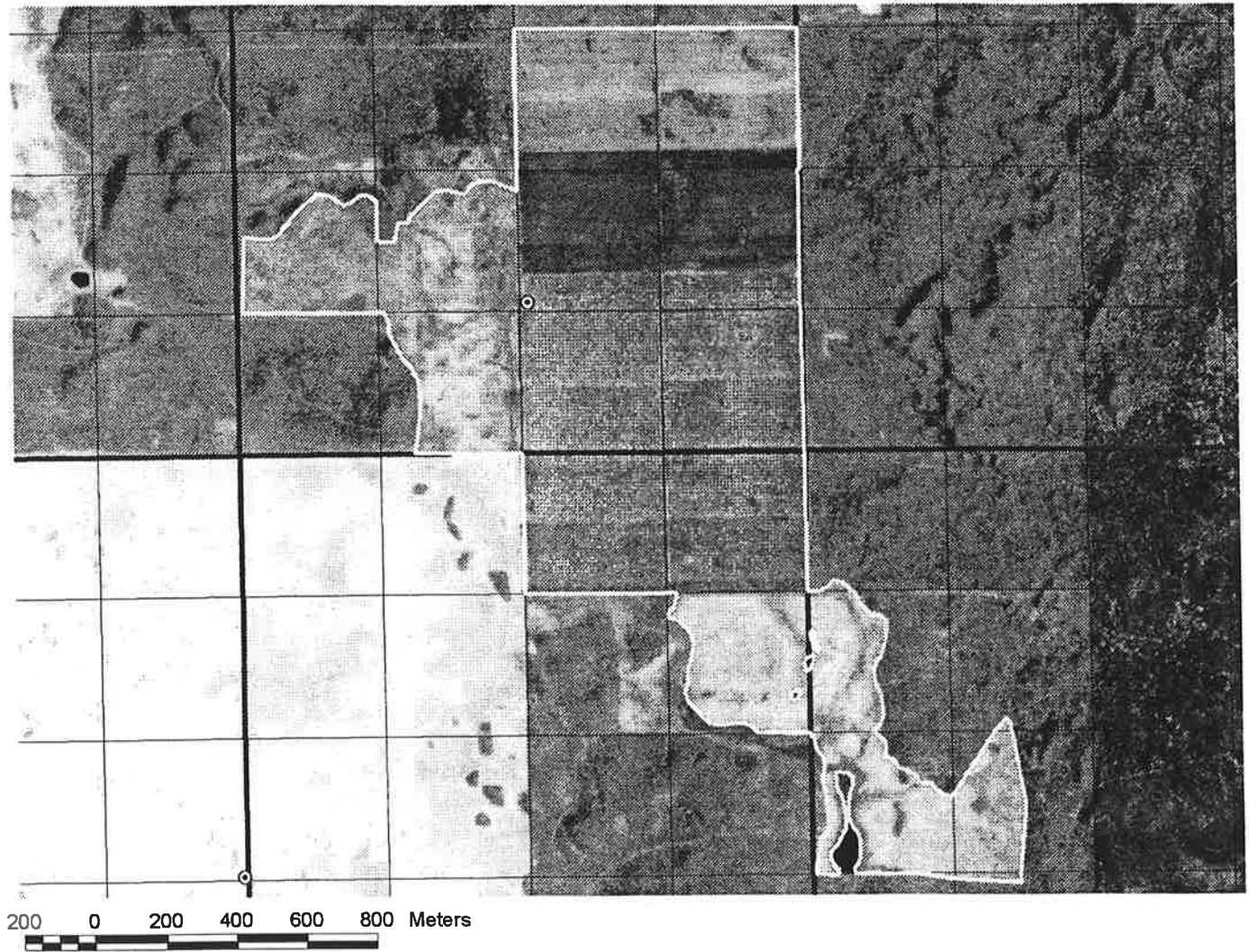
We reviewed the recommended place of use for the claims listed and compared those acres against current irrigation practices. In general, it appears that most of the systems are now irrigating fewer acres than recommended. There also appears to be some discrepancy in the acres per q/q totals. We discussed the possibility of filing transfers to correct the problems.

He indicated that he is in the process of purchasing the Klingler property. The same situation exists for these systems also. I indicated that he would have to obtain a power of attorney to be able to deal with these rights.

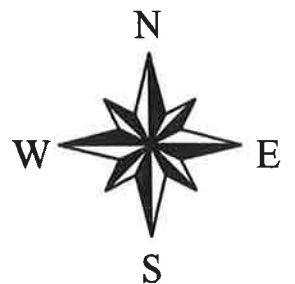
He indicated that it probably will be late fall before he can start the paperwork.

IDAHO DEPARTMENT OF WATER RESOURCES

36-02434 & 36-07209
DALE KLINGLER



TNS 7S, RNG 26E, SEC 28, 33, & 34



⊙ B36-pod.shp
Pou-outline.shp

T07s26e.dxf



T07s26eqq.shp

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY AUGUST 1997
BY KELLY K CHRISTENSEN

GIS to Recommendation Comparison Report.

36-2434 & 36-7209 (PPU)

5-29-97

Discrepancy Report Rec'd. GIS.

7S 24E 28	NE NE	3	-	
	NW NE	3	-	
	NE SW	37	31	- 16% diff
	NW SW	30	27	- 10%
	SE SW	25	32	28%
33	SE NE	30	33	10%
34	NW NW	-	0.4	
	SE NW	-	0.2	
	NE SW	14	16	14%
	SW SW	-	0.2	
	SE SW	-	1.0	
total		506	508	

Acres exist in other Q Qs but the difference between
Recommended Acres and GIS acres is less than 5%

Attributes

AKC

R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED

FEB 03 1993

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																																																																
C	DALE H KLINGLER 4567 FEDERAL BLVD SAN DIEGO CA 92102 (619) 266-1303	11/17/1971	IRRIGATION	04-01 10-31	4.01 CFS																																																																																																																																																																																	
TOTAL DIVERSION:					4.01 CFS																																																																																																																																																																																	
Water Source: GROUNDWATER		Tributary to:			Stage: LICENSE																																																																																																																																																																																	
Point(s) of Diversion:		T07S R26E S28	SWNWSE		BLAINE County																																																																																																																																																																																	
Place of use Legal Description for: IRRIGATION																																																																																																																																																																																						
<table><tr><th colspan="4">NE</th><th colspan="4">NW</th><th colspan="4">SW</th><th colspan="4">SE</th><th></th></tr><tr><th>T</th><th>R</th><th>S</th><th></th><th>NENE</th><th>NWNE</th><th>SWNE</th><th>SENE</th><th>:</th><th>NENW</th><th>NWNW</th><th>SWNW</th><th>SENW</th><th>:</th><th>NESW</th><th>NWSW</th><th>SWSW</th><th>SESW</th><th>:</th><th>NESE</th><th>NWSE</th><th>SWSE</th><th>SESE</th><th>:</th><th>SUM</th></tr><tr><th>-</th><th>-</th><th>-</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th></th></tr><tr><td>07S</td><td>26E</td><td>28</td><td>:</td><td>03</td><td></td><td>03</td><td></td><td>:</td><td></td><td></td><td></td><td>39</td><td>40</td><td>:</td><td></td><td></td><td>37</td><td></td><td>:</td><td></td><td></td><td>38</td><td></td><td></td><td>:</td><td>334.0</td></tr><tr><td>07S</td><td>26E</td><td>33</td><td>:</td><td>40</td><td></td><td>40</td><td></td><td>:</td><td></td><td></td><td></td><td>30</td><td></td><td>:</td><td></td><td></td><td></td><td></td><td>:</td><td></td><td></td><td>40</td><td></td><td></td><td>:</td><td>110.0</td></tr><tr><td>07S</td><td>26E</td><td>34</td><td>:</td><td></td><td></td><td></td><td></td><td>:</td><td></td><td></td><td>20</td><td></td><td></td><td>:</td><td></td><td></td><td>14</td><td></td><td>:</td><td></td><td></td><td></td><td></td><td></td><td>:</td><td>62.0</td></tr><tr><td colspan="23"></td><td colspan="2">TOTAL ACRES</td><td>506.0</td></tr></table>							NE				NW				SW				SE					T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	-	-	-	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:		07S	26E	28	:	03		03		:				39	40	:			37		:			38			:	334.0	07S	26E	33	:	40		40		:				30		:					:			40			:	110.0	07S	26E	34	:					:			20			:			14		:						:	62.0																								TOTAL ACRES		506.0
NE				NW				SW				SE																																																																																																																																																																										
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM																																																																																																																																																														
-	-	-	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:																																																																																																																																																													
07S	26E	28	:	03		03		:				39	40	:			37		:			38			:	334.0																																																																																																																																																												
07S	26E	33	:	40		40		:				30		:					:			40			:	110.0																																																																																																																																																												
07S	26E	34	:					:			20			:			14		:						:	62.0																																																																																																																																																												
																							TOTAL ACRES		506.0																																																																																																																																																													

POU County: BLAINE

Non-Irrigation Uses: NONE

Other Rights: SEE REMARKS

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

Remarks: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 464 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-02434 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

USE OF THIS RIGHT WITH RIGHT NO. 36-02434 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.01 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1702 AF, A TOTAL COMBINED ANNUAL COSUMPTIVE USE VOLUME OF 1392 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 464 ACRES IN A SINGLE IRRIGATION SEASON.

THE NUMBER OF IRRIGATED ACRES FOR THIS RIGHT WAS DETERMINED BASED ON A DIVERSION RATE OF 0.00864 CFS PER ACRE AT THE FIELD HEADGATE.

Dates: Exam Made Date: Verified Date: 08/08/1992

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

Comments: Date: 08/03/1992 User-ID: CHRISTEN Subject: COPIED FROM REMARKS PLACE OF USE HAS BEEN CHANGED SLIGHTLY PRIOR TO 1980.

VERIFIED BY

KKC

MICROFILMED

FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:30:39
05/22/92

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07209

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N		KKC 92		KKC 8-3-92
POINT OF DIV	Y			Y	10 Acres designation added	8-3-92		updated 8-4-92
SOURCE				N				re-verified 8-8-92 KKC
PLACE OF USE	Y			Y	6, 4, 2, 1			
DIV. AMOUNT CFS/VOLUME				Y	6			
CONSUMPTIVE USE				Y	6			
PURPOSES				N				
PERIOD OF USE				Y	6			
BASIS OF CLAIM				N				
REMARKS	Y			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.

MICROFILMED

FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:30:39
05/22/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07209

LAST: KLINGLER
ADDRESS: 4567 FEDERAL BLVD
CITY: SAN DIEGO
PHONE NUMBER: 619-266-1303

FIRST: DALE H
STATE: CA ZIP: 92102

OWNER CODE: C

LAST: LING
ADDRESS: PO BOX 396
CITY: RUPERT
PHONE NUMBER: 208-436-4717

FIRST: ROGER D
STATE: ID ZIP: 83350

OWNER CODE: A

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: PLACE OF USE HAS BEEN CHANGED SLIGHTLY PRIOR TO 1980.

MICROFILMED
FEB 03 1993

CONTACT PERSON: Roger Ling

PHONE NUMBER: () -

DATE OF FIELD EXAM: / /

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY:

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: Attorney

DIRECTIONS TO PROPERTY / REMARKS:

Correspondence started with a written request for evidence of priority
for expansion claims and continued with several phone conversations.
No evidence submitted as of 8-3-92.

KKC

MICROFILMED

FEB 03 1993

A. AJ CLAIM: # A36-07209 PRIORITY DATE: 11-17-1971 STAGE: L

B. WR RECORD: # 36-07209 PRIORITY DATE: 11-17-1971 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD
EXAMINER

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

REMARKS:

*claimed priority date
matches licensed priority
accept as claimed.*

=====

RECOMMENDED PRIORITY DATE:
11-17-1971

REVIEWED BY

KKC

DATE

8-3-92

=====

MICROFILMED

FEB 03 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07209	07S	26E	28	SW	NW	SE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02434 NONE
A36-15266

WR RECORDS IN SAME 40 ACRE TRACT
36-02434

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07209	07S	26E	28		NW	SE		BLAINE

OTHER WR RECORDS WITH SAME WR POD
36-02434

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A36-02434 NONE
A36-15266

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

*claimed P/D agrees with
P/D marked on ortho photo; accept
as claimed.*

MICROFILMED
FEB 03 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

OK as claimed

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: KKC

DATE: 8-3-92

MICROFILMED

FEB 03 1993

A. ROOT WATER RIGHT NUMBERS: A36-07209

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	26E	28	SW	NE		KLINGLER, DALE H	A36-07209 /39.0	36-07209 /39.0	40.0		
			SW	NE		LING, ROGER D	A36-02434 /39.0	36-02434 /39.0			
07S	26E	28	SE	NE		KLINGLER, DALE H	A36-07209 /20.0	36-07209 /40.0	25.0		
			SE	NE		LING, ROGER D	A36-02434 / 7.0	36-02434 / 7.0			
07S	26E	28	NE	SW		KLINGLER, DALE H	A36-07209 /30.0	36-07209 /40.0	28.0		
			NE	SW		LING, ROGER D	A36-02434 /17.0	- /			
07S	26E	28	NW	SW		KLINGLER, DALE H	A36-07209 /30.0	36-07209 /40.0	7.0		
07S	26E	28	SE	SW		KLINGLER, DALE H	A36-07209 /25.0	36-07209 /30.0	38.0		
07S	26E	28	NE	SE		KLINGLER, DALE H	A36-07209 /38.0	36-07209 /38.0	25.0		
			NE	SE		LING, ROGER D	A36-02434 /38.0	36-02434 /38.0			
07S	26E	28	NW	SE		KLINGLER, DALE H	A36-07209 /35.0	36-07209 /38.0	40.0		
			NW	SE		LING, ROGER D	A36-02434 /35.0	36-02434 /38.0			
07S	26E	28	SW	SE		KLINGLER, DALE H	A36-07209 /40.0	36-07209 /40.0	40.0		40.0
			SW	SE		LING, ROGER D	A36-02434 /40.0	36-02434 /40.0			
07S	26E	28	SE	SE		KLINGLER, DALE H	A36-07209 /40.0	36-07209 /40.0	26.0		
			SE	SE		LING, ROGER D	A36-02434 /40.0	36-02434 /40.0			
07S	26E	33	NE	NE		KLINGLER, DALE H	A36-07209 /35.0	36-07209 /40.0	20.0		
			NE	NE		LING, ROGER D	A36-02434 /35.0	36-02434 /40.0			
07S	26E	33	NW	NE		KLINGLER, DALE H	A36-07209 /40.0	36-07209 /40.0	29.0		
			NW	NE		LING, ROGER D	A36-02434 /40.0	36-02434 /40.0			
07S	26E	33	SE	NE		KLINGLER, DALE H	A36-07209 /30.0	36-07209 /39.0			
			SE	NE		LING, ROGER D	A36-02434 /30.0	36-02434 /39.0			
07S	26E	34	SW	NW		KLINGLER, DALE H	A36-07209 /20.0	- /			
			SW	NW		KLINGLER, DALE H	A36-15266 /20.0	- /			
07S	26E	34	NE	SW		KLINGLER, DALE H	A36-07209 /14.0	- /			
			NE	SW		KLINGLER, DALE H	A36-15266 /14.0	- /			
07S	26E	34	NW	SW		KLINGLER, DALE H	A36-07209 /28.0	- /			
			NW	SW		KLINGLER, DALE H	A36-15266 /28.0	- /			
TOTAL ACRES						A36-07209	464.00	464.00	318.00		

see attached land list for
P- P/4 recommendation.

MICROFILMED

FEB 03 1993

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
Y

FIELD
EXAMINER

POU COUNTY: BLAINE

PRESUMPTION FLAG: C

REMARKS:

The claimant shifted overlapping acres arbitrarily with no correlation between the two overlapping rights. I could not determine why this was done. As the original licensee indicated that this claim just added acres to the 36-2434 I am recommending them the same (closer to the original licensed P/U.) Acres were added to the N $\frac{1}{2}$ NE $\frac{1}{4}$ previously not licensed.

RECOMMENDATIONS:

TOTAL ACRES:

464 this claim

506

464

permissible
P/U.

REVIEWED BY:

KKC

DATE:

8-3-92

I recommend the found 506 acres under the P/Pu however as the rate per acre licensed under this right is already less than $\frac{1}{2}$ " per acre I do not include those acres in Remark code ~~EP~~ 1. system diversion capacity cannot supply dpt legal limit. see Remark code work sheet.

KKC

8-8-92

MICROFILMED

FEB 03 1993

A. AJ CLAIMED USES:

PURPOSES
A36-07209 IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
4.010 CFS

4.010 CFS

changed to dept standards 10-31. 4.01

claimed rate matches licensed rate. accept as claimed KRC

B. WR RECORDED USES:

PURPOSES
36-07209 IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
4.010 CFS 1856.00 AF/A

4.010 CFS 1856.00 AF/A

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

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

DATABASE FIELD EXAMINER
N N
N N
N N

*System not capable of supplying claimed flow limit to:
4.01 CFS * 214 days * 1.9835 = 1702 AFA*

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

*36 - 2434 licensed & recommended for 2.92 CFS/321 acres or 0.0091 CFS/Acre
36 - 7209 licensed & recommended for 4.01 CFS/46.4 acres or 0.0086 CFS/Acre
this is also the current system rate excluding any expansion acres claimed through A36-15266.
if the expansion claim were recognized the recommended rate per acre would drop to 4.01/50.6 acres = 0.0079 CFS/Acre well under the 1/2" per acre limitation for beneficial use from a sprinkler system licensed acres therefore accept as licensed.
Limit this claim to 46.4 Acres (Remark K06 & K05) based upon the 1/2" per acre beneficial use limitation. K05 rate = 4.01 CFS / 46.4 Acres = 0.00864 CFS/Acre*

FEB 03 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 4.010 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.010 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)

FIELD
DATABASE EXAMINER
N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 36-02434

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

see pg 6.

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07209	GROUNDWATER	KLINGLER , DALE H	4.010	0.008		
A36-02434	GROUNDWATER	LING , ROGER D	2.920	0.009		
A36-15266	GROUNDWATER	KLINGLER , DALE H	1.440	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

UNPROCESSED
FEB 03 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 46.4 x 0.02 CFS/ACRE = 9.28 CFS
(Taken from p/u review)

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1392.0 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.)

1b. CALCULATIONS

*See Remark worksheet
for combined right recommendations
KHC.*

WATER RIGHTS

FEB 03 2003

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE 4.010 EXAMINER <u>OK</u>	DATABASE EXAMINER _____	DATABASE 1392.0 EXAMINER _____
TOTAL FOR THIS RIGHT		4.010		1392.0

REVIEWED BY:

KKC

DATE:

8-3-92

MICROFILMED

FEB 03 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(X)	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07209

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
4.010

EXAMINER

CFS

N/A

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07209	4.010	-		36-07209	4.010
TOTAL CFS		4.010				4.010

DIVERSION RATE REVIEW

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

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

Kelly K. Christensen

DATE:

8-3-92

NAME OF FIELD EXAMINER:

TITLE:

SR Water Rights Agent

IMPROVED

FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

02:04:07
05/22/92

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A36-07209

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DALE H KLINGLER 4567 FEDERAL BLVD SAN DIEGO CA 92102 (619) 266-1303	11/17/1971	IRRIGATION	03-15 11-15	4.01 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	4.01 CFS 1392.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R26E S28

SWNWSE

BLAINE 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					
07S	26E	28	:					39		20						30	30		25	:	38	35	40	40	:	297.0
07S	26E	33	:	35		40				30										:					:	105.0
07S	26E	34	:									20				14	28			:					:	62.0
																				TOTAL ACRES		464.0				

POU County: BLAINE

Non-Irrigation Uses: NONE

Other Rights: 36-02434

Non-Irrigation Use: NONE

Remarks: PLACE OF USE HAS BEEN CHANGED SLIGHTLY PRIOR TO 1980.

Dates: Exam Made Date:

Verified Date:

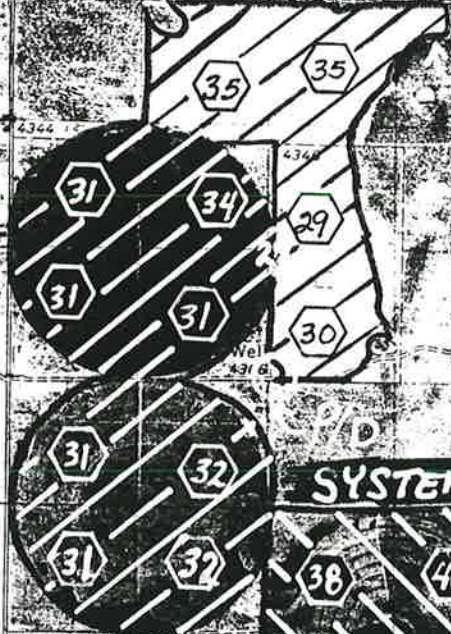
Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

MICROFILMED
FEB 03 1993

A36 - 2435
 A36 - 15265
 recommended
 for disallowal as of
 8-3-92 KKC

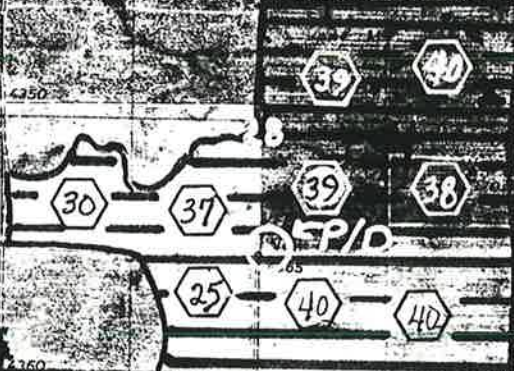
SYSTEM 1



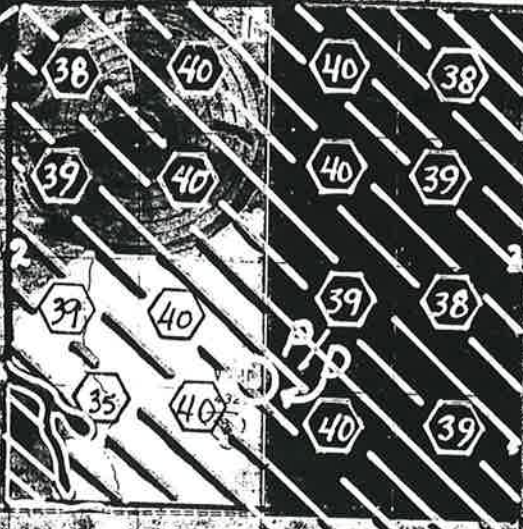
SYSTEM 2 CLAIMS

A36 - 2434
 A36 - 7209
 A36 - 15266
 recommended
 for disallowal
 as of 8-3-92
 KKC

SYSTEM 2



SYSTEM 3



SYSTEM 3 CLAIMS

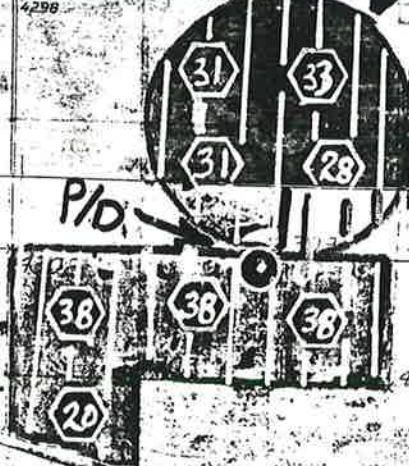
A36 - 2435
 A36 - 7627
 A36 - 15265
 recommended
 for disallowal
 as of 8-3-92
 KKC

OUT

SYSTEM 4 CLAIMS

A36 - 2618
 A36 - 8277
 recommended
 for disallowal
 KKC

SYSTEM 4



CLAIM	SYSTEMS	INIT	KKC
T. R. S. Q/Q			
P/D	4/2/92		
PHOTO	4/2/92	4/2/92	
DT. & ID.	4/2/92	4/2/92	

MICROFILMED

FEB 03 1993

8-92 Pg 1/2

System 2. analysis 36-2434

36-7209

36-15266

Time line:

36-2434 was licensed for 321 acres @ 2.92 CFS Priority date = 9-30-60
Field exam date = 8-24-66

The licensing field exam identified additional acres irrigated with an additional diversion rate. Those acres were subsequently recognized under 36-7209.

36-7209 was licensed for 464 acres @ 4.01 cfs Priority date = 11-17-71
Field exam date = 6-8-77

The licensing field exam was silent on additional acres irr.

36-15266 claimed 86 acres as of 4-1-87 amended Priority to 4-1-71
an expansion of license 36-2434 would require additional div rate to equal the $\frac{1}{2}$ " per acre guideline established by the department { license 36-2434 - $\frac{2.92 \text{ CFS}}{321 \text{ Acres}} = .00909 \text{ CFS/Acre}$ }.

An increased diversion rate was identified during the licensing exam for 36-7209. That right covered the acres identified in the exam for 36-2434. Therefore I reject the expansion claim for a 1971 priority.

Acres were shifted on claim A36-7209 to include additional acres in section 34. These acres appear to be irrigated in both the orthophoto (flight date 8-4-79) and the NAIP photo (1987).

The system rate per acres licensed is
 $4.01 \text{ CFS} / 464 \text{ acres} = 0.0086 \text{ CFS/Acre}$ the additional acres would give $4.01 \text{ CFS} / (464 + 42) = 0.0079 \text{ CFS/Acre}$

REPRODUCTION
FEB 03 1993

which is well under the $\frac{1}{2}$ " per acre division rate recommended as the Dept. standard. Therefore I recommend 36-15266 for DISALLOW Remark code PØ²⁶ ~~no beneficial use found~~ recommended as 36-7209

I will however ~~not~~ recommend the additional 42 acres within the Permissible P/U with each licensed right limited to their respective total acres. See Remark code Work sheet.

Kelley K. Christensen

RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: _____

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
RECOMMENDED	P/P/4	7S	26E	28	3	3	39	40					37	30		25	38	39	40	40		334
	36 2434						39	7					9				38	38	40	40	211	
	36 7209						39	40					37	30		25	38	39	40	40	334	

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
RECOMMENDED	P-P/4	7S	26E	33	40	40		30														110
	36 2434			33	40	40		30													110	

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
RECOMMENDED	P-P/4	7S	26E	33							20		14	28								62
	36 7209										20										20	

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		

MICROFILMED

FEB 03 1993

REMARK AND CONDITION CODE WORKSHEET

SYSTEM CLAIM NUMBERS R36 - 2434
R36 - 7209
R36 - 15266

AGENT
 INITIALS _____
 DATE _____

CLAIM NO. OR ENTRY ORDER	REMARK CODE	ENTRY DATA	CONDITION CODE	STAGE OR STATUS	PRESUMPTION CODE
<u>36-2434</u>	~~K06~~	<u>321</u>			
	~~E06~~	<u>36-07209</u>	<u>C05</u>		<u>C</u>
	~~E03~~	<u>4.01</u>			
		~~1856~~ <u>4.01 * 2.14 * 1.9835 =</u>	<u>1702AAA</u>		
		<u>1392</u>	<u>system capacity limit</u>		
		<u>464</u>			
<u>add</u>	<u>K05</u>	<u>@ .00091 CFS/acre</u>			
<u>36-7209</u>	~~K06~~	<u>464</u>			
	~~F06~~	<u>36-02434</u>	<u>C08</u>		<u>C</u>
	~~E03~~	<u>4.01</u>			
		~~1856~~			
		<u>1392</u>			
		<u>464</u>			
<u>add</u>	<u>K05</u>	<u>@ .000864 CFS/acre</u>			
<u>R36-15266</u>	~~P01~~	<u>evidence of priority</u>	<u>P01</u>		
		<u>not submitted as of</u>			
		<u>8-3-92</u>			
	~~P08~~	<u>evidence of priority submitted,</u>	<u>P08</u>		
		<u>system not capable of supporting</u>			
		<u>expansion claim</u>			
		<u>RRC 8-8-92</u>			

MICROFILMED

FEB 03 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 3-6-7209 Priority Nov. 17, 1971 Amount 4.01 cfs

THIS IS TO CERTIFY, that Dele H. Klingler
of Idaho, has complied with the terms and conditions of Permit
No. 3-6-7209 issued pursuant to Application for Permit dated Nov. 17, 1971
and has submitted proof to the Department of Water Resources on Dec. 23, 1976
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 4.01 cfs of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrig.	from <u>Mar. 15</u> to <u>Nov. 15</u>	at <u>4.01</u> cfs and <u>1855</u> acre feet	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 4.01 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1856 acre feet per year, said waters to be diverted within the NW 1/4, Sec. 23,
Twp. 7S, Rge. 26E, B.M. in the County of Blaine

Description and location of place of use:

Section of plat of 1860																					
Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals		
			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			
7S	26E	23			39	40							40	40		30	32	32	40	40	345
		33	40	40		39															113

Total number of acres irrigated 464

A measuring device of a type approved by this Department shall be maintained
as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of July, 1977

Director

MICROFILMED

FEB 03 1993

RECEIVED

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

DEC 28 1976
Name of permit holder Dale H. Klingler
Department of Water Resources
Southern District Office Rt. 3, Rupert, ID 83350
Person to contact _____
Phone _____
Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐
Tributary to _____ (name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 6.00 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from March 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 36-7209
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 6.00 cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion:

Township 7S, N/S, Range 26E, B.M., Section 28, Subdivision NW 1/4, SE 1/4, Blaine

Township _____, N/S, Range _____, E/W, B.M., Section _____, Subdivision 1/4, 1/4, County

Township _____, N/S, Range _____, E/W, B.M., Section _____, Subdivision 1/4, 1/4, County

Other Point(s) of Diversion: _____ County

Description of diverting works: 20 in. dia., 368' deep

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
7S	26E	28			39	40					40	40		40	38	38	40	40	355
		33	40	40		39													119

TOTAL ACREAGE

474

MICROFILMED

FEB 03 1993

DATE OF EXAM 6-8-77

ACREAGE
Found 464
Recommended 464

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 101 c.f.s. V = 1856 AF/Ann. from March 15 to November 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of Injection: _____
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
Twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____ Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 1800 gal/min = 4.01 GFS. Method of measurement McCrometer

Total Q recommended 4.01 GFS. Meter No. 76-10-2082 Type 10" Condition New

Total V recommended 1856 Ac Ft/ANN.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:
Meas. (1800 gal/min) = (448.8 gal/min) = 4.01 GFS. Allowed
Volume = 1856 Ac Ft/ANN. = (Irr. Req. 4.0 Ac Ft/Ac) (464 Acres)

16 Hand Lines, Sprinkler Systems 1/4 mile long each
32 Heads each line. All 16 were running during field exam.

SYSTEM DESCRIPTION:
G.E. Motor 200 Hp. #G15718112 Verti-Line Pump #81077
Booster - Century Electric 75 Hp Motor, 3" 5M. Centrifical pump.

REMARKS:
Reyon Weeks now owns this ground.

Examiner's Signature Gary E. Sundberg Date 2-14-77
Checked by James E. Hutton Date 10-6-77
Approved by _____ Date _____

System 2

36-7209

exam date 6-8-77

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder

Date H. Klingler

Department of Water Resources
Southern District Office

Rt. 3, Rupert, ID 83350

Phone

Person to contact

Phone

2. Source of water supply: Groundwater ☒ Surface water ☐

Tributary to

(name spring, stream, etc.)

3. Water will be used for the following purposes:

Amount 6.00 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from March 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for
AF/Annum (nature of use)

Period of Use: from to
(mo.-day) inclusive (mo.-day)

Amount c.f.s. for
AF/Annum (nature of use)

Period of Use: from to
(mo.-day) inclusive (mo.-day)

Other uses:

4. Total amount to be appropriated:

Max Rate of Diversion 6.00 cubic feet per second and annual volume AF/Annum

5. Location of Point(s) of Diversion:

Township 7S N/S, Range 26E E/W, B.M., Section 28 Subdivision NW 1/4 SE 1/4 Blaine

Township N/S, Range E/W, B.M., Section Subdivision 1/4 County

Township N/S, Range E/W, B.M., Section Subdivision 1/4 County

Other Point of Diversion County

Description of diverting works 20 in. dia., 368' deep

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				TOTALS
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
7S	26E	28			39	40					40	40		40	38	38	40	40	355
		33	40	40		39													119

TOTAL ACREAGE

MICROFILMED

FEB 03 1993

DATE OF EXAM 6-8-77

ACREAGE

Found

464

Recommended

464

Irrigation Requirement

40

Ac Ft/Ac

USE

Irrigation Q = 4.01 c.f.s.

V = 1856

AF/Ann. from March 15

to

November 15

Domestic Q = c.f.s.

V =

AF/Ann. from

to

Livestock Q = c.f.s.

V =

AF/Ann. from

to

Is water co-mingled? yes

no ☒

Name source:

twp.

N/S. Rge

E/W. B.M. Sec.

Sub.

1/4

1/4

County

Exchange? yes

no ☒

Name source exchanged with:

twp.

N/S. Rge

E/W. B.M. Sec.

Sub.

1/4

1/4

County

Point of injection:

twp.

N/S. Rge

E/W. B.M. Sec.

Sub.

1/4

1/4

County

Point of exchange:

twp.

N/S. Rge

E/W. B.M. Sec.

Sub.

1/4

1/4

County

Total Q measured 1800 gal/min = 4.01 c.f.s.

Method of measurement McGrometer

Total Q recommended 4.01 c.f.s.

Meter No. 7b-10-2081 Type 10"

Condition New

Total V recommended 1856 Ac Ft/ANN.

Recommended Amendments:

P.D.

Place of Use

Other

None ☒

MEASUREMENT CALCULATION:

Flow: (1800 gal/min) $\div$ (448.8 gal/cfs) = 4.01 cfs. Allowed

Volume: 1856 Ac Ft/ANN. = (Irr. Req. 4.0 Ac Ft/Ac) (464 Acres)

16 Hand Lines, Sprinkler Systems 1/4 mile long each
32 Heads each line. All 16 were running during Field Exam.

SYSTEM DESCRIPTION:

G.E. Motor 200 Hp #G1571B112 Verti-Line Pump #81077

Booster Century Electric 75 Hp Motor 3" 5M. Centrifical pump.

REMARKS:

Keyou Weeks now owns this ground.

Examiner's Signature

Gary J. Lundberg
James E. Stinson

Date

7-14-77

Checked by

Date

10-6-77

Approved by

Date

11-17-77

FEB 03 1993

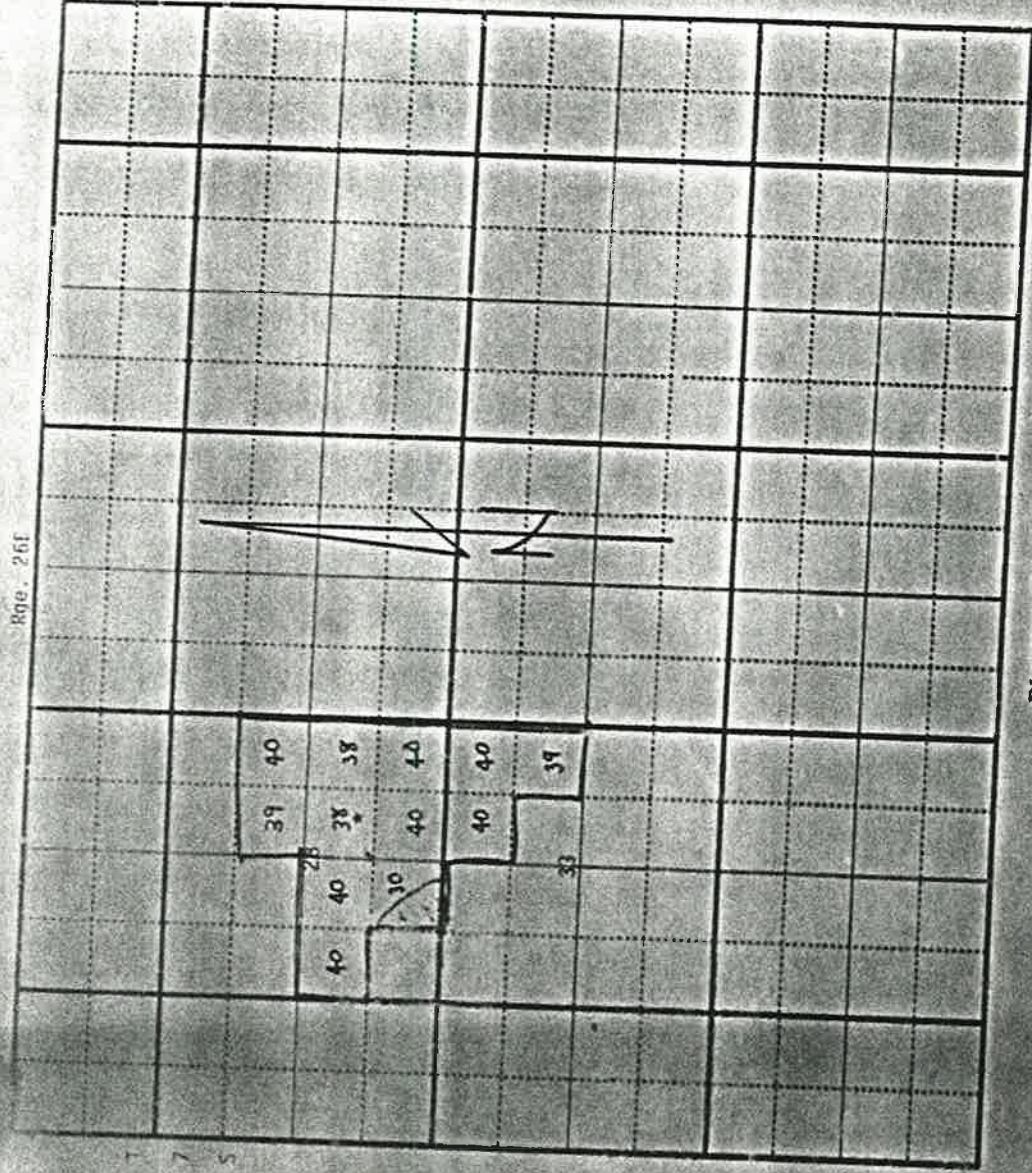


Diagram of System

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
✓ 75	26E	28			37	40					40	40		30	38	38	40	40	345
		33	40	40	39														117

✓ Measuring device req'd.

Total number of acres irrigated 464

ROUGH DRAFT

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of _____, 19 _____.

Examine's recommended land
Director

MICROFILMED

FEB 03 1993