

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: **A36-07622**  
Date Received: 5/27/1988  
Receipt No: S000283  
Received By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: JOHN W. WRIGHT  
Address: 3451 S. 2200 E. 208-536-6387  
WENDELL ID 83355

AND/OR

Name: CECELIA W. WRIGHT  
Address: WENDELL ID 83355

2. Date of Priority: APR 29, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 08S      | 15E   | 26      | NE     | SE     | SE  |     | GOODING |

5. Description of diverting works:  
60 HP PUMP, 1000 GPM, 175' DEEP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.600  |      |        |

7. Total Quantity Appropriated is:  
0.600 C.F.S. (and/or) 120.00 A.F.A.

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 08S      | 15E   | 26      | NE     | SE  |     | IRR | 30.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 30.0  |
|          |       |         |            |     | Total Acres   | 30.0  |

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:  
A36-07562

14. Remarks:

KECK OWNS SE1/4, SE1/4 AND WRIGHT OWNS NE1/4, SE1/4 OF SEC. 26  
T. 8S, R. 15E.

\*\*\*\*\*  
THIS CLAIM AMENDED TO CHANGE THE CLAIMANTS NAMES TO CORRESPOND TO  
OWNERSHIP. OWNERSHIPS WERE VERIFIED BY A PHONE CALL TO THE  
GOODING CO. ASSESSOR'S OFFICE. RVW, 12/12/91.

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): John W. Wright Date: 12-16-91  
\_\_\_\_\_  
Date: \_\_\_\_\_

MICROFILMED  
FEB 04 1993

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 16th day  
of December 19 91

Robert V. Horstell  
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires Jan. 16, 1995

MICROFILMED  
FEB 04 1993

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: A36-07622  
Date Received: 5/27/1988  
Receipt No: S000283

*Amended*  
*12/12/91*  
*R/L/K*

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: KENNETH L. KECK  
Address: RT. 1  
HAGERMAN, ID 83332

AND/OR

Name: JO ANN KECK  
Address: RT. 1  
HAGERMAN, ID 83332

AND/OR

Name: JOHN W. WRIGHT 208-536-6387  
Address: 3451 S. 2200 E.  
WENDELL, ID 83355

AND/OR

Name: CECELIA W. WRIGHT  
Address: WENDELL, ID 83355

2. Date of Priority: APR 29, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 08S      | 15E   | 26      | NE     | SE     | SE     |     | GOODING |

5. Description of diverting works:  
60 HP PUMP, 1000 GPM, 175' DEEP

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.600 |      |        |

7. Total Quantity Appropriated is:  
0.600 C.F.S. (and/or) 120.00 A.F.A.

8. Total consumptive use is 90.0 Acre Feet Per Annum.

A36-07622

Page 1

Date: 05/27/88

MICROFILMED  
FEB 04 1993

9. Non-irrigation uses:

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 08S           | 15E   | 26      | NE     | SE  |     | IRR | 30.0  |
| Section Acres |       |         |        |     |     |     | 30.0  |
| Total Acres   |       |         |        |     |     |     | 30.0  |

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:  
PER. 36-7562.

14. Remarks:  
KECK OWNS SE1/4, SE1/4 AND WRIGHT OWNS NE1/4, SE1/4 OF SEC. 26  
T. 8S, R. 15E.

15. Basis of Claim: LICENSE  
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:   1  

**For Individuals:**

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

Signature of Claimant(s): *John W. H. [Signature]* Date: 5-27-88  
Date:                     

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 27th day

of May 19 88

*Mary G. Baldwin*  
Notary Public

Seal

Residing at *Gooding Id*

My Commission Expires 10/16/1992

State of Idaho  
Department of Water Resources

RECEIVED

FEB 6 1981

WATER RIGHT LICENSE

License of Water Right No. 36-7622 Priority April 29, 1976 Amount 0.60 cfs

THIS IS TO CERTIFY, that Kenneth L. &/or JoAnn Keck  
of Wendell, Idaho, has complied with the terms and conditions of Permit  
No. 36-7622 issued pursuant to Application for Permit dated April 29, 1976,  
and has submitted proof to the Department of Water Resources on June 19, 1981,  
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 1.81 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          |
|-------------------|--------------------------------------------|------------------------|------------------------|
| <u>Irrigation</u> | from <u>March 15</u> to <u>November 15</u> | at <u>0.60</u> cfs and | <u>120.0</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 0.60 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  
120.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 26, Twp.  
8S, Rge. 15E in the County of Gooding

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 8S   | 15E   | 26   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 30               |                  |                  |                  | 30     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 30

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 30 day of  
November, 19 81.

Acting for the Director

Norm Young

36-7622

RECEIPT IS FROM THE STATE FILE  
Idaho Department of Water Resources  
Receipt Entry

Date: 12/12/91  
Time: 13:14:47

Receipt No: S000283 AR No: \_\_\_\_\_ Date: 05/27/1988 Payoff Part of Acct? N  
From: JOHN W. WRIGHT \_\_\_\_\_ Payment Type: CK CHECK Doc No: 2399 \_\_\_\_\_  
Remarks: \_\_\_\_\_

| Description      | Program | Acct  | Class | Amount |
|------------------|---------|-------|-------|--------|
| ADJUDICATION FEE | 410162  | 9337  | 6490  | 201.00 |
| _____            | _____   | _____ | _____ | _____  |
| _____            | _____   | _____ | _____ | _____  |
| _____            | _____   | _____ | _____ | _____  |
| Total Amount:    |         |       |       | 201.00 |

(Enter=Inq) (GOLD1=Add/Print) (GOLD2=Change) (GOLD3=Void) (GOLD5=Laser Print)  
(GOLD6=Print 2nd Copy) (GOLD7=Enter WR Nos) (GOLD8=Cancel) (Menu \_\_\_\_\_)

MICROFILMED  
FEB 04 1993

S000283

5/27/1988

JOHN W. WRIGHT

ADJUDICATION FEE

410162 9337 6490

201.00

CHECK

2399

\$201.00

Water Right Numbers

A36-07562

A36-10038

A36-07622

-

-

*\$96*

*Domestic,  
Commercial  
\$25*

*\$80*

Region: SOUTHERN

Signature: \_\_\_\_\_

MICROFILMED

FEB 04 1993

TRANSFER NUMBER 4889

CLAIM NUMBERS 36-0752E  
36-07622A

DATE 3/6/98  
AGENT DF

GEOGRAPHIC INFO ACRES 27

| RIGHT<br>NO |           |            |           | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE          |    |    |             |
|-------------|-----------|------------|-----------|----|----|----|----|----|----|----|----|----|----|----|----|-------------|----|----|-------------|
|             | TNS       | RNG        | SEC       | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE          | NW | SW | SE          |
| CLAIM       | <u>8S</u> | <u>15E</u> | <u>26</u> |    |    |    |    |    |    |    |    |    |    |    |    | <u>33.3</u> |    |    | <u>33.3</u> |
| GIS         |           |            |           |    |    |    |    |    |    |    |    |    |    |    |    | <u>27.4</u> |    |    | <u>27</u>   |
| CLAIM       |           |            |           |    |    |    |    |    |    |    |    |    |    |    |    |             |    |    |             |
| GIS         |           |            |           |    |    |    |    |    |    |    |    |    |    |    |    |             |    |    |             |
| CLAIM       |           |            |           |    |    |    |    |    |    |    |    |    |    |    |    |             |    |    |             |
| GIS         |           |            |           |    |    |    |    |    |    |    |    |    |    |    |    |             |    |    |             |
| CLAIM       |           |            |           |    |    |    |    |    |    |    |    |    |    |    |    |             |    |    |             |
| GIS         |           |            |           |    |    |    |    |    |    |    |    |    |    |    |    |             |    |    |             |

UPDATED

POLYGON #

UPDATED

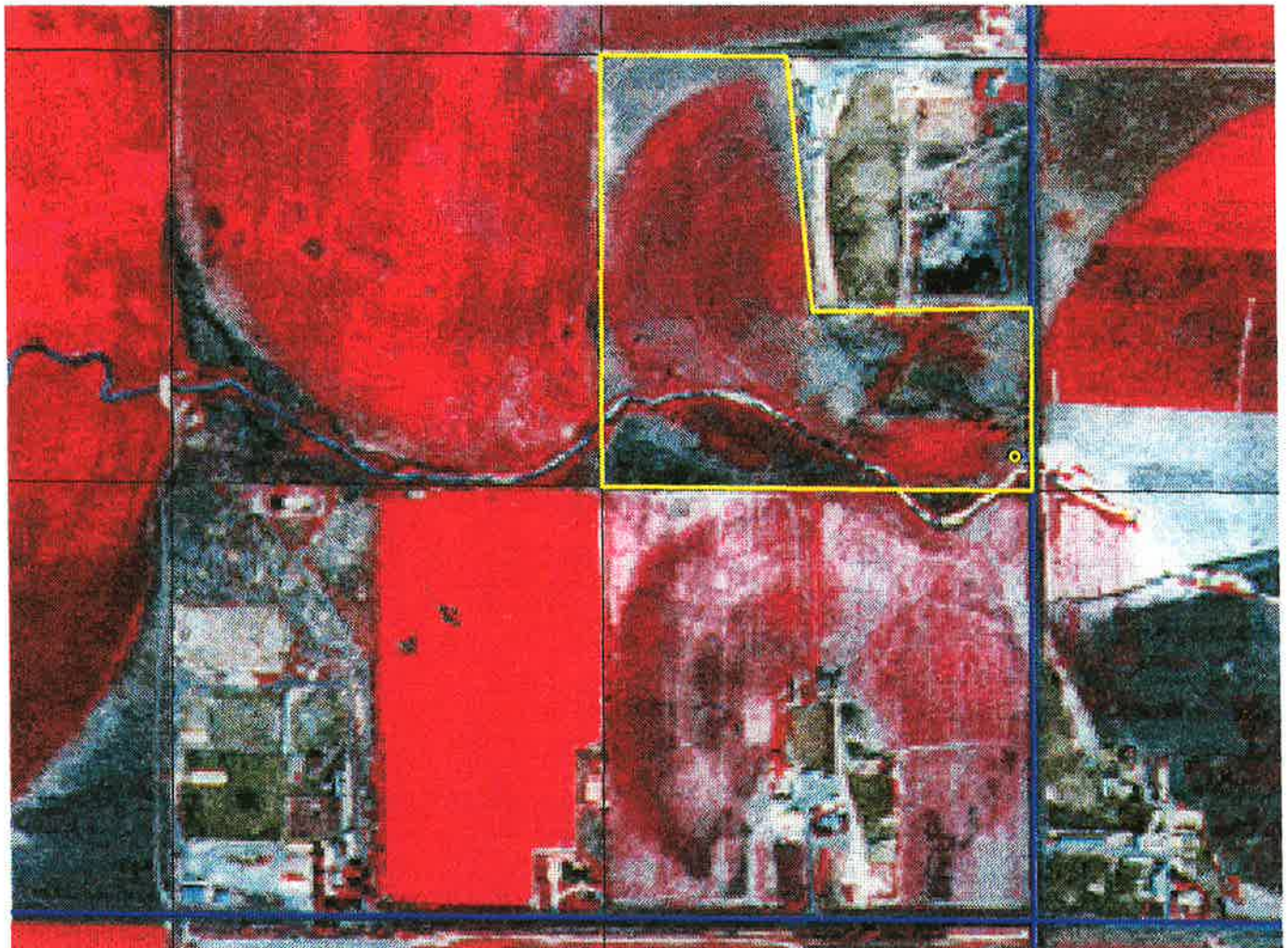
B43 -DBPOU.DBF ✓  
B43 -DBPOD.DBF ✓

POLYGON CREATED ON 604 ( )  
ATTRIBUTES OF B43 -POU.SHP (768) 3/6/98  
ATTRIBUTES OF B43 -POD.SHP (690) 3/6/98

7.5 ac under 36-07562E  
22.5 ac under 36-07622A

IDAHO DEPARTMENT OF WATER RESOURCES

36-07562E & 36-07622A



660 0 660 1320 Feet

TNS 8S, RNG 15E, SEC 26 NESE



⊙ RECOMMENDED POINT OF DIVERSION



RECOMMENDED PLACE OF USE



SECTION LINES &/OR TRACT LINES



QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION  
1987 and/or 1988 NAPP PHOTOGRAPHY  
DATA ENTRY MARCH 6, 1998  
BY DOUGLAS JONES

1998 MAR -6 PM 2: 52

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

**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**

**SUB CASE NO. 36-07622, 36-07622A,  
36-07622B**

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

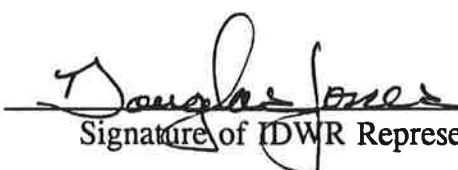
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

|                                     |                     |                                     |                      |
|-------------------------------------|---------------------|-------------------------------------|----------------------|
| <input type="checkbox"/>            | Change in Ownership | <input checked="" type="checkbox"/> | Split of Water Right |
| <input checked="" type="checkbox"/> | Point of Diversion  | <input type="checkbox"/>            | Place of Use         |
| <input checked="" type="checkbox"/> | Period of Use       | <input checked="" type="checkbox"/> | Nature of Use        |

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 Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

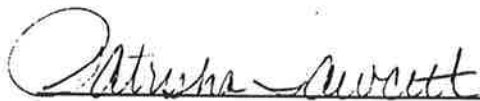
DATED: 3/6/98

  
Signature of IDWR Representative

## CERTIFICATE OF MAILING

I certify that on 3-6, 1998, 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  
PO Box 2707  
Twin Falls ID 83303-2707
2. One Copy to:  
Claimant or attorney of record:  
John W Wright  
Cecelia W Wright  
3451 S 2200 E  
Wendell ID 83355
3. One Copy to:  
Each party in the subcase or attorney of record:
4. One Copy to:  
Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 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

AJ5859NP

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

DATE: MAR-6-1998

PAGE: A-2

RIGHT NUMBER:

36-07622

SPLIT RIGHT: SEE RIGHT NOS. 36-07622A AND 36-07622B.

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

DATE: MAR-6-1998

PAGE: A-3

-----  
RIGHTS FROM: SOURCE: GROUNDWATER  
-----

RIGHT NUMBER: 36-07622A

NAME & ADDRESS: CECELIA WRIGHT  
JOHN W WRIGHT  
3451 S 2200 E  
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.45 CFS  
90.0 AFY

PRIORITY DATE: 04/29/1976

POINT OF DIVERSION: T08S R15E S26 NESE Within GOODING County

## PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE     | QUANTITY |
|----------------|----------------|-------------------|----------|
|                | IRRIGATION     | Irrigation Season | 0.45 CFS |
|                |                |                   | 90.0 AFY |

PLACE OF USE: IRRIGATION Within GOODING County  
T08S R15E S26 NESE 30  
30 ACRES TOTALTHIS RIGHT IS LIMITED TO THE IRRIGATION OF 22.5 ACRES WITHIN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE  
MAINTAINED AS A PART OF THE DIVERTING WORKS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

---

RIGHTS FROM: SOURCE: GROUNDWATER

---

RIGHT NUMBER: 36-07622B

NAME & ADDRESS: CECELIA WRIGHT  
JOHN W WRIGHT  
3451 S 2200 E  
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.15 CFS  
22.7 AFY

USE OF RIGHT NOS. 36-07562F AND 36-07622B IS LIMITED TO A  
TOTAL COMBINED DIVERSION RATE OF .20 CFS AND TO A TOTAL  
COMBINED ANNUAL DIVERSION VOLUME OF 30.2 AF.

PRIORITY DATE: 04/29/1976

POINT OF DIVERSION: T08S R15E S26 NESE Within GOODING County

2 POINTS OF DIVERSION LOCATED IN T8S, R15E, S26, NESE.

## PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|----------------|---------------|----------|
|                | STOCKWATER     | 01-01 12-31   | 0.15 CFS |
|                |                |               | 13.0 AFY |
|                | COMMERCIAL     | 01-01 12-31   | 0.15 CFS |
|                |                |               | 9.7 AFY  |

PLACE OF USE: STOCKWATER Within GOODING County  
T08S R15E S26 NESE

Place of use for COMMERCIAL is same as STOCKWATER

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

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE  
MAINTAINED AS A PART OF THE DIVERTING WORKS.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE



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

March 6, 1998

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JOHN W WRIGHT  
CECELIA W WRIGHT  
351 S 2200 E  
RUPERT ID 83350

RE: SRBA Claim(s) 36-07562A, 36-07622

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.

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

Sincerely,

Trish Fawcett  
Technical Records Specialist

/tf



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

February 3, 1997

CECELIA W. WRIGHT  
JOHN W. WRIGHT  
3451 S 2200 E  
WENDELL ID 83355

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

RECEIVED

FEB 05 1997

RE: WATER RIGHT NOS: 36-07562E/36-07562F  
36-07622A/36-07622B

Department of Water Resources  
Southern Region

TRANSFER NO: 4889

Dear Water Right Holder:

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights. Please be sure to thoroughly read the Conditions and Remarks listed on the transfer.

The accompanying **transfer approval** should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Director. The Director retains the right to review the preliminary order on his own motion.

#### ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

#### CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties, if any, to the proceedings in accordance with Rules of Procedure 302 and 303.

#### FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

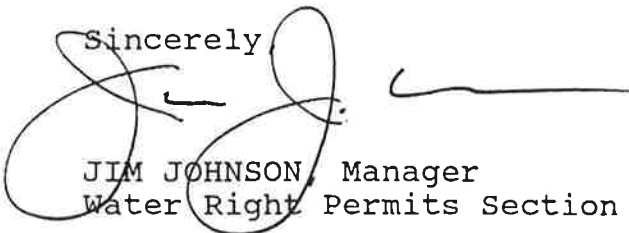
Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please feel free to contact me.

Sincerely,



JIM JOHNSON, Manager  
Water Right Permits Section

JJ:ph

Enclosure

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**TRANSFER OF WATER RIGHT**

TRANSFER NO. 4889  
WATER RIGHT NO(S). 36-07562E/36-07562F/36-07622A/36-07622B

This is to certify that: **CECELIA W WRIGHT**  
**JOHN W WRIGHT**  
**3451 S 2200 E**  
**WENDELL ID 83355**

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| Right No. 36-07562E : |                      |                       |                      |
| IRRIGATION            | 04/01 to 10/31       | 0.15 CFS              | 30.0 AF              |
| Priority: 01/21/1974  |                      |                       |                      |
| Right No. 36-07622A : |                      |                       |                      |
| IRRIGATION            | 04/01 to 10/31       | 0.45 CFS              | 90.0 AF              |
| Priority: 04/29/1976  |                      |                       |                      |
| IRRIGATION TOTAL:     |                      | 0.60 CFS              | 120.0 AF             |
| Right No. 36-07562F : |                      |                       |                      |
| STOCKWATER            | 01/01 to 12/31       | 0.05 CFS              | 4.3 AF               |
| COMMERCIAL            | 01/01 to 12/31       | 0.05 CFS              | 3.2 AF               |
| Priority: 01/21/1974  |                      |                       |                      |
| SUBTOTAL:             |                      | 0.05 CFS              | 7.5 AF               |
| Right No. 36-07622B : |                      |                       |                      |
| STOCKWATER            | 01/01 to 12/31       | 0.15 CFS              | 13.0 AF              |
| COMMERCIAL            | 01/01 to 12/31       | 0.15 CFS              | 9.7 AF               |
| Priority: 04/29/1976  |                      |                       |                      |
| SUBTOTAL:             |                      | 0.15 CFS              | 22.7 AF              |
| DAIRY TOTAL:          |                      | * 0.20 CFS            | * 30.2 AF            |
| TRANSFER TOTAL:       |                      | 0.80 CFS              | 150.2 AF             |

SOURCE  
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 26, Township 08S, Range 15E  
GOODING County

**TRANSFER NO. 4889**  
**WATER RIGHT NO(S). 36-07562E/36-07562F/36-07622A/36-07622B**

PLACE OF USE: IRRIGATION

| <u>TWN RGE SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|--------------------|--------------|--------------|--------------|--------------|
| 08S 15E 26         | NESE 30      |              |              | 30           |

Total number of acres irrigated: \*\* 30

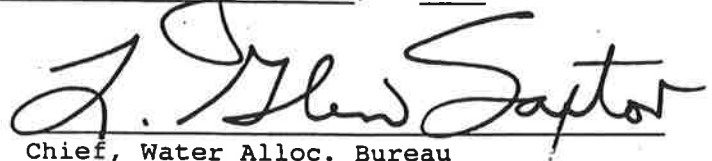
PLACE OF USE: COMMERCIAL & STOCKWATER, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- \*\* 6. Right No. 36-07562E is limited to the irrigation of 7.5 acres in the place of use described above in a single irrigation season.
- \*\* 7. Right No. 36-07622A is limited to the irrigation of 22.5 acres in the place of use described above in a single irrigation season.
- \* 8. The total instantaneous diversion of water from all points of diversion under Right Nos. 36-07562F and 36-07622B shall not exceed 0.20 cfs, nor total combined annual volume of 30.2 af for stockwater and commercial uses in connection with a dairy.
9. Prior to the diversion and use of water under this approval, the right holder shall install a suitable measuring device at both points of diversion associated with the dairy and the irrigation well or shall enter into an agreement with the department to determine the amount of water diverted from power records, and shall annually report the information to the department.
10. Two points of diversion are located within NESE, S26, T08S, R15E for use under Right Nos. 36-07562F and 36-07622B in connection with a dairy.
11. That portion of Right No. 36-10038 described as 0.07 cfs for stockwater use is superceded by this approval and shall be considered abandoned.

Dated this 31<sup>st</sup> day of

January, 1997.

  
 Chief, Water Alloc. Bureau

MEMORANDUM

TO: FILE NOS. 36-07562A & 36-07622  
FROM: PAM SKAGGS/STATE OFFICE  
SUBJECT: TRANSFER NO. 4889  
DATE: January 30, 1997

ok

=====

Transfer No. 4889 was filed to accomplish a couple of things; (1) to change a portion of each right from irrigation use to stockwater and commercial use to serve an existing dairy, and (2) to change the point of diversion under the remaining irrigation portions of these rights. No physical change will be made to the dairy or the irrigated acres, only the new irrigation well will be added.

Right No. 36-07562A is split into parts E and F, and Right No. 36-07622 is split into parts A and B. The irrigation use is described under Right Nos. 36-07562E and 36-07622A, while the dairy use is described under Right Nos. 36-07562F and 36-07622B.

The irrigated acres and dairy are all located within NESE, S26, T08S, R15E. The licenses originally identified irrigation of the entire 40 acres. The license exams were conducted in 1981 and 1982. The SRBA exam occurred in 1990 and noted that there was some dairy use, but didn't pursue the matter. The applicant also filed a SRBA beneficial claim No. 36-10038 for domestic and stockwater uses identifying 300 dairy cows and barn use, with a priority date of 01-15-1981.

Review of available photos reflect a reduction of irrigation as the dairy was developed. Region review found 6.3 acres removed from irrigation for the dairy site and additional acres not irrigated in the corners around the pivot. A total of 30 acres were recommended as irrigated and 10 acres no longer irrigated that are available for transfer for the dairy.

It was also noted that when the irrigation beyond the dairy site ceased is unclear, but no confirming evidence could be provided. While the nature of use appears to have been changed, it would appear that these rights continued to be used for the dairy and the remaining irrigation uninterrupted.

The reduction of 10 acres irrigation provided the full dairy requirement under these earlier priority licenses superseding the stockwater use identified under 36-10038. The portion of Right No. 36-10038 for stock and the dairy barn duplicate the use described by the transfer approval and will consequently be considered abandoned through this approval.

(See attached Change in Nature of Use Evaluation sheet.)

CHANGE IN NATURE OF USE EVALUATION

*of Jan*

| <u>Right No.</u>            | <u>Rate</u>     | <u>P/U</u>        | <u>Volume<br/>Div./C.U.</u> |
|-----------------------------|-----------------|-------------------|-----------------------------|
| <u>ORIGINAL</u>             |                 |                   |                             |
| <b>SRBA Recommendations</b> |                 |                   |                             |
| 36-07562A                   | 0.20 cfs        | 10.0 acres        | 40.0/ 30.0 af               |
| 36-07622                    | 0.60 "          | 30.0 "            | 120.0/ 90.0 "               |
| <b>System Totals:</b>       | <b>0.80 cfs</b> | <b>40.0 acres</b> | <b>160.0/120.0 af</b>       |

AFTER TRANSFER

**Irrigation Portions**

|                   |                 |                   |                      |
|-------------------|-----------------|-------------------|----------------------|
| 36-07562E         | 0.15 cfs        | 7.5 acres         | 30.0/22.5 af         |
| 36-07622A         | 0.45 "          | 22.5 "            | 90.0/67.5 "          |
| <b>Total IRR:</b> | <b>0.60 cfs</b> | <b>30.0 acres</b> | <b>120.0/90.0 af</b> |

**Dairy Portions**

|                     |                 |                     |                     |
|---------------------|-----------------|---------------------|---------------------|
| 36-07562F           | 0.05 cfs        | ( 2.5 acres)        | 7.5/ 1.0 af         |
| Stock               | 0.05 "          | -----               | 4.3/ 1.0 "          |
| Commercial          | 0.05 cfs        | -----               | 3.2/ --- af         |
| 36-07662B           | 0.15 cfs        | ( 7.5 acres)        | 22.7/ 3.0 af        |
| Stock               | 0.15 "          | -----               | 13.0/ 3.0 "         |
| Commercial          | 0.15 cfs        | -----               | 9.7/ --- af         |
| <b>Total DAIRY:</b> | <b>0.20 cfs</b> | <b>(10.0 acres)</b> | <b>30.2/ 4.0 af</b> |

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|                                       |                 |                   |                      |
|---------------------------------------|-----------------|-------------------|----------------------|
| <b>Total uses<br/>after Transfer:</b> | <b>0.80 cfs</b> | <b>30.0 acres</b> | <b>150.2/94.0 af</b> |
|---------------------------------------|-----------------|-------------------|----------------------|

Net result of transfer is reduction of irrigated acres (10),  
diversion (9.8 af) & consumptive use (26.0 af) volumes.

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

Water Right Number - X36-10038

Prefix Translation: XFER OF RECOM. CLAIM

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
WRIGHT

JOHN W

1 - 3451 S 2200 E  
2 -  
3 -

City- WENDELL  
Phone - 208-536-6387

State- ID Zip- 83355

WRIGHT

CECELIA W

1 -  
2 -  
3 -  
City- WENDELL  
Phone - 208-000-0000

State- ID Zip- 83355

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +  
01/15/1981 ERROR IN REGION J - BENEFICIAL USE

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

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

08S 15E 26 NE NE SE (47) GOODING

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

43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
0.040 0.0

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

08S 15E 26 NE SE 43 DOMESTIC (47) GOODING

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +  
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +  
No Old Water Right Numbers Found

Water right number - X36-10038

Prefix Translation: XFER OF RECOM. CLAIM

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

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

+ - - - - Comments - - - - -

Date: 07/02/1991 User Id: SOUTH1 Subject: COPIED FROM REMARKS  
COMMERCIAL-DAIRY  
MR. WRIGHT FILED PROOF OF BENEFICIAL USE W/ WELL LOGS FOR TWO WELLS AT THE POD LISTED. 4-12-91 SCC.  
Date: 02/25/1992 User Id: CHRISTEN Subject: CHANGE IN USE RECOMMENDATION  
RECOMMENDED CHANGE IN USE FROM COMMERCIAL TO STOCKWATER AND DOMESTIC. COMMERCIAL USE WAS IN VIOLATION OF MANDATORY PERMIT  
STATUTE BUT USE IS FOR LESS THAN 370 HD THEREFORE RECOMMENDED THE USE AS DOMESTIC. KKC  
Date: 07/31/1992 User Id: SMITH Subject: CORRECTION  
CHANGE NON-IRRIGATION TO MEET DATA ENTRY STANDARDS  
Date: 02/03/1997 User Id: PSKAGGS Subject: TRANSFER NO. 4889  
Transfer No. 4889 changed a portion of Right Nos. 36-07562A & 36-07622 from irrigation use to stockwater & commercial use for a  
dairy. These earlier priority rights supercede the stockwater use recommended under this claim in the SRBA Basin 36 Director's  
Report & is considered abandoned. SEE Right Nos. X36-07562E & F and X36-07622A & B.

+ - - Audit Fields - - +  
02/03/97 PSKAGGS

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

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

## APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

Name of applicant John W. & Cecelia Wright Phone 536-6387  
 Post Office address 3451 S 2200 E, Wendell, ID 83355

## A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes Move the point of diversion to our property for better control of the water system. Also to show how a portion of the right has been used in a dairy since 1980.

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

| Right Number       | Priority         | Amount<br>(cfs/ac-ft)   | Nature<br>of Use        | Period of Use              |
|--------------------|------------------|-------------------------|-------------------------|----------------------------|
| <u>36-07562A</u>   | <u>1-21-1974</u> | <u>0.17</u> (cfs/ac-ft) | <u>Irrig.</u>           | <u>4-1</u> to <u>10-31</u> |
| * <u>36-07562F</u> | <u>"</u>         | <u>0.03 cfs</u>         | <u>Stock/Commercial</u> | <u>1-1</u> to <u>12-31</u> |
| <u>36-07622A</u>   | <u>4-29-1976</u> | <u>0.50 cfs</u>         | <u>Irrig.</u>           | <u>4-1</u> to <u>10-31</u> |
| * <u>36-07622B</u> | <u>"</u>         | <u>0.10 cfs</u>         | <u>Stock/Commercial</u> | <u>1-1</u> to <u>12-31</u> |

2. Total amount of water being transferred 0.80 cubic feet per second and/or 160 acre-feet per annum

3. Source of water Groundwater tributary to \_\_\_\_\_

4. Point(s) of Diversion: \* See APU analysis for further breakdown of rights #6

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County  | Local name for diversion      |
|-----|-----|-----|-----|------|------|------|---------|-------------------------------|
|     | SE  | NE  | SE  | 26   | 8S   | 15E  | Gooding | Irrigation well to be drilled |
|     | NE  | NE  | SE  | "    | "    | "    | "       | 2 existing dairy wells        |
|     |     |     |     |      |      |      |         |                               |
|     |     |     |     |      |      |      |         |                               |

5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals              |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|---------------------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |                     |
| 8S   | 15E  | 26   |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | 33.325 <sup>9</sup> |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |                     |
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|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | </   |      |      |                     |

Total acres 33.325<sup>9</sup>

## PART 1

## 6. General Information:

- a. Description of diversion system New irrigation well to be drilled; 2 existing dairy wells with 2 hp pumps. A 5-tower pivot and handlines irrigate the farm ground.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A 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:  
This dairy has been in development since 1981 up to the present. The 320 milking animals & 100 dry stock are all that county regulation will allow. As the dairy expanded, land was removed from irrigation and converted to corrals, etc. The land has always been used for one purpose or the other.
- d. Remarks: Claim 36-10038 covers this dairy. However, the dairy usage may exceed 13,000 g/galons. So we want to show a proper water right for our dairy

## 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 \_\_\_\_\_

## PART 2

TRANS NO. 4889

## A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-07562A

STAGE: LICENSE

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION<br/>RATE</u> | <u>ANNUAL<br/>VOLUME</u> |
|-----------------------|----------------------|---------------------------|--------------------------|
| IRRIGATION            | 04/01 to 10/31       | 0.20 CFS                  | 40.0 AF                  |

SOURCE

GROUNDWATER

Priority: 01/21/1974

LOCATION OF POINT(S) OF DIVERSION:NESESE , Sec. 26, Township 08S, Range 15E  
GOODING CountyPLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 08S                              | 15E        | 26         | NESE         | 10           |              | 10           |
| Total number of acres irrigated: |            |            |              |              |              | 10           |

CONDITIONS/REMARKS:

1. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-07562B & 36-07622

## PART 2

TRANS NO. 4889

## A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-07622

STAGE: LICENSE

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION<br/>RATE</u> | <u>ANNUAL<br/>VOLUME</u> |
|-----------------------|----------------------|---------------------------|--------------------------|
| IRRIGATION            | 04/01 to 10/31       | 0.60 CFS                  | 120.0 AF                 |

SOURCE

GROUNDWATER

Priority: 04/29/1976

LOCATION OF POINT(S) OF DIVERSION:NESESE , Sec. 26, Township 08S, Range 15E  
GOODING CountyPLACE OF USE: IRRIGATION

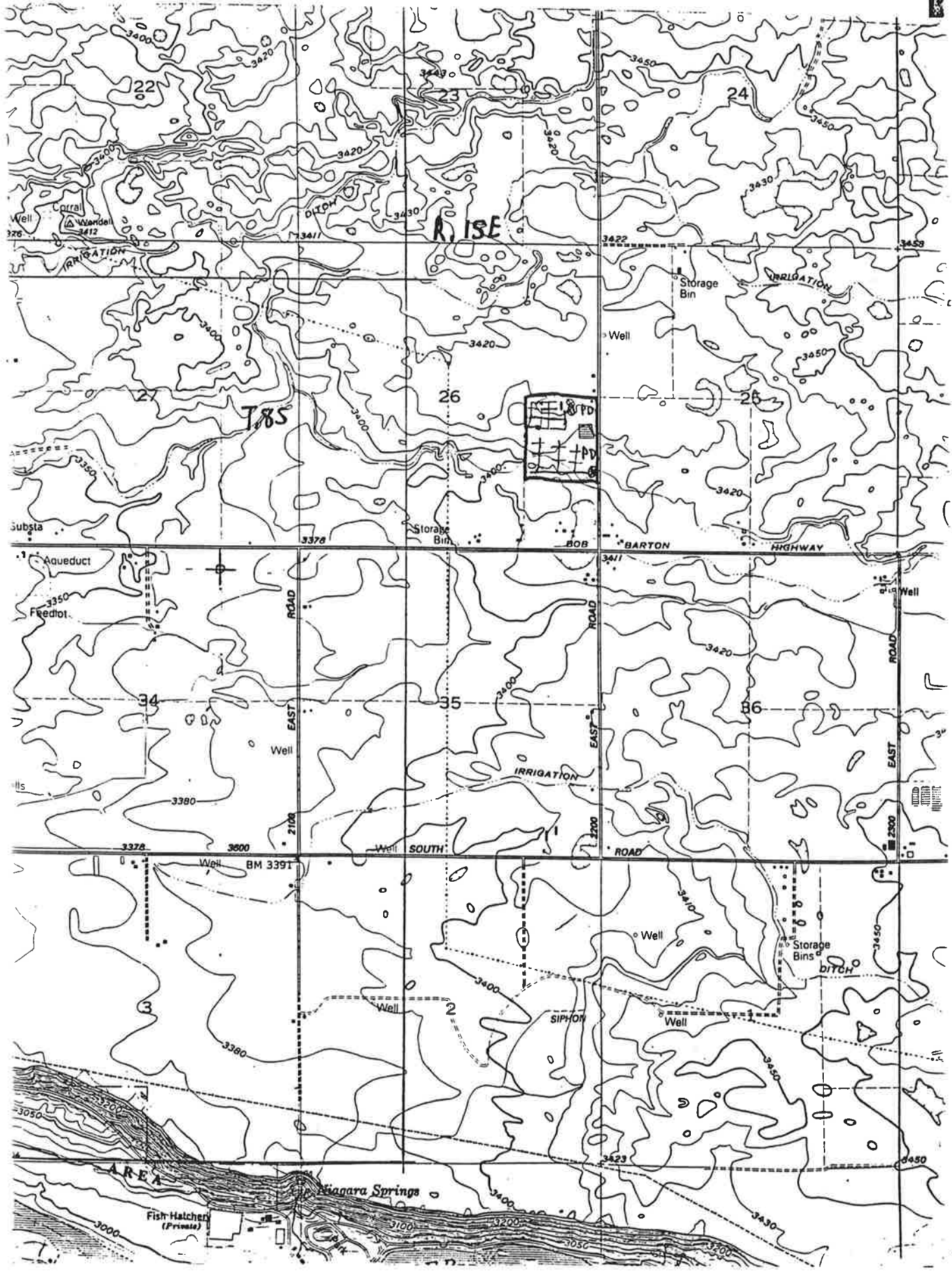
| <u>TWN RGE SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|--------------------|--------------|--------------|--------------|--------------|
| 08S 15E 26         | NESE 30      |              |              | 30           |

Total number of acres irrigated: 30

CONDITIONS/REMARKS:

1. RIGHT NO. 36-07562A & 36-07562B ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

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



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

| 1 | <u>New Nature of Use</u> | <u>Amount<br/>(cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|---|--------------------------|-------------------------------|------------------------|----------------------|
|   |                          |                               |                        | to                   |
|   |                          |                               |                        | to                   |

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

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

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.

Subscribed and sworn to before me this 9<sup>th</sup> day of May, 19 96.

(Signature of Applicant)

J P Stanton  
(Notary Public)

My commission expires 10-25-2000**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 1 attachmentsReceived by J P Stanton Date 5-9-96 Protest filed by \_\_\_\_\_Prelim. check by PS Fee \$100, 5019/14Receipted by PS Date 5-9-96Published in Gooding Co. Leader Copies of protest forwarded by \_\_\_\_\_Pub. dates 8/21 & 8/28/96 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_Watermaster recommendation requested on N/A Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

**RECEIVED****MAY 28 1996****Department of Water Resources  
Southern Region**

FROM: Allen Merritt *AM*

DATE: September 20, 1996

TO: Transfer File No. 4889

In the Name of: John &amp; Cecelia Wright

SUBJECT: Review and Recommendation

This transfer deals with two licenses which record a total use of 40 acres of irrigation. The transfer proposes to change the nature of use from irrigation of 6.3 of these acres to that of dairy use. Additionally the remaining irrigation use is proposed to be diverted from a new well since presently the water comes from a well located on the neighbor's property which is shared with the neighbor.

Both of these licenses are recommended in the SRBA. The licensing field exams were conducted in 1981 & 1982 and at that time no dairy use existed. In 1990 when the SRBA claims were examined a dairy existed on a portion of these acres. However, the change in use to dairy was not fully investigated. A review of the landsat information finds that around 1986 there were 33 acres being irrigated. The 1987 NAPP supports this. The SRBA recommendations, as they stand, do not raise the issue of forfeiture of the rights since no clear and convincing evidence of more than 5 years non-use was documented. In retrospect this issue may have been pursued a little more but it wasn't. In Corey Skinner's review (See memo dated 8/7/96 & 8/9/96) the issue is revisited.

In looking at this from the prospect of what has been partially forfeited in light of the recent SRBA decision about "partial forfeiture" then the application should be approved as submitted. But if you look at it in the sense of limiting it to the past beneficial use it appears that some adjustments should be made.

The adjustments that appear to be warranted are as follows:

-In both the 1987 NAPP and the 1993 aerial photo it appears consistent that 2 acres in each of the corners of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 26, Twp.08S, Rge.15E, B.M. outside the pivot are dry. It is also obvious that land under the dairy is also dry. In 1987 it is estimated that 10 acres are dry leaving irrigation of 30 acres while in 1993 it is estimated that 14 acres are irrigated leaving 14 acres dry. Giving the benefit to the applicant and taking out the 6.3 from what has already been dried up and again giving the benefit to the applicant and taking it out of the 1987 figures I propose that the acknowledged remaining irrigation right be limited to 30 acres.

I recommend that the transfer be approved in part, subject to the following conditions:

36-07562E

Irrigation 0.15 cfs 4/1 to 10/31 for irrigation of 7.5 acres; limited to 30 afa.

36-07622A

Irrigation 0.45 cfs 4/1 to 10/31 for irrigation of 22.5 acres; limited to 90 afa.

-The above two rights when combined shall be limited to irrigation of 30 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 26, Twp.8S, Rge.15E, B.M. from a new well to be drilled within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 26, Twp.8S, Rge.15E, B.M.

-The new well must comply with drilling permit requirements.

-A measuring device with totalizing meter must be maintained on the irrigation well and use reported annually.

-The above rights are subject to SRBA.

-The above rights may be subject to forfeiture, based on non use since 1993.

\*\*\*\*\*

36-07562F

|            |          |                                   |
|------------|----------|-----------------------------------|
| Stockwater | 0.02 cfs | 1/1 to 12/31; limited to 3.7 afa. |
| Commercial | 0.01 cfs | 1/1 to 12/31; limited to 3.1 afa. |
| Total      | 0.03 cfs | 6.8 afa.                          |

36-07622B

|            |          |                                    |
|------------|----------|------------------------------------|
| Stockwater | 0.05 cfs | 1/1 to 12/31; limited to 11.0 afa. |
| Commercial | 0.05 cfs | 1/1 to 12/31; limited to 9.0 afa.  |
| Total      | 0.10 cfs | 20.0 afa                           |

-The above commercial and stockwater rights shall be diverted from two existing wells in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 26, Twp.8S, Rge.15E, B.M.

-When the commercial and stockwater rights are combined with 36-10038 the total use shall not exceed use of 1 house and commercial and stockwater dairy needs for 320 milking and 100 dry cattle. This total use is estimated to be:

|                   |          |
|-------------------|----------|
| 1 house with yard | 1.2 afa  |
| Dairy             | 30.2 afa |
| Total             | 31.2 afa |

-The above rights are subject to SRBA.

-The above rights are subject to other federal, state & county permits that may be required.

FILE NUMBER -----  
REVIEWER -----

36-07622  
23 July 1996

Adm  
9/20/96

## DAIRIES: WATER USE WORKSHEET

### REQUIRED DAIRY DATA

|                                                                                                                      |     |
|----------------------------------------------------------------------------------------------------------------------|-----|
| NUMBER OF MILKING CATTLE -----                                                                                       | 320 |
| NUMBER OF NONMILKING CATTLE -----                                                                                    | 100 |
| IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;<br>IF ANAEROBIC, ENTER ZERO -----                             | 1.5 |
| EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) -----                                                               | 4   |
| ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF<br>SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS - | 3   |
| NUMBER OF MILKINGS PER DAY -----                                                                                     | 2   |

### CALCULATIONS

#### DIVERSION RATE FOR STOCKWATER (CFS):

|                                                   |      |
|---------------------------------------------------|------|
| MILKING CATTLE @35 GPD/HD -----                   | 0.21 |
| MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * -- | 0.26 |
| NONMILKING CATTLE @12 GPD/HD -----                | 0.02 |
| NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * | 0.02 |
| TOTAL (BASED UPON ROUNDED NUMBERS) -----          | 0.28 |

#### DIVERSION VOLUME (AFA):

##### STOCKWATER

|                                                   |      |
|---------------------------------------------------|------|
| MILKING CATTLE @35 GPD/HD -----                   | 12.5 |
| MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * -- | 16.0 |
| NONMILKING CATTLE @12 GPD/HD -----                | 1.3  |
| NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * | 1.3  |
| TOTAL (BASED UPON ROUNDED NUMBERS) -----          | 17.3 |

##### COMMERCIAL

|                                                   |      |
|---------------------------------------------------|------|
| WASHING OF BULK TANK AND RELATED EQUIPMENT -----  | 0.4  |
| PARLOR FLOOR AND MILKHOUSE FLOOR -----            | 0.1  |
| CATTLE WASHING BASED UPON METHOD OF WASHING ----- | 12.4 |
| TOTAL -----                                       | 12.8 |

|                              |      |
|------------------------------|------|
| TOTAL DIVERSION VOLUME ----- | 30.2 |
|------------------------------|------|

## MEMORANDUM

TO: Wright Transfer File (Rights 36-07562A & 36-07622)  
FROM: Corey Skinner *CS*  
DATE: August 9, 1996  
SUBJECT: John Wright Visit

This day, John Wright stopped by the office to talk about his transfer application and the filing of the Extension of Time to Avoid Forfeiture applications in response to my 08/06/96 letter (copy in transfer file).

We rediscussed the items that are mentioned in my 08/07/96 staff review memorandum in the transfer file. I gathered the following information from Mr. Wright during our discussion:

The approval of the enclosed transfer application is the most important thing to him when it comes to his water right situation.

He was going to wait and see how the transfer would be approved, if it were approved, with regards to the irrigation portions of the water rights (exact amounts of water, acres, etc.) before filing any additional applications.

He thought that as long as the transfer application was approved, he would be satisfied, regardless of how the irrigation portions were handled. If the transfer was approved as described on the application, for the irrigation of 33.3 acres, he would probably file the Extensions of Time to Avoid Forfeiture to protect his water rights in case he decided to try and transfer portions of the water to other property. If the irrigation portions were reduced, but the transfer application was still approved, he would still be able to drill his own well and would have obtained a valid water right for his dairy operation.

He said that he was comfortable with leaving the decision on how to handle the irrigation portions of the rights up to the department, and that "he trusted his state government".

## MEMORANDUM

TO: Wright Transfer File (Rights 36-07562A & 36-07622)

FROM: Corey Skinner *CS*

DATE: August 7, 1996

SUBJECT: Staff Review

The enclosed transfer, filed by John W. &/or Cecelia Wright, seeks to change the point of diversion and record how a portion of rights 36-07562A and 36-07622 have been used in a dairy operation.

The Wrights own the NESE  $\frac{1}{4}$  of Section 26, Township 08 South, Range 15 East. The Wrights have a dairy operation and a house located in portions of the north half of the NESE  $\frac{1}{4}$  with a pivot sprinkler and handlines irrigating the remaining land in this particular quarter quarter. Irrigation water is diverted out of a well located in the NESESE  $\frac{1}{4}$  of Section 26, just south of the Wright's property line. Currently, the following recommended SRBA claims are appurtenant to the Wright's property (NESE  $\frac{1}{4}$ ):

36-07562A recommended for 0.20 cfs for irrigation of 10 acres

36-07622 recommended for 0.60 cfs for irrigation of 30 acres

\* C.V.R.'s in 36-07562A and 36-07622 state that the 10 and 30 acres are separate, so the Wright's have recommended irrigation claims for 40 total acres in the NESE  $\frac{1}{4}$ .

36-10038 recommended for 0.07 cfs for domestic (one house) and stockwater for "300 head dairy & barn"

The enclosed transfer application proposes to take the irrigation rights (36-07562A & 36-07622) and modify them in the following ways:

\*Drill a new well on the Wright's property, SENESE  $\frac{1}{4}$  of Section 26, to serve as the source of irrigation water for the Wright's. This will enable the Wright's to divert their irrigation water out of their own well on their own property (the present well is located in the NESESE  $\frac{1}{4}$  of Section 26).

\*Convert a portion of the irrigation rights (based on a PPU analysis) to stockwater and commercial use for the Wright's dairy operation. The stockwater and commercial use portion(s) are to be diverted out of two existing dairy wells in the NENESE  $\frac{1}{4}$  of Section 26.

The changes discussed on the previous page will result in a change and addition of point(s) of diversion, a change in nature and season of use (the dairy conversion), and a splitting of the water rights (irrigation system and dairy system).

The addition of the new well and the existing dairy wells probably should not cause a problem. The dairy conversion looks to be pretty straightforward also (copies of the dairy worksheet and the PPU analysis detail the dairy conversion and are attached to the transfer application). However, recommended claim 36-10038 for domestic and stockwater would overlap with the dairy operation. The dairy use required that 6.7 acres worth of irrigation be converted to stockwater and commercial use. The transfer application is based on the idea that as the dairy was built and expanded, irrigation land, and portions of the irrigation rights, were converted to dairy use. Therefore the transfer application is a recording of an unrecorded transfer that took place over the years.

However, problems arise because it appears that the irrigated acres in the NESE  $\frac{1}{4}$  were over recommended for rights 36-07562A & 36-07622. The irrigation rights totaled 40 acres and subtracting off the 6.7 acres for the dairy conversion leaves 33.3 acres of irrigation covered by the irrigation rights. The NAPP photo (416-198, 06-22-87, BB21 NE) indicates that there is nowhere near 40 total acres of irrigation in the NESE  $\frac{1}{4}$ , as can be seen on Attachment A enclosed with this memo. In addition, a site visit and examination of ASCS aerial photo slides (see Attachment B enclosed with this memo) revealed that there presently is not 33.3 acres of irrigated ground in the NESE  $\frac{1}{4}$  of Section 26. This is due to the fact that most of the land in the north half of the NESE  $\frac{1}{4}$  is covered by the dairy facility (barn, corrals, lagoon, etc.) and the Wright's house.

On my July 2nd site visit, I spoke with John Wright and made him aware of the problem with the irrigated acres and the possible forfeiture of these acres, and a portion of his water rights, since they no longer exist. He seemed to agree that there was a discrepancy, since we were standing in the middle of the dairy facility area that was supposedly irrigated farm ground. He wanted to know if there was anything he could do to try and save those portions of his water rights and the irrigated acres.

I explained to him that interpretations of the forfeiture issue were currently kind of up in the air due to a recent court ruling and may take a while to get clarified. I told him that he could file two extension of time to avoid forfeiture applications (one for each irrigation water right) to try and protect his rights from forfeiture. These could be filed based on the idea that the

SRBA recommendations were valid when filed with the court (November of 1992) or somewhere around that time. Since the dairy development and expansion were done over a period of several years, it would be difficult to pin down exactly when specific acres were taken out of production.

I had a copy of the Extension of Time to Avoid Forfeiture application along with the instructions and gave them to Mr. Wright. I explained the application process (review, public notice advertising subject to protest, etc.) and told Mr. Wright an application may or may not be approved. He talked like he wanted to file the applications, but he would be in California for a couple of weeks, and would not be able to get around to filing them until he got back. I told him if he had any questions, or if he needed any assistance in completing the applications, to give me a call. He said he had one of my business cards, I had stopped by his house while traveling through the area on a previous day, and he would be giving me a call.

I had planned on delaying the processing of this transfer application until Mr. Wright filed the additional extension of time applications, but I have not heard from Mr. Wright as of this date. On July 23rd, I called the Wright residence and left a message with Cecelia Wright, to have Mr. Wright contact me and she said he would. This week, I sent a letter to Mr. Wright (dated 08/06/96, copy enclosed in this file) notifying him that I was going to process his transfer application and that his water rights may be subject to forfeiture.

In summary, the addition and changing of the point(s) of diversion and the conversion of a portion of the irrigation rights to dairy use are pretty straightforward. Due to an overlapping domestic and stockwater recommended claim, 36-10038, appropriate limitations and approval conditions would have to be implemented for the dairy portions of the rights if the transfer application were to be approved.

However, if the transfer is approved as proposed on the application, problems will arise with the remaining irrigation rights. The transfer application proposes to create rights 36-07562E and 36-07622A for the irrigation of a combined 33.3 acres within the NESE  $\frac{1}{4}$  of Section 26. All of this 33.3 acres does not presently exist in the field, and may or may not have existed within the past five years.

Needless to say, a decision needs to be made as to how to handle the irrigation portions (36-07562E and 36-07622A) that would be created if this transfer were to be approved.

NE SE 1/4  
SECTION 26  
(T885 R 15 E)

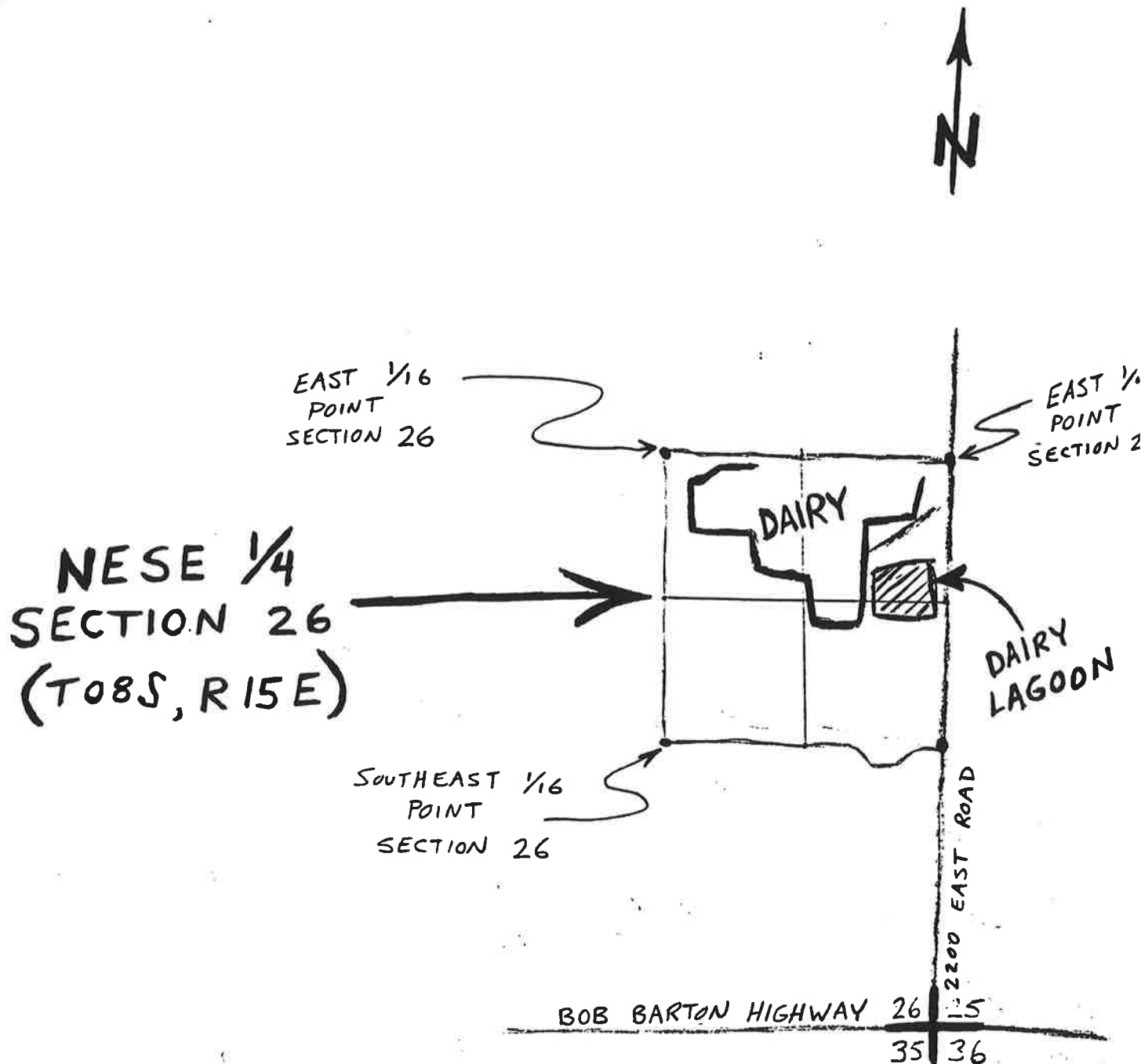
ATTACHMENT  
A

PHOTOCOPY OF  
NAPP PHOTO  
416-198  
6-22-87  
BB21 NE

ATTACHMENT B

SKETCH BASED ON AERIAL PHOTO PROJECTION

This sketch was made by projecting an ASCS aerial photo slide (1993 flight) onto this piece of paper at the ASCS office in Gooding on 06/18/96. The fencelines (property boundaries) were visible on the projected slide so the sketched boundary locations of the NESE  $\frac{1}{4}$  of Section 26 should be fairly accurate. In addition, relative locations of the dairy facility and lagoon within the NESE  $\frac{1}{4}$  are accurate and represent what was on the ASCS aerial photo slide (1993 flight).



FILE NUMBER \_\_\_\_\_ 36-7622  
REVIEWER \_\_\_\_\_ jes

DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE \_\_\_\_\_ 300  
NUMBER OF NONMILKING CATTLE \_\_\_\_\_ 200  
IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;  
IF ANAEROBIC, ENTER ZERO \_\_\_\_\_ 1.5  
EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) \_\_\_\_\_ 4  
ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF  
SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS \_\_\_\_\_ 3  
NUMBER OF MILKINGS PER DAY \_\_\_\_\_ 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD \_\_\_\_\_ 0.19  
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) \* \_\_\_\_\_ 0.19  
NONMILKING CATTLE @12 GPD/HD \_\_\_\_\_ 0.04  
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) \* \_\_\_\_\_ 0.04  
TOTAL (BASED UPON ROUNDED NUMBERS) \_\_\_\_\_ 0.24

DIVERSION VOLUME (AFA):

STOCKWATER

MILKING CATTLE @35 GPD/HD \_\_\_\_\_ 11.8  
MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) \* \_\_\_\_\_ 12.0  
NONMILKING CATTLE @12 GPD/HD \_\_\_\_\_ 2.7  
NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) \* \_\_\_\_\_ 2.7  
TOTAL (BASED UPON ROUNDED NUMBERS) \_\_\_\_\_ 14.7

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT \_\_\_\_\_ 0.4  
PARLOR FLOOR AND MILKHOUSE FLOOR \_\_\_\_\_ 0.1  
CATTLE WASHING BASED UPON METHOD OF WASHING \_\_\_\_\_ 11.6  
TOTAL \_\_\_\_\_ 12.1

TOTAL DIVERSION VOLUME \_\_\_\_\_ 26.8

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER

MILKING \_\_\_\_\_ 1.7  
NONMILKING \_\_\_\_\_ 0.0  
TOTAL \_\_\_\_\_ 1.7

COMMERCIAL \_\_\_\_\_ 6.0

TOTAL CONSUMPTIVE USE \_\_\_\_\_ 7.7

THEORETICAL FLOW ESTIMATION WORKSHEET

REQUIRED PUMP INFORMATION

|                                | PUMP 1 | PUMP 2 | PUMP 3 |
|--------------------------------|--------|--------|--------|
| PUMP HORSEPOWER (HP) _____     | 2.00   | 2.00   | 0.00   |
| LIFT (FT) _____                | 150    | 150    | 0      |
| DISCHARGE PRESSURE (PSI) _____ | 40     | 40     | 0      |
| FRICTION LOSSES (FT) _____     | 0.0    | 0.0    | 0.0    |

CALCULATIONS

|                                     |      |      |      |
|-------------------------------------|------|------|------|
| THEORETICAL FLOW RATE (CFS) * _____ | 0.05 | 0.05 | 0.00 |
| DIVERSION VOLUME (AFA) ** _____     | 36.8 | 36.8 | 0.0  |

\* PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

\* DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE  
THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY  
DAY OF THE YEAR.

\* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

# John Wright Transfer Analysis (PPU)

1. 36-07562A 0.20 cfs 10 ac 25% of system

2. 36-07622 0.60 cfs 30 ac 75% of system

3. Total 0.80 cfs on 40 ac

4. Problem - Convert 6.7 acres worth of water to a dairy on the property

5. Method -  $6.7 \text{ ac} / 40 \text{ ac} = 16.75\%$

$36-07562A \times 16.75\% = 0.03\frac{1}{4} \text{ cfs on } 1.7 \text{ ac } 6.7 \text{ AFA}$

$36-07622 \times 16.75\% = 0.10 \text{ cfs on } 5 \text{ ac } 20 \text{ AFA}$

6. 36-07562E 0.17 cfs irrig 8.3 ac new P/D SE/NE/SE  
07622A 0.50 cfs irrig 25 ac

7. 36-07562F .03 cfs 6.8 AFA.  
07622B 0.10 cfs 20 AFA

Stockwater  $14.7 \text{ AFA} / 26.8 \text{ AFA} = 54.85\%$

Commercial  $12.1 \text{ AFA} / 26.8 \text{ AFA} = 45.15\%$

8. 36-07562F 0.02 cfs Stockwater 3.7 AFA

0.01 cfs Commercial 3.1 AFA 2 P/Ds NE/NE/S

36-07622B 0.05 cfs Stockwater 11 AFA

0.05 cfs Commercial 9 AFA

## John Wright Transfer Analysis (non-PPU)

1, 36-07622 0.60 cfs on 30 ac 120 AFA

2. Problem - Convert 6.7 ac worth of water to an existing dairy on the property

3. Method -  $6.7 \text{ ac} \div 30 \text{ ac} = 22.33\% = 26.8 \text{ AFA}$

$$0.60 \text{ cfs} \times 22.33\% = 0.13 \text{ cfs}$$

4. Stockwater -  $14.7 \text{ AFA} \div 26.8 \text{ AFA} = 54.85\%$

Commercial -  $12.1 \text{ AFA} \div 26.8 \text{ AFA} = 45.15\%$

Stockwater  $0.13 \text{ cfs} \times 54.85\% = 0.07 \text{ cfs}$

Commercial  $0.13 \text{ cfs} \times 45.15\% = 0.06 \text{ cfs}$

5, 36-07622A 0.47 cfs / 93.2 AFA irrigation of 23.3 ac

07622B 0.07 cfs / 14.7 AFA Stockwater

0.06 cfs / 12.1 AFA Commercial

6. Problem - Non-PPU analysis does not accomplish goal of changing P  
on 36-7562A

COPY

1996 SEP 27 PM 3:17

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

Water Rights: 36-07622

**NOTICE OF ADMINISTRATIVE  
PROCEEDING**

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer

☒ point of diversion ☐ place of use

☒ period of use ☒ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than: September 30, 1997.

DATED: 9/27/1996

*Douglas Jones*  
Signature of IDWR Representative

NOTICE OF ADMINISTRATIVE PROCEEDING  
5/21/96

Water Right(s): 36-07622

DEC 5 1996

Page 1

## CERTIFICATE OF MAILING

I certify that on 9-27, 1996, 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  
PO Box 2707  
Twin Falls ID 83303-2707
2. One copy to:  
Claimant/Seller for Substitution of Party or attorney of record:  
John and Cecelia Wright  
3451 South 2200 East  
Wendell ID 83355
3. One copy to:  
Claimant/Purchaser for Substitution of Party, or attorney of record:
4. One copy to:  
Each party in the subcase, or attorney of record
5. One copy each to:  
Chief Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise ID 83711-4449
6. 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**

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033  
Fax (208) 736-3037

September 27, 1996

PHILIP E. BATT  
Governor

KARL J. DREHER  
Director

JOHN AND CECELIA WRIGHT  
3451 S 2200 E  
WENDELL ID 83355

RE: SRBA Claim(s) 36-07562A and 36-07622

Dear Claimant:

Please find the enclosed copy of the Notice of 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.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett  
Technical Records Specialist

/tf  
Enc

**MICROFILMED**  
DEC 5 1996

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

01622-10 02  
07562A-10 02  
Transfer No. 4889

# APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

Name of applicant John W. &/or Cecelia Wright Phone 536-6387

Post Office address 3451 S 2200 E, Wendell, ID 83355

### A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion      ☒ Add diversion point(s)      ☐ Change place of use

☒ Change nature of use      ☒ Change period of use      ☒ Other Split right

2. Describe the reason for the proposed changes Move the point of diversion to our property for better control of the water system. Also to show how a portion of the right has been used in a dairy since 1980.

### 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       |
|-------------------|------------------|--------------------|-------------------------|---------------------|
| <u>36-07562E</u>  | <u>1-21-1974</u> | <u>0.17 cfs</u>    | <u>Irrig.</u>           | <u>4-1 to 10-31</u> |
| <u>*36-07562F</u> | <u>"</u>         | <u>0.03 cfs</u>    | <u>Stock/Commercial</u> | <u>1-1 to 12-31</u> |
| <u>36-07622A</u>  | <u>4-29-1976</u> | <u>0.50 cfs</u>    | <u>Irrig.</u>           | <u>4-1 to 10-31</u> |
| <u>*36-07622B</u> | <u>"</u>         | <u>0.10 cfs</u>    | <u>Stock/Commercial</u> | <u>1-1 to 12-31</u> |
2. Total amount of water being transferred 0.80 cubic feet per second and/or 160 acre-feet per annum
3. Source of water Groundwater tributary to \_\_\_\_\_
4. Point(s) of Diversion: \* See APU analysis for further breakdown of rights #

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County  | Local name for diversion      |
|-----|-----|-----|-----|------|------|------|---------|-------------------------------|
|     | SE  | NE  | SE  | 26   | 8S   | 15E  | Gooding | Irrigation well to be drilled |
|     | NE  | NE  | SE  | "    | "    | "    | "       | 2 existing dairy wells        |
|     |     |     |     |      |      |      |         |                               |
|     |     |     |     |      |      |      |         |                               |

### 5. Lands irrigated or place of use:

| Twp. | Rge. | 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 |        |
| 8S   | 15E  | 26   |        |        |        |        |        |        |        |        |        |        |        |        | 333    |        |        |        | 33325  |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

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Total acres 25.3

SD-0854  
INQUIRY

Idaho Department of Water Resources  
Transfer Inquiry

Date: 09/18/96  
Time: 08:37:15

Transfer Number: 4889

Date Number Assigned: 8/12/1996

Transfer Status: T - PENDING

Date of Status Change: / /

Last Name: WRIGHT, JOHN W &/OR CECELIA

Call-Up Date: / /

| Affected | S | Affected | S | Affected | S | Affected | S | Affected | S |
|----------|---|----------|---|----------|---|----------|---|----------|---|
| Rights:  | P | Rights:  | P | Rights:  | P | Rights:  | P | Rights:  | P |
| 36-07562 | Y | 36-07622 | Y | -        |   | -        |   | -        |   |
| -        |   | -        |   | -        |   | -        |   | -        |   |
| -        |   | -        |   | -        |   | -        |   | -        |   |
| -        |   | -        |   | -        |   | -        |   | -        |   |

Proposed Water Rights:

T36-07562E

T36-07562F

T36-07622A

T36-07622B

-

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(GOLD8=Cancel) (Enter=Exit)

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**R PROOF**

☒

**CVR**

☒

**MAPS**

☐

**PHOTOS**

☐

**MISC**

☒

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Water Right Number - R36-07622

Prefix Translation: RESEARCH

Old (D) Number -

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

\*\*\* C - CURRENT OWNER \*\*\*  
WRIGHT

CECELIA W.

1 - 3451 S. 2200E.

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-6387

WRIGHT

JOHN W.

1 - 3451 S. 2200 E.

2 -

3 -

City- WENDELL

State- ID Zip- 83355

Phone - 208-536-6387

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
04/29/1976 ERROR IN REGION L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +  
GROUNDWATER+ - - - - Point of Diversion - - - - - +  
TwN Rng Sec Tract Lot RFlg County  
08S 15E 26 NE SE SE (47) GOODING+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 03/15 11/15 0.600 120.00  
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
0.600 120.00 90.0+ - - - - Place of Use - - - - - +  
TwN Rng Sec Tract Lot Acres Code Description County  
08S 15E 26 NE SE 30.0 01 IRRIGATION (47) GOODING

Total Acres: 30.0

+ - - Diversion Means - 60 HP PUMP, 1000 GPM, 175' DEEP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07562A

+ - - - - Remarks - - - - - +  
RIGHT NO. 36-07562A & 36-07562B ARE ALSO DIVERTED THROUGH POINT  
OF DIVERSION DESCRIBED ABOVE.MICROFILMED  
FEB 04 1993

Water right number - R36-07622

Prefix Translation: RESEARCH

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

+ - - - - 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 - - +

12/18/91 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         | - 12/18/1991 | Old Judicial District   | -       |
| Claim Received Date  | - 05/27/1988 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - P     |
|                      |              | Receipt Number        | - S000283    | Water District          | -       |
|                      |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |
|                      |              | Name Connector        | - AND/OR     | Presumption Flag        | -       |
|                      |              |                       |              | Notice of Error Flag    | -       |

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP \_\_\_\_\_  
FORFEIT/ABANDON \_\_\_\_\_  
ADDITIONAL DIV. AMOUNT \_\_\_\_\_

ACCEPTED  
AS CLAIMED *N/A*  
NEEDS  
REVIEW */*

- Take off Wrights Name

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07622

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE  
0.600

EXAMINER  
*N/A*

CFS

SPLITS:

OLD RIGHT  
NUMBERS

CURRENT  
CLAIM NUMBERS

DIVERSION  
RATE

CURRENT "R"  
CLAIM NUM.

"R" DIV.  
RATE

WR RIGHT  
NUMBERS

DIVERSION  
RATE

-

436-07622

0.600

-

36-07622

0.600

TOTAL CFS

0.600

0.600

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  
*N/A*

REMARKS:

*Wrights* ✓ share well, not across.  
*Recks*

AUTHENTICATION:

SIGNATURE: *lw*

DATE: *10/11/90*

*R.V. 2/ 12/2/91*

NAME OF FIELD EXAMINER: \_\_\_\_\_

TITLE: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

00:18:56  
08/30/90

PAGE: 12  
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07622

| WR ELEMENT                | FIELD EXAM<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | VERIFIED BY<br>CODE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|-------------------|-------------------------------------------------|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             |                   |                                                 |                            | N                      |                     | R.V. W                           |                                      | R.V. W                        |
| POINT OF DIV              | Y                 |                                                 |                            | N                      | 6                   | 12/2/91                          | DB<br>10-12-90                       | 12/2/91                       |
| SOURCE                    |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PLACE OF USE              | Y                 |                                                 |                            | N                      |                     |                                  |                                      |                               |
| DIV. AMOUNT<br>CES/VOLUME |                   |                                                 |                            | Y                      |                     |                                  |                                      |                               |
| CONSUMPTIVE USE           |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PURPOSES                  |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| PERIOD OF USE             |                   |                                                 |                            | N                      |                     |                                  |                                      |                               |
| BASIS OF CLAIM            |                   |                                                 |                            | Y                      |                     |                                  |                                      |                               |
| REMARKS                   | Y                 |                                                 |                            | Y                      |                     |                                  |                                      |                               |

\*VERIFIED BY\* CODES

TOPO MAP/ORTHO-PQ = 1  
 ASCS MAP = 2  
 WATERMASTER RECORDS = 3  
 NAEP 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 04 1993

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

00:18:56  
08/30/90

PAGE: 1  
GENERAL INFORMATION

CLAIM NUMBER: A36-07622

LAST: KECK  
ADDRESS: RT. 1  
CITY: HAGERMAN  
PHONE NUMBER: 208-000-0000  
OWNER CODE: C

FIRST: JO ANN

STATE: ID ZIP: 83332

*delete R.V.W.  
12/12/91*

~~LAST: WRIGHT  
ADDRESS: 3451 S. 3200 E.  
CITY: WENDELL  
PHONE NUMBER: 208-536-5387  
OWNER CODE: C~~

~~FIRST: JOHN W.~~

~~STATE: ID ZIP: 83355~~

~~LAST: WRIGHT  
ADDRESS:  
CITY: WENDELL  
PHONE NUMBER: 208-000-0000  
OWNER CODE: C~~

~~FIRST: BECELIA W.~~

~~STATE: ID ZIP: 83355~~

*OK —  
Restore  
R.V.W 12/12/91*

LAST: KECK  
ADDRESS: RT. 1  
CITY: HAGERMAN  
PHONE NUMBER: 208-000-0000  
OWNER CODE: C

FIRST: KENNETH L.

STATE: ID ZIP: 83332

FIELD EXAM REQUIRED?

DATABASE

FIELD  
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

Y

CLAIM REMARKS: KECK OWNS SE1/4, SE1/4 AND WRIGHT OWNS NE1/4, SE1/4 OF SEC. 26  
T. 8S, R. 15E.

*delete R.V.W.  
12/12/91*

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FEB 04 1993

CONTACT PERSON: \_\_\_\_\_

PHONE NUMBER: ( ) -

DATE OF FIELD EXAM:     /     /

APPOINTMENT MADE: Y( ) N( )

TIME: \_\_\_\_\_ A( ) P( )

ACCOMPANIED BY:

PHONE NUMBERS: ( ) -

RELATIONSHIP TO CLAIMANT: \_\_\_\_\_

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A36-07622 PRIORITY DATE: 04-29-1976 STAGE: L  
B. WR RECORD: # 36-07622 PRIORITY DATE: 04-29-1976 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE  
N

FIELD  
EXAMINER  
N

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

REMARKS:

RECOMMENDED PRIORITY DATE:  
04-29-1976

REVIEWED BY

lw

DATE

10/11/90

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY    |
|-----------|------|------|------|-----|-----|-----|-----|---------|
| A36-07622 | 08S  | 15E  | 26   | NE  | SE  | SE  |     | GOODING |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX B PREFIX  
A36-07562 NONE

WR RECORDS IN SAME 40 ACRE TRACT  
36-07562

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY    |
|----------|------|------|------|-----|-----|-----|-----|---------|
| 36-07622 | 08S  | 15E  | 26   |     | SE  | SE  |     | GOODING |

OTHER WR RECORDS WITH SAME WR POD  
36-07562

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX B PREFIX  
A36-07562 NONE  
A36-10215

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE  
Y  
N

FIELD  
EXAMINER  
N

REMARKS:

*confirmed with 36-07562 orig lic exam.  
(same well)*

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|--------|
|------|------|------|-----|-----|-----|--------|

*Shore*

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

*W*

DATE:

*10/11/90*

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A. ROOT WATER RIGHT NUMBERS: A36-07622

B. POU LISTING

| TWP         | RNG | SEC | 1/4 | 1/4 | LOT             | NAME            | AJ<br>\$/ACRES | WR<br>\$/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-------------|-----|-----|-----|-----|-----------------|-----------------|----------------|----------------|-----------------|----------------|------------------|
| 08S         | 15E | 26  | NE  | SS  | KECK, JO ANN    | A36-07622 /30.0 | 36-07622 /30.0 |                | 33.0            |                | 30               |
|             |     |     |     |     | WRIGHT, JOHN W. | A36-07562 /10.0 | 36-07562 /10.0 |                |                 |                |                  |
|             |     |     |     |     | WRIGHT, JOHN W. | A36-10038 /     | - /            |                |                 |                |                  |
| TOTAL ACRES |     |     |     |     |                 | A36-07622       | 30.00          | 30.00          | 33.00           |                | 30               |

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  
N

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

30

REVIEWED BY:

W

DATE:

10/11/90

A. AJ CLAIMED USES:

| PURPOSES                            | MONTH/DAY           | DIVERSION QUANTITY   |
|-------------------------------------|---------------------|----------------------|
| A36-07622 IRRIGATION                | FROM 03-15 TO 11-15 | .600 CFS             |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |                     | .600 CFS 120.00 AF/A |

B. WR RECORDED USES:

| PURPOSES                            | MONTH/DAY           | DIVERSION QUANTITY   |
|-------------------------------------|---------------------|----------------------|
| 36-07622 IRRIGATION                 | FROM 03-15 TO 11-15 | .600 CFS 120.00 AF/A |
| TOTAL DIVERSION RATE/VOLUME CLAIMED |                     | .600 CFS 120.00 AF/A |

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

|                                          | DATABASE | FIELD EXAMINER                      |
|------------------------------------------|----------|-------------------------------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N)      | N        | <input checked="" type="checkbox"/> |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | N        | <input checked="" type="checkbox"/> |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | N        | <input checked="" type="checkbox"/> |

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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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y( ☒ ) N( ☐ )

AT TOTAL CLAIMED DIVERSION RATE: 0.600 CFS  
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.600 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  
Y 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: ~~A36-07562~~

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM     | SOURCE      | NAME            | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------|-----------------|-----------|----------------|-----------|----------------|
| A36-07622 | GROUNDWATER | KECK, JO ANN    | 0.600     | 0.020          | 120.00    | 4.00           |
| A36-07562 | GROUNDWATER | WRIGHT, JOHN W. | 0.920     | 0.020          |           |                |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES   | NAME            | MONTH/DAY           | RATE     | VOLUME |
|-----------|------------|-----------------|---------------------|----------|--------|
| A36-10038 | DOMESTIC   | WRIGHT, JOHN W. | FROM 01-01 TO 12-31 | .040 CFS |        |
| A36-10038 | COMMERCIAL | WRIGHT, JOHN W. | FROM 01-01 TO 12-31 | .070 CFS |        |

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 30 x 0.02 CFS/ACRE = .60 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 = 90.0 AE/A

ACRES 30 x CONSUMPTIVE VOL. AE/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 90 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 120.00 AE/A

ACRES 30 x DIVERSION VOL. AE/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 120 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y( ) N( )

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

A36-07562 uses same well, operates acres

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## DIVERSION AMOUNT REVIEW SHEET CONTINUED

CLAIM NUMBER: A36-07622

## RECOMMENDATIONS:

| REC.<br>PURPOSES     | REC. PERIOD<br>FROM TO | REC. DIV<br>RATE CFS                    | REC. DIV<br>VOL. AF/A                     | REC. CONS.<br>USE                     |
|----------------------|------------------------|-----------------------------------------|-------------------------------------------|---------------------------------------|
| IRRIGATION           | 03-15 11-15            | DATABASE 0.600<br>EXAMINER <u>0.600</u> | DATABASE 120.00<br>EXAMINER <u>120.00</u> | DATABASE 90.0<br>EXAMINER <u>90.0</u> |
| TOTAL FOR THIS RIGHT |                        |                                         |                                           |                                       |

REVIEWED BY:

*m*

DATE:

*10/11/90*

State of Idaho  
DEPARTMENT OF WATER RESOURCES  
FIELD REPORT

36-7562

Permit No.

**CONTACT WITH PERMIT HOLDER**

|                                                                                          | DATE    | INITIALS | REMARKS                                                  |
|------------------------------------------------------------------------------------------|---------|----------|----------------------------------------------------------|
| <input checked="" type="checkbox"/> Appointment letter mailed:                           | 6-5-81  | G.L.P.   |                                                          |
| <input checked="" type="checkbox"/> Telephone call made:<br>(List Telephone No. used)    | 8-20-81 | T.G.B.   | Parsons Office                                           |
| <input checked="" type="checkbox"/> Appointment scheduled for:<br>(Date, time, location) | 8-25-81 | T.G.B.   | 7 1/4 mi. west on Bob<br>Parsons Highway, N side of Rt 1 |

## EXAMINATION

Date 8-25-81 Accompanied by Kenneth Kerk Total Q measured 1.91 cfs  
If source is surface water, estimate total flow of source \_\_\_\_\_  
Methods of measurement Amulab and Fark Equips Meets Permit requirements? yes

**Measurement calculations:**

Measurement calculations:  
 Volume  $46 \text{ dens} \times 4 \text{ AFH} = 184 \text{ AFA}$  Allow  $0.02 \text{ af/ac}$   $46 \times 0.02 = .92 \checkmark$   
 Discharge = See Attached chart

| WELL/VERSION<br>NO. | HP | MOTOR<br>MAKE       | MOTOR<br>SERIAL NO. | PUMP<br>MAKE      | PUMP<br>SERIAL NO. | MEASURING<br>DEVICE TYPE | CONDITION OF<br>MEAS. DEV. | REMARKS            |
|---------------------|----|---------------------|---------------------|-------------------|--------------------|--------------------------|----------------------------|--------------------|
|                     | 60 | Fairbanks<br>Morsec | E91372              | Harper<br>Veriflo | As<br>Plat         | Acoustic<br>Logg. Sys.   | Good                       | See Attached sheet |

System Description The SEX-SEX has a 5 Tower Golden West Center-pivot Sprinkler with hald lines and corners. The same pump to a similar pivot in the NE-4 SEX.

\*Code with map on reverse side. Disregard code if only one.

## RECOMMENDED AMOUNTS

Irrigation requirement = 4.0 AFA/Acre  
 Q (cfs)      V (cfs)      FROM      TO

|           |      |      |         |         |
|-----------|------|------|---------|---------|
| T. ingens | 1944 | 1944 | Mar. 15 | Nov. 15 |
|-----------|------|------|---------|---------|

**Total**

Remarks This right and right # 36-7622 are both served by the same well and pump. Mr. John Wright now owns the NE of the SE 1/4 and the SE 1/4. Originally Mr. Keck planned to sell only the land north of the Canal. Thus the 2 quarter sections were with 50 acres and one with 30. When the land was actually sold it was divided into 240 acre tracts. Therefore this house will overlap one of the 240 acre tracts.

Yard  
Chicago 36-7622 Same P/O different P/U

$\rightarrow$  This right distance  $36-7362 \cdot 9245$   
 $36-7622 + \frac{.60}{1.52}$  less than capacity

Microfilm  
Overlap  
FEB 04 1993

536-6387

+ Assessor's Office

~~the~~ Remarks

on claim

+ License exam

indicate Keck owns the south 40

+ Wright owns the North 40

Licenses indicate Wright's License

is for 36 acres in south 40 + <sup>overlaps</sup> ~~10 acres~~

10 acres into the north 40 <sup>(Keck's)</sup> ~~(Wright's)~~.

Keck's Claim

Keck's 2nd. (1976) License is for 30 acres in north 40  
Keck's 1st License (1974) is for 10. " <sup>(Wright's land)</sup>  
+ 36 acres in south 40 <sup>(Keck's Land)</sup>

Wright's Claim

Split this claim?

allen suggests permissible place of use  
for 2 claims if Wright will agree

MICROFILMED

FEB 04 1993