

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: A36-07646
Date Received: 7/05/1988
Receipt No: 0001839 *cf*
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE TRAVELERS INSURANCE CO.
Address: C/O DONALD S. REED, GEN. MGR.
960 BROADWAY AVE.
BOISE, ID 837063623

2. Date of Priority: SEP 24, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	23E	30	NW	SE		3	LINCOLN

5. Description of diverting works:
WELL, PUMP, PIPELINES & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.600		
COMMERCIAL	01/01	12/31	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses: _____

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	SW	NE	2	STOCK	
			NE	SE		STOCK	

A36-07646

Page 1

Date: 07/08/88

MICROFILMED

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 Organizations:

I do solemnly swear or affirm that I am General Manager of
Title
The Travelers Insurance Company, that I have signed the foregoing
Organization
document in the space below as General Manager of
Title
The Travelers Insurance Company and that the statements contained in the
Organization
foregoing document are true and correct.

Donald S. Reed
Signature of Authorized Agent
General Manager
The Travelers Insurance Company
Title and Organization

July 8, 1988
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of July 19 88
Seal

Carlton Fritsch
Notary Public

Residing at Engle, Id
My Commission Expires 3-21-94

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: A36-07646
Date Received: 7/05/1988
Receipt No: 000183902
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THE TRAVELERS INSURANCE CO.
Address: C/O DONALD S. REED, GEN. MGR.
960 BROADWAY AVE.
BOISE, ID 837063623

2. Date of Priority: SEP 24, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	23E	30	NW	SE		3	LINCOLN

5. Description of diverting works:
WELL, PUMP, PIPELINES & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.600		
COMMERCIAL	01/01	12/31	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses: 12,000 g.p.d.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	SW	NE	2	STOCK	
			NE	SE		STOCK	

A36-07646

Page 1

Date: 07/08/88

RECORDED

OCT 19 1988

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	NW	SE	3	STOCK	
			SW	SE	4	STOCK	
			SE	SE		STOCK	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

C/DUST CONTROL FEED LOTS.

15. Basis of Claim: PERMIT

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 Organizations:

I do solemnly swear or affirm that I am General Manager of
Title
The Travelers Insurance Company, that I have signed the foregoing
Organization
document in the space below as General Manager of
Title

The Travelers Insurance Company and that the statements contained in the
Organization
foregoing document are true and correct.

Donald S. Road
Signature of Authorized Agent
General Manager
The Travelers Insurance Company
Title and Organization

July 8, 1988

Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day

of July 19 88

Seal

Carl Fritschel
Notary Public

Residing at Engle, Id

My Commission Expires 3-21-94

DIRECTOR'S REPORT CONVERSATION MEMO

A36-07646

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

RAY COMMONS

Ray Commons

RT 5 Box 64

RUPERT ID 83350

Ph. (208) 436-0362

2. SUBJECT OF INQUIRY:

Mr Commons asked for clarification about the objection papers he had received and information as to what he could do. He wanted more information about the filing requirements for domestic + stock wells and the limitations for diversions from domestic and stock wells and if multiple D/s claims could be filed on to cover his water needs. He also remarked about government agencies attempting to take his water. He asked for further information on D/s claims.

3. RESPONSE TO INQUIRY:

I told him to consult with his legal counsel and that he must respond thru the District Court. We can provide him with our file records on his claim and any actions taken by the Dept. of Water Resources on his claims.

I sent him a copy of Standard Form 2, "Response to Objection" and a copy of "Instructions for Filing a Notice of Claim to a Water Right for Domestic/Stockwater Purposes." (Form 42-1409(2)b) with references to pages 4, 5, ⁸ and 9

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

Robert V. Worstell

7/22/93 9:45 am

ROBERT V. WORSTELL

R.V.W.

A36-07646

MICROFILMED

OCT 19 1994

DIRECTOR'S REPORT CONVERSATION MEMO

A36-07646

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

Ray Commons

Ray Commons
RT 5 Box 64

ROBERT ID 83350

Ph. (208) 436-0342

2. SUBJECT OF INQUIRY:

Mr Commons asked for clarification about the objection process he had received and information as to what he could do. He wanted more information about the ruling regarding rights for domestic + stock wells and the limitations for diversions from domestic and stock wells and if multiple D/s claims could be filed on to cover his water needs. He also commented about government agencies attempting to take his water. He asked for further information on D/s claims.

3. RESPONSE TO INQUIRY:

I told him to consult with his legal counsel and that he must respond thru the District Court. We can provide him with our site records on his claim and any actions taken by the Dept. of Water Resources on his claims.

I sent him a copy of "Standard Form 2, 'Response to Objection'" and a copy of "Instructions to Filing a Notice of Claim to a Water Right for Domestic/Stockwater Purposes." (Form 42-1409(2)b) with references to pages 4, 5⁸ and 9.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

Robert V. Worstell 7/22/92 9:45 am

ROBERT V. WORSTELL (S. 6.2)

A36-07646

MICROFILMED

JUL 23 1992

Table 11. Cattle and Calves—Inventory and Sales: 1987 and 1982—Con.

[For meaning of abbreviations and symbols, see introductory text]

Item	Latah	Lemhi	Lewis	Lincoln	Madison	Minidoka	Nez Perce	Oneida
SALES								
Dairy products sold farms, 1987..	8	28	-	107	43	79	4	19
..... 1982..	16	27	-	134	62	97	9	29
..... \$1,000, 1987..	201	1 228	-	8 028	3 158	8 085	(D)	1 190
..... 1982..	368	664	-	9 063	3 327	10 384	234	1 681
Cattle and calves sold farms, 1987..	284	296	86	263	240	390	192	199
..... 1982..	321	278	117	291	286	492	239	227
..... number, 1987..	5 810	30 296	2 809	17 687	11 971	19 512	9 048	10 420
..... 1982..	6 865	30 677	5 000	45 949	11 062	21 622	12 216	13 908
..... \$1,000, 1987..	2 433	13 053	1 215	9 274	5 150	9 700	4 525	4 087
..... 1982..	2 394	10 721	1 789	24 805	4 437	9 101	4 487	4 654
1987 farms by number sold:								
1 to 9 farms..	138	55	21	38	84	114	60	46
..... number..	594	263	103	171	343	499	272	189
10 to 19 farms..	55	35	20	57	40	76	42	34
..... number..	741	488	297	810	541	1 065	568	485
20 to 49 farms..	63	50	25	92	53	107	51	50
..... number..	1 874	1 633	775	2 959	1 596	3 133	1 549	1 630
50 to 99 farms..	22	50	13	41	32	51	24	34
..... number..	1 553	3 549	844	2 701	2 126	3 690	1 578	2 333
100 to 199 farms..	4	60	7	22	17	21	8	27
..... number..	(D)	8 173	790	3 083	2 302	2 641	1 148	3 440
200 to 499 farms..	2	39	-	12	11	17	5	8
..... number..	(D)	11 114	-	(D)	3 053	5 059	(D)	2 343
500 or more farms..	-	7	-	1	3	4	2	-
..... number..	-	5 076	-	(D)	2 010	3 425	(D)	-
Calves sold farms, 1987..	111	123	36	115	91	147	66	107
..... 1982..	138	141	58	103	111	208	128	124
..... number, 1987..	1 428	7 206	577	2 724	2 422	4 445	1 165	4 619
..... 1982..	2 247	11 387	1 143	3 006	2 147	4 301	3 445	5 513
..... \$1,000, 1987..	469	2 182	180	725	643	1 211	386	1 572
..... 1982..	570	3 048	325	552	561	919	895	1 393
1987 farms by number sold:								
1 to 9 farms..	66	27	18	32	46	57	35	31
..... number..	222	93	65	143	185	244	140	136
10 to 19 farms..	23	18	8	39	23	27	15	22
..... number..	303	235	105	545	309	343	196	310
20 to 49 farms..	15	34	7	30	8	37	9	24
..... number..	460	1 022	177	918	180	1 071	247	861
50 to 99 farms..	7	23	3	10	8	17	6	17
..... number..	443	1 559	230	639	618	1 078	(D)	1 088
100 to 199 farms..	-	13	-	4	3	6	-	8
..... number..	-	1 830	-	479	410	783	-	1 025
200 to 499 farms..	-	8	-	-	3	3	1	5
..... number..	-	2 467	-	-	720	926	(D)	1 199
500 or more farms..	-	-	-	-	-	-	-	-
..... number..	-	-	-	-	-	-	-	-
Cattle sold farms, 1987..	261	267	76	234	201	324	175	158
..... 1982..	291	255	109	260	245	415	213	177
..... number, 1987..	4 382	23 090	2 232	14 963	9 549	15 067	7 883	5 801
..... 1982..	4 618	19 290	3 857	42 943	8 915	17 321	8 771	8 395
..... \$1,000, 1987..	1 965	10 870	1 035	8 549	4 507	8 490	4 139	2 515
..... 1982..	1 824	7 674	1 464	24 253	3 875	8 181	3 592	3 262
1987 farms by number sold:								
1 to 9 farms..	147	63	20	47	87	104	70	53
..... number..	600	291	82	194	336	454	291	213
10 to 19 farms..	41	32	18	66	19	73	32	22
..... number..	542	425	270	936	251	1 010	436	301
20 to 49 farms..	55	51	21	67	45	79	42	43
..... number..	1 568	1 682	634	2 176	1 375	2 322	1 319	1 293
50 to 99 farms..	13	42	13	26	24	38	16	23
..... number..	921	2 965	776	1 673	1 487	2 706	992	1 468
100 to 199 farms..	3	48	4	16	16	14	9	14
..... number..	(D)	6 559	470	2 234	2 246	1 761	1 221	1 711
200 to 499 farms..	2	25	-	11	7	12	4	3
..... number..	(D)	6 812	-	(D)	1 894	3 389	(D)	795
500 or more farms..	-	6	-	1	3	4	2	-
..... number..	-	4 356	-	(D)	1 960	3 425	(D)	-
Cattle fattened on grain and concentrates sold farms, 1987..	49	25	7	29	16	61	25	31
..... 1982..	54	22	9	30	25	58	24	34
..... number, 1987..	363	1 107	131	6 138	687	5 317	1 877	398
..... 1982..	363	657	97	(D)	789	4 050	498	958
..... \$1,000, 1987..	160	671	53	4 114	396	3 389	1 292	182
..... 1982..	191	293	35	(D)	428	2 261	274	463
1987 farms by number sold:								
1 to 9 farms..	46	13	1	6	12	24	15	26
..... number..	140	45	(D)	48	34	82	65	(D)
10 to 19 farms..	1	2	4	7	-	12	3	1
..... number..	(D)	(D)	70	111	-	170	36	(D)
20 to 49 farms..	1	5	2	5	1	9	2	3
..... number..	(D)	198	(D)	147	(D)	273	(D)	81
50 to 99 farms..	-	1	-	5	1	7	1	-
..... number..	-	(D)	-	317	(D)	522	(D)	-
100 to 199 farms..	1	3	-	2	1	3	3	-
..... number..	(D)	397	-	(D)	(D)	(D)	443	-
200 to 499 farms..	-	1	-	3	1	2	-	-
..... number..	-	(D)	-	910	(D)	(D)	-	(D)
500 or more farms..	-	-	-	1	-	-	1	-
..... number..	-	-	-	(D)	-	3 425	(D)	-

X
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: A36-07646
Date Received: 7/13/1988
Receipt No: C001839
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY L. COMMONS 208-436-0362
Address: RT. 5 BOX 64
RUPERT, ID 83350

2. Date of Priority: SEP 24, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	23E	30		NW	SE	3	LINCOLN

5. Description of diverting works:
WELL, PUMP, PIPELINES & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.600		
COMMERCIAL	01/01	12/31	1.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER/12,000 BEEF FEEDLOT; COMMERCIAL/DUST CONTROL @ FEEDLOT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	SW	NE	2	STOCK	
			NE	SE		STOCK	
			NW	SE	3	STOCK	

A36-07646

Page 1

Date: 09/06/90

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	30	SW	SE	4	STOCK	
			SE	SE		STOCK	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 9/6/90 BY JG.

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-Sep-1990 11:47

Ray L. Commons
Rt. 5 Box 64
Rupert, ID 83350

Re: No. A36-02059, 2164, 2177, 7646, 7678

Dear Mr. Commons:

The Department has changed the record of the current owner as you requested on the above listed adjudication water right(s). Please find enclosed a copy of the computer record of the claim(s) noting the change in claimant.

I check our computer system but find no records for A36-7286. Please review the enclosed copies, should you have any questions, please contact this office.

Sincerely,

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

Judy Givens
Adjudication Secretary

Encl:

SPECIAL WARRANTY DEED AND BILL OF SALE

THIS INDENTURE, made this 9th day of May, 1990, between THE TRAVELERS INSURANCE COMPANY, a Connecticut corporation, the Grantor, and RAY L. COMMONS, whose address is Route 5, Box 64, Rupert, Idaho 83350, the Grantee,

W I T N E S S E T H:

That the said Grantor, for and in consideration of the payment to it of TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION, by the said Grantee, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantee, and to his heirs, successors and assigns forever, the following described real estate situate in the Counties of Minidoka and Lincoln, State of Idaho, to-wit:

REAL PROPERTY

PARCEL 1:

TOWNSHIP 8 SOUTH, RANGE 22 EAST, B.M., MINIDOKA COUNTY,
IDAHO

Section 1: All
Section 2: E $\frac{1}{2}$
Section 12: NW $\frac{1}{4}$

TOWNSHIP 8 SOUTH, RANGE 23 EAST, B.M., MINIDOKA COUNTY,
IDAHO

Sections 4 and 9: A portion of Farm Unit E, Tract E,
described as follows:

Commencing at the northwest corner of
said Tract E:
Thence South 650 feet;

Thence East 175 feet;
Thence North 650 feet;
Thence West 175 feet to the Point of
Beginning.

PARCEL 2

TOWNSHIP 7 SOUTH, RANGE 22 EAST, B.M., LINCOLN COUNTY, IDAHO

Section 24: E $\frac{1}{2}$ NW $\frac{1}{4}$

PARCEL 3

TOWNSHIP 7 SOUTH, RANGE 22 EAST, B.M., LINCOLN COUNTY, IDAHO

Section 13: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 25: All

Section 26: SE $\frac{1}{4}$

Section 36: All

TOWNSHIP 7 SOUTH, RANGE 23 EAST, B.M., LINCOLN COUNTY, IDAHO

Section 19: Lots 1, 2, 3, 4, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 30: Lots 1, 2, 3, 4, E $\frac{1}{2}$ SE $\frac{1}{4}$

AND, together with all and singular the rights, interests and privileges therein, fixtures thereon and appurtenances thereunto belonging or in anywise appertaining, whether now or hereafter acquired, which shall include, without limiting the generality of the foregoing, the following:

All of the rents, issues and profits, including but not limited to all rents, royalties, bonuses and benefits under any existing or future oil, gas or mineral or other leases; all easements and rights of way; all rights of homestead, and all contingent rights in and to said premises;

All water, water rights, whether riparian, appropriative or otherwise and whether or not appurtenant, all ditch rights, and pipeline easements or irrigation system easements and any permits, licenses, certificates or shares of stock evidencing any such water or ditch rights, including, without limitation, Water Licenses Nos. 36-2059, 36-2164, 36-2177, 36-7286, 36-7646 and 36-7678 (proof of beneficial use has been applied for 36-7286);

All buildings and the plumbing, heating, cooling, humidifying, ventilating and lighting systems and equipment therein; all wells, dams, diversion works, ditches, flumes, siphons, pipelines, ponds, pumps, motors, valves, screens, and any facilities used in connection with the operation of any of the foregoing facilities or necessary for the proper and effective operation and use of any of the foregoing or for the proper irrigation or drainage of the portions of the described lands which are used for agricultural production;

Specifically, and without limiting the scope of the preceding descriptions, the fixtures which are included in the "Irrigation Equipment" described in Exhibit A, attached hereto and made a part hereof;

ALL IRRIGATION EQUIPMENT AND APPURTENANCES THERETO TRANSFERRED BY THIS INSTRUMENT ARE SOLD BY THE GRANTOR AND ACCEPTED BY THE GRANTEE IN THEIR PRESENT CONDITION, AND THE GRANTOR HAS NO OBLIGATION TO REPAIR, MODIFY OR REPLACE ANY OF THE IRRIGATION EQUIPMENT.

Said described property is conveyed subject to (1) all taxes and assessments for the year 1990 and subsequent years, (2) all reservations in patents or deeds in the chain of title, (3) all easements and rights of way visible on the property or appearing of record in the offices of the County Recorders of Lincoln and Minidoka Counties, Idaho, (4) all covenants and restrictions appearing of record in the offices of said Recorders, and (5) all items listed as exceptions in Commitment for Title Insurance No. BF-767708 issued by Land Title and Escrow, Inc., on March 1, 1990, as shown in the copy of Schedule B-Section 2 thereof which is attached hereto and made a part hereof.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise

appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Grantor.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises together with the appurtenances unto the Grantee and to his heirs, successors and assigns forever.

Grantor warrants to the Grantee, and his successors in title, that Grantor has not created or permitted to be created any lien, charge or encumbrance against said real estate which is not shown or referred to herein, and Grantor covenants that it will defend said premises to the extent of the warranties made herein against the lawful claims of all persons; PROVIDED HOWEVER, that such warranty shall not include mineral rights or interests, if any, conveyed by this Deed.

IN WITNESS WHEREOF, the said Grantor has hereunto caused its corporate name to be subscribed by its officers first thereunto duly authorized by its Board of Directors, all as of the day and year herein first above written.

THE TRAVELERS INSURANCE COMPANY
A Connecticut corporation

By Gregory F. Lynch
Gregory F. Lynch, Assistant Director

RECEIVED

AUG 30 1990

Department of Water Resources
Southern Region Office

CHANGE IN OWNERSHIP

[X] Water Right Number(s): 36-2059, 36-2164, 36-2177, 36-7646, 36-7678,
36/7286 /

[X] Name and Address of
Former Claimant:

The Travelers Insurance Company

One Tower Square

Hartford, CT 06183

[X] New Claimant(s):

Ray L. Commons

Route 5, Box 64

[] New Mailing Address: Rupert, Idaho 83350

New Telephone Number: (208) 436 -0362

[X] Does the change in ownership result in a splitting of the
water right claimed? _____ yes _____ X no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership

Describe proof attached: See attached Special Warranty Deed

[] Signature of New Claimant(s):

Ray L. Commons
Ray L. Commons

Date: 6.4.90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 9/5/90 By: SC

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 9/5/90 By: SC

Claim Numbers of Split, if any:

ATTEST:

Nancy F. Ongley
Nancy F. Ongley, Assistant Secretary

STATE OF CONNECTICUT)
) ss. FARMINGTON
COUNTY OF HARTFORD)

On this 9th day of May, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared Gregory F. Lynch and Nancy F. Ongley, known to me to be the Assistant Director and Assistant Secretary, respectively, of THE TRAVELERS INSURANCE COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged to me that such corporation executed the same.

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

Patricia H. Csaszar
Notary Public for the State of Connecticut
Residing at Hartford, Connecticut
My commission expires: 3/31/94
Patricia H. Csaszar

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

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

Case No. 36-07646

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

Petitioner,

vs.

The United States; the State of Idaho;
and all Claimants to the use of water
from the Snake River Basin Water
System,

Respondents.

OBJECTION

RECEIVED

MAY 04 1993

Department of Water Resources
Adjudication Bureau

I. GENERAL INFORMATION

1. Person objecting:

Name: United States of America,
Environment and Natural Resources Division
550 West Fort Street
Box 33
Boise, Idaho 83734

Briefly describe your interest in this water right: The United States
holds water rights of many types in all reporting areas within the SRBA.

2. Owner of the water right:

Name: COMMONS, RAY L.
Address: Rt 5 Box 64
Rupert, ID 83350

3. If this objection is filed by an attorney:

Attorney Name: David W. Harder
Attorney Address: United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street
Box 33
Boise, Idaho 83734
Attorney Phone No.: (202) 272-5784

If filed by an attorney, notice of pending court proceedings will be sent to
the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right
2. ☐ Source: I object to the source of water.
3. ☒ Quantity: I object to:
 - ☒ a. the total quantity of water used in cubic feet per second; or
 - ☐ b. the total quantity of water stored in acre-feet per year; or
 - ☐ c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - ☐ a. the legal description of the place of use; or
 - ☐ b. the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.
12. ☐ Water Right Recommendation: I object to:
 - ☐ a. this water right being recommended at all; or
 - ☐ b. this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to certain paragraphs of the general provisions in the Director's report as noted on the attached "Reasons Supporting Objections and Proposed Changes".

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

See attached "Reasons Supporting Objections and Proposed Changes" numbered as per above check list.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

See attached "Reasons Supporting Objections and Proposed Changes" numbered as per above check list.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

[X] Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

REASONS SUPPORTING OBJECTIONS AND PROPOSED CHANGES - 2 Pages

ATTACHMENT A - 1 Page

VERIFICATION

In the District of Columbia,

The United States of America, being first duly sworn, upon oath, deposes and says:

That I am the entity filing this objection, that I am a water claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

By: David W. Harder
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 29th day of April, 1993.

Leane Passers
Notary Public for: District of Columbia

Residing at: District of Columbia

My Commission Expires: July 14, 1997

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the owner of the water right:

Name: COMMONS, RAY L.

Address: Rt 5 Box 64
Rupert, ID 83350

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

David W. Harder
Signature of Objector or attorney mailing
on Objector's behalf

REASONS SUPPORTING OBJECTIONS AND PROPOSED CHANGES

COMMONS, RAY L.

CASE NO. 36-07646

3. QUANTITY

a. The total quantity of water used in cubic feet per second

The Director's Report recommends a total quantity of 1.05 cfs for 36-07646. This recommended right is for a feedlot in Lincoln County. The maximum recommended quantity includes 0.6 cfs for stock watering and 1.0 cfs for dust control. The 0.6 cfs for stock watering is based on 12,000 head of cattle, each being provided 12 gallons per day. There is no justification for this quantity.

The 1987 Census of Agriculture provides information on the number of cattle in Lincoln County. The Census of Agriculture includes feedlot operations. The reporting form for the census asks for the number of cattle fattened on grain or concentrate for thirty (30) days or longer on a agricultural operation with sales of greater than \$1,000 during the census year. The number that results from this query is equivalent to the total number of cattle confined at and sold from a feedlot during the census year. In 1987, there were only 6,138 head of cattle that met this criterion in Lincoln County. These cattle were fed at 29 different places. The relevant page of the census is provided as Attachment A.

Given these facts, the number of cattle provided water at any one time, by recommended right 36-07646, is likely to be much less than 6,000. The recommended maximum quantity for stock watering should be less than 0.3 cfs and the recommended annual quantity less than 80 afy.

The recommended annual quantity for dust control is equivalent to about 0.1" per day based on the area of the feedlot as shown on the orthophotoquad of the area. The annual quantity assumes that dust

control is necessary throughout the entire course of the year, even when the ground is wet or muddy from normally occurring precipitation. Application of water for dust control purposes on wet or muddy ground should not be considered a beneficial use. The annual quantity should be lessened accordingly. An appropriate amount may be 300 afy.

7. PURPOSE(S) OF USE

The Director's Report identifies stockwater as the purpose of use for 0.6 cfs and 160.8 afy of this recommended right. The annual volume is equivalent to 143,553 gallons per day.

I.C. § 42-1401(13) defines "stock watering use" as "the use of water solely for livestock or wildlife where the total use is not in excess of thirteen thousand (13,000) gallons per day." The amount recommended for 36-07646 is in excess of this amount. The amount proposed in this objection also exceeds 13,000 gallons per day.

Both components of use for this right are commercial use and should be recommended as such.

Table 11. Cattle and Calves—Inventory and Sales: 1987 and 1982—Con.

[For meaning of abbreviations and symbols, see introductory text]

Item	Latah	Lemhi	Lewis	Lincoln	Madison	Minidoka	Nez Perce	Oneida
SALES								
Dairy products sold								
farms, 1987..	8	28	-	107	43	79	4	19
1982..	16	27	-	134	62	97	9	29
\$1,000, 1987..	201	1 228	-	8 028	3 158	8 085	(D)	1 190
1982..	368	664	-	9 063	3 327	10 384	234	1 681
Cattle and calves sold								
farms, 1987..	284	296	86	263	240	390	192	199
1982..	321	278	117	261	286	492	239	227
number, 1987..	5 810	30 296	2 809	17 687	11 971	19 512	9 048	10 420
1982..	6 865	30 677	5 000	45 949	11 062	21 622	12 216	13 908
\$1,000, 1987..	2 433	13 053	1 215	9 274	5 150	9 700	4 525	4 087
1982..	2 394	10 721	1 789	24 805	4 437	9 101	4 487	4 654
1987 farms by number sold:								
1 to 9	138	55	21	38	84	114	60	46
farms..	594	263	103	171	343	499	272	189
number..	55	35	20	57	40	76	42	34
10 to 19	741	486	297	810	541	1 065	568	485
farms..	63	50	25	92	53	107	51	50
number..	1 874	1 633	775	2 959	1 596	3 133	1 549	1 630
20 to 49	22	50	13	41	32	51	24	34
farms..	1 553	3 549	844	2 701	2 126	3 690	1 578	2 333
number..								
100 to 199	4	60	7	22	17	21	8	27
farms..	(D)	8 173	790	3 083	2 302	2 641	1 148	3 440
number..	2	39	-	12	11	17	5	8
200 to 499	(D)	11 114	-	(D)	3 053	5 059	(D)	2 343
farms..	-	7	-	1	3	4	2	-
number..	-	5 076	-	(D)	2 010	3 425	(D)	-
500 or more	-	-	-	-	-	-	-	-
farms..	-	-	-	-	-	-	-	-
number..	-	-	-	-	-	-	-	-
Calves sold								
farms, 1987..	111	123	36	115	91	147	66	107
1982..	138	141	58	103	111	208	128	124
number, 1987..	1 428	7 206	577	2 724	2 422	4 445	1 165	4 619
1982..	2 247	11 387	1 143	3 006	2 147	4 301	3 445	5 513
\$1,000, 1987..	469	2 182	180	725	643	1 211	386	1 572
1982..	570	3 048	325	552	561	919	895	1 393
1987 farms by number sold:								
1 to 9	66	27	18	32	46	57	35	31
farms..	222	93	65	143	185	244	140	136
number..	23	18	8	39	23	27	15	22
10 to 19	303	235	105	545	309	343	196	310
farms..	15	34	7	30	8	37	9	24
number..	460	1 022	177	918	180	1 071	247	861
20 to 49	7	23	3	10	8	17	6	17
farms..	443	1 559	230	639	618	1 078	(D)	1 088
number..								
100 to 199	-	13	-	4	3	6	-	8
farms..	-	1 830	-	479	410	783	-	1 025
number..	-	8	-	-	3	3	1	5
200 to 499	-	2 467	-	-	720	926	(D)	1 199
farms..	-	-	-	-	-	-	-	-
number..	-	-	-	-	-	-	-	-
500 or more	-	-	-	-	-	-	-	-
farms..	-	-	-	-	-	-	-	-
number..	-	-	-	-	-	-	-	-
Cattle sold								
farms, 1987..	261	267	76	234	201	324	175	158
1982..	291	255	109	260	245	415	213	177
number, 1987..	4 382	23 090	2 232	14 963	9 549	15 067	7 883	5 801
1982..	4 618	19 290	3 857	42 943	8 915	17 321	8 771	8 395
\$1,000, 1987..	1 965	10 870	1 035	8 549	4 507	8 490	4 139	2 515
1982..	1 824	7 674	1 464	24 253	3 875	8 181	3 592	3 262
1987 farms by number sold:								
1 to 9	147	63	20	47	87	104	70	53
farms..	600	291	82	194	336	454	291	213
number..	41	32	18	66	19	73	32	22
10 to 19	542	425	270	936	251	1 010	436	301
farms..	55	51	21	67	45	79	42	43
number..	1 568	1 682	634	2 176	1 375	2 322	1 319	1 293
20 to 49	13	42	13	26	24	38	16	23
farms..	921	2 965	776	1 673	1 487	2 706	992	1 488
number..								
100 to 199	3	48	4	16	16	14	9	14
farms..	(D)	6 559	470	2 234	2 246	1 761	1 221	1 711
number..	2	25	-	11	7	12	4	3
200 to 499	(D)	6 812	-	(D)	1 894	3 389	(D)	795
farms..	-	6	-	1	3	4	2	-
number..	-	4 356	-	(D)	1 960	3 425	(D)	-
500 or more	-	-	-	-	-	-	-	-
farms..	-	-	-	-	-	-	-	-
number..	-	-	-	-	-	-	-	-
Cattle fattened on grain and concentrates sold								
farms, 1987..	49	25	7	29	16	61	25	31
1982..	54	22	9	30	25	58	24	34
number, 1987..	363	1 107	131	6 138	687	5 317	1 877	398
1982..	363	657	97	(D)	789	4 050	498	958
\$1,000, 1987..	160	671	53	4 114	396	3 389	1 292	182
1982..	191	293	35	(D)	428	2 261	274	463
1987 farms by number sold:								
1 to 9	46	13	1	6	12	24	15	26
farms..	140	45	(D)	48	34	82	65	(D)
number..	1	2	4	7	-	12	3	1
10 to 19	(D)	(D)	70	111	-	170	36	(D)
farms..	1	5	2	5	1	9	2	3
number..	(D)	198	(D)	147	(D)	273	(D)	81
20 to 49	-	1	-	5	1	7	1	-
farms..	-	(D)	-	317	(D)	522	(D)	-
number..	-	-	-	-	-	-	-	-
100 to 199	1	3	-	2	1	3	3	-
farms..	(D)	397	-	(D)	(D)	(D)	443	-
number..	-	1	-	3	1	2	-	1
200 to 499	-	(D)	-	910	(D)	(D)	-	(D)
farms..	-	-	-	1	-	4	1	-
number..	-	-	-	(D)	-	-	(D)	-
500 or more	-	-	-	-	-	-	-	-
farms..	-	-	-	-	-	-	-	-
number..	-	-	-	-	-	-	-	-

From: DWR60::AMERRITT 20-JUN-1997 09:33:53.88
To: DJONES,KCHRISTE,DWR03::CHONSING
CC: AMERRITT
Subj: PHONE CONVERSATION WITH RAY COMMONS

THIS DAY I RETURNED A PHONE CALL TO RAY COMMONS REGARDING HIS RIGHT FOR STOCKWATER AND COMMERCIAL USE AT A FEEDLOT AS REPRESENTED BY 36-07646. A FEW DAYS AGO MR. COMMONS HAD VISITED THE OFFICE AND TALKED TO KELLY ABOUT PROTECTION OF THE WATER RIGHT AND POSSIBLE TRANSFER OF THE USE TO A DAIRY. DURING THAT CONVERSATION I UNDERSTAND MR. COMMONS INDICATED HE HAD NOT USED THE WATER TO THE EXTENT OF THE OLD LICENSE AND IT HAD NOT BEEN FULLY USED FOR MANY YEARS. I UNDERSTAND THAT KELLY MAY HAVE TOLD HIM THE RIGHT MIGHT HAVE BEEN FORFEITED. MR. COMMONS REQUESTED THAT I CONTACT HIM REGARDING THIS MATTER.

PRIOR TO CALLING HIM BACK KELLY AND I CONTACTED CHARLIE HONSINGER TO DISCUSS THE MATTER. CHARLIE LOOKED INTO THE MATTER AND FOUND THAT THE RIGHT HAD BEEN DECREED BY JUDGE HURLBUTT ON JANUARY 9, 1997. (NOTE THAT THE DATABASE DOES NOT REFLECT THIS DECREE AND SHOULD BE UPDATED) CHARLIE INDICATED THAT THE RIGHT MUST BE HELD VALID ON THAT DATE BUT ANY CLOCK RUNNING FOR FORFEITURE WAS NOT TOTALLY RESET ON THAT DATE. FOR EXAMPLE IF THE RIGHT HAD NOT BEEN USED FOR THREE YEARS PRIOR THESE YEARS OF NON-USE ARE STILL CONSIDERED IN ANY FUTURE FORFEITURE DETERMINATION. CHARLIE FURTHER EXPLAINED THAT OBJECTION TO THE RIGHT IN THE SRBA DOES NOT PREVENT THE OWNER FROM USING THE WATER AND MAY NOT BE GROUNDS FOR NON-USE FOR LITIGATION.

DURING MY CONVERSATION I TOLD MR. COMMONS THAT IF HE FILED EITHER AN APPLICATION FOR TRANSFER OR AN APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE AND IDWR FOUND CLEAR AND CONVINCING EVIDENCE OF 5 YEARS OF CONTINUOUS NON-USE THEN IDWR WOULD DENY SAID APPLICATION AND MAKE A DETERMINATION THE RIGHT HAD BEEN FORFEITED. I FURTHER EXPLAINED THAT IF HE USED THE WATER TODAY OR TOMORROW THAT IDWR MUST VIEW THE RIGHT VALID AS DECREED SINCE WE HAVE NO AUTHORITY TO DECLARE IT OTHERWISE. BUT IF HE DID "RE-ESTABLISH" A USE THAT HAD NOT BEEN USED FOR AN EXTENDED PERIOD OF TIME IN EXCESS OF 5 YEARS AND HIS NEIGHBORS OR AFFECTED WATERUSERS COULD TAKE HIM TO COURT, A JUDGE COULD RULE THE RIGHT HAD BEEN LOST BECAUSE OF NON-USE.

IN CONCLUSION OF OUR CONVERSATION HE INDICATED THAT HE DID NOT KNOW WHAT HE WAS GOING TO DO. HE WOULD STILL LIKE TO DEVELOP OR MARKET THE SITE AS A DAIRY AND WE DISCUSSED A TRANSFER OF ANOTHER IRRIGATION RIGHT TO COVER THIS USE SINCE 36-07646 MAY HAVE PROBLEMS. I SUSPECT THIS MATTER IS NOT OVER.

ALLEN

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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-07646 -0001

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all Claimants to)
the use of water from the Snake)
River Basin Water System,)

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
550 WEST FORT ST BOX 33
BOISE ID 83734

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

3. |☒| Quantity: I respond to the objection concerning:
- 3a. |☒| The total quantity of water used in cubic feet per second.
7. |☒| Purposes of Use: I respond to the objection concerning the purpose(s) of use.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3, 3.a and 7, and all allegations of the objection regarding those items, IDWR responds as follows: This right is based on a license issued by IDWR. The purposes of use, diversion rates and diversion volumes recommended are the same as shown on the license. Idaho Code Sec. 42-220 provides that the license is prima facie evidence of the right. IDWR further responds that the use of the stockwater portion of the right is consistent with the definitions of stockwater in the general provision 11.a, and the appropriation of water for stockwater purposes pursuant to the statutory permit and license process is not limited to the appropriation of small stockwater rights pursuant to the a statutory definition of

rights that are excepted from the statutory permit and license process. The stockwater portion of this right is quantified using the 12 gallons per day per head standard, which is the same standard applied to the United States claims and is the same standard recommended by the U.S. Environmental Protection Agency for small water systems. IDWR lacks sufficient information to form a belief as to the truth of the matter asserted in the attachment, and in particular lacks information as to the manner in which the census is conducted or whether this operation was included in the census. The diversion volume recommended for dust control purposes is not based on continuous year round diversion and does not include the right to water wet or muddy ground for dust control purposes. IDWR therefore denies the objection.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

Notice of Claim No. A36-07646

No. of
Pages

3

(Over)

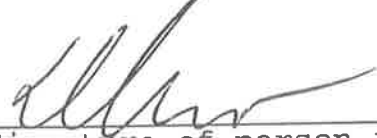
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

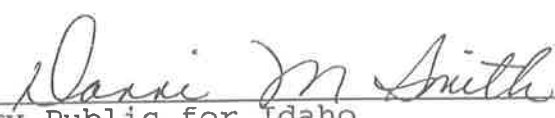
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing response

By:


(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 10th day of September,
1993.


Notary Public for Idaho
Residing at: _____
My Commission expires: _____

Danni Smith, Notary Public
Residing at Boise, Idaho
Commission Expires December 5, 1994

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of SEPTEMBER, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

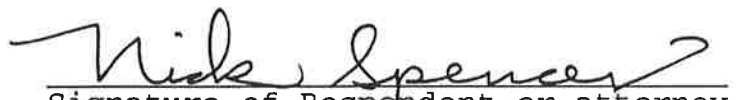
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Name: RAY L COMMONS
Address: ROUTE 5 BOX 64
RUPERT ID 83350

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
550 WEST FORT ST BOX 33
BOISE ID 83734


Signature of Respondent or attorney
mailing on Respondent's behalf

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

Petitioner,

vs.

The United States; the State of Idaho;
and all Claimants to the use of water
from the Snake River Basin Water
System,

Respondents.

OBJECTION

RECEIVED

MAY 04 1993

Department of Water Resources
Adjudication Bureau

36-07646 -0001/
93-04-0346

I. GENERAL INFORMATION

1. Person objecting:

Name: United States of America,
Environment and Natural Resources Division
550 West Fort Street
Box 33
Boise, Idaho 83734

Briefly describe your interest in this water right: The United States
holds water rights of many types in all reporting areas within the SRBA.

2. Owner of the water right:

Name: COMMONS, RAY L.
Address: Rt 5 Box 64
Rupert, ID 83350

3. If this objection is filed by an attorney:

Attorney Name: David W. Harder
Attorney Address: United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street
Box 33
Boise, Idaho 83734
Attorney Phone No.: (202) 272-5784

If filed by an attorney, notice of pending court proceedings will be sent to
the attorney only.

MICROFILMED

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right
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 - ☐ b. the total quantity of water stored in acre-feet per year; or
 - ☐ c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☒ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - ☐ a. the legal description of the place of use; or
 - ☐ b. the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. ☐ Remarks: I object to the "remarks" listed with the water right.
12. ☐ Water Right Recommendation: I object to:
 - ☐ a. this water right being recommended at all; or
 - ☐ b. this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☐ Other: I object to certain paragraphs of the general provisions in the Director's report as noted on the attached "Reasons Supporting Objections and Proposed Changes".

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

See attached "Reasons Supporting Objections and Proposed Changes" numbered as per above check list.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

See attached "Reasons Supporting Objections and Proposed Changes" numbered as per above check list.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

[X] Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

REASONS SUPPORTING OBJECTIONS AND PROPOSED CHANGES - 2 Pages

ATTACHMENT A - 1 Page

VERIFICATION

In the District of Columbia,

The United States of America, being first duly sworn, upon oath, deposes and says:

That I am the entity filing this objection, that I am a water claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

By: David W. Horder
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 29th day of April, 1993.

Shane Passers
Notary Public for: District of Columbia
Residing at: District of Columbia
My Commission Expires: July 14, 1997

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the owner of the water right:

Name: COMMONS, RAY L.

Address: Rt 5 Box 64
Rupert, ID 83350

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

David W. Horder
Signature of Objector or attorney mailing
on Objector's behalf

REASONS SUPPORTING OBJECTIONS AND PROPOSED CHANGES

COMMONS, RAY L.

CASE NO. 36-07646

3. QUANTITY

a. The total quantity of water used in cubic feet per second

The Director's Report recommends a total quantity of 1.05 cfs for 36-07646. This recommended right is for a feedlot in Lincoln County. The maximum recommended quantity includes 0.6 cfs for stock watering and 1.0 cfs for dust control. The 0.6 cfs for stock watering is based on 12,000 head of cattle, each being provided 12 gallons per day. There is no justification for this quantity.

The 1987 Census of Agriculture provides information on the number of cattle in Lincoln County. The Census of Agriculture includes feedlot operations. The reporting form for the census asks for the number of cattle fattened on grain or concentrate for thirty (30) days or longer on a agricultural operation with sales of greater than \$1,000 during the census year. The number that results from this query is equivalent to the total number of cattle confined at and sold from a feedlot during the census year. In 1987, there were only 6,138 head of cattle that met this criterion in Lincoln County. These cattle were fed at 29 different places. The relevant page of the census is provided as Attachment A.

Given these facts, the number of cattle provided water at any one time, by recommended right 36-07646, is likely to be much less than 6,000. The recommended maximum quantity for stock watering should be less than 0.3 cfs and the recommended annual quantity less than 80 afy.

The recommended annual quantity for dust control is equivalent to about 0.1" per day based on the area of the feedlot as shown on the orthophotoquad of the area. The annual quantity assumes that dust

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OCT 19 1994

control is necessary throughout the entire course of the year, even when the ground is wet or muddy from normally occurring precipitation. Application of water for dust control purposes on wet or muddy ground should not be considered a beneficial use. The annual quantity should be lessened accordingly. An appropriate amount may be 300 afy.

7. PURPOSE(S) OF USE

The Director's Report identifies stockwater as the purpose of use for 0.6 cfs and 160.8 afy of this recommended right. The annual volume is equivalent to 143,553 gallons per day.

I.C. § 42-1401(13) defines "stock watering use" as "the use of water solely for livestock or wildlife where the total use is not in excess of thirteen thousand (13,000) gallons per day." The amount recommended for 36-07646 is in excess of this amount. The amount proposed in this objection also exceeds 13,000 gallons per day.

Both components of use for this right are commercial use and should be recommended as such.

R PROOF



CVR



MAPS



PHOTOS



MISC



FEB 04

Old (D) Number -

----- Address ----- +

THE TRAVELERS INSURANCE CO.

+ - - - - - Tributary - - - - - +

+	Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
							04	STOCKWATER	(63) LINCOLN
	07S	23E	30	NE SE			04	STOCKWATER	(63) LINCOLN
	07S	23E	30	NW SE	3		04	STOCKWATER	(63) LINCOLN
	07S	23E	30	SW SE	4		04	STOCKWATER	(63) LINCOLN
	07S	23E	30	SE SE			04	STOCKWATER	(63) LINCOLN

Water right number - R36-07646

Prefix Translation: RESEARCH

+ - - Diversion Means - WELL, PUMP, PIPELINES & SPRINKLERS.

+ - - Non-Irrigation Use - STOCKWATER, 12,000 BEEF FEEDLOT; COMMERCIAL/DUST CONTROL @ FEEDLOT

+ - - Other Rights for Same Use - NONE

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

+ - - Audit Fields - 04/12/91 STERLING 05/10/91 STERLING 01/31/92 THORNTON

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

Date: 01/31/1992 User Id: THORNTON Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE 9/6/90 BY JG.

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

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 07/13/1988
Proof Due Date - 00/00/0000
Licensed Date - 00/00/0000
Claims Tape Error Flg -
Fee Exempt Flag -Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 00/00/0000
Last Amended Date - 00/00/0000
Proof Made Date - 00/00/0000
Receipt Number - C001839
POU Ownership Flag - Y
Name Connector - AND/ORCivil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag -
Notice of Error Flag -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:12:27
03/20/91

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07646

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	N			N		MS 7/5/91	—	HNT 1/22/92
POINT OF DIV	Y N			Y add 1992 3000	2		HNT 1/31/92	
SOURCE	N			N			—	
PLACE OF USE	Y N			Y	6		HNT 1/31/92	
DIV. AMOUNT CFS/VOLUME	N			Y	6		HNT 1/31/92	
CONSUMPTIVE USE	N			N			—	
PURPOSES	N			N			—	
PERIOD OF USE	N			N			—	
BASIS OF CLAIM	Y N			Y New Licenses			—	
REMARKS	Y N			Y (Put in Comments)	6		—	

"VERIFIED BY" CODES

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:12:27
03/20/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07646

LAST: BLINCOE FARMS INC.
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 0

OWNER CODE: 0

LAST: BLINCOE FARMS INC.
ADDRESS: RT. 1
CITY: HEYBURN
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 833360000

OWNER CODE: 0

LAST: THE TRAVELERS INSURANCE CO.
ADDRESS: C/O DONALD S. REED, GEN. MGR.
960 BROADWAY AVE.
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 837063623

OWNER CODE: 0

LAST: COMMONS
ADDRESS: RT. 5 BOX 64
CITY: RUPERT
PHONE NUMBER: 208-436-0362

FIRST: RAY L.

STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

Y

N

CLAIM REMARKS: OWNERSHIP CHANGE 9/6/90 BY JG.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A36-07646 PRIORITY DATE: 09-24-1976 STAGE: P

B. WR RECORD: # 36-07646 PRIORITY DATE: 09-24-1976 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
10

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

REMARKS: Claim was submitted while it was still a permit - right was licensed
2/23/90. Basis of claim should be license.

=====

RECOMMENDED PRIORITY DATE:
09-24-1976

REVIEWED BY 928

DATE 3/25/91

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07646	07S	23E	30		NW	SE	3	LINCOLN

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

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07646	07S	23E	30		NW	SE	3	LINCOLN

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

P/D is described only to 40 acre tract, map in file identifies exact location of well

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>07S</u>	<u>23E</u>	<u>30</u>	<u>SW</u>	<u>NW</u>	<u>SE</u>	<u>03</u>	<u>Lincoln</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: YH

DATE: 3/20/91

A. ROOT WATER RIGHT NUMBERS: A36-07646

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	23E	30	NW	SE	3	COMMONS , RAY L.	A36-07646 /	36-07646 /	41.0		
07S	23E	30	SW	SE	4	COMMONS , RAY L.	A36-07646 /	36-07646 /	43.0		
07S	23E	30	SW	NE	2	COMMONS , RAY L.	A36-07646 /	- /	19.0		
07S	23E	30	NE	SE		COMMONS , RAY L.	A36-07646 /	36-07646 /	37.0		
07S	23E	30	SE	SE		COMMONS , RAY L.	A36-07646 /	36-07646 /	36.0		
TOTAL ACRES							A36-07646		176.00		

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
X

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

POU was claimed as permitted, recommended as licensed (licensed 2/23/90).
∴ SWNE Sect. 30 should not be recommended. See licensing field exam in file.

RECOMMENDATIONS:

TOTAL ACRES: 176

REVIEWED BY: JLN

DATE: 3/26/91

A. AJ CLAIMED USES:

PURPOSES		MONTH/DAY		DIVERSION QUANTITY	
A36-07646	STOCKWATER	FROM 01-01	TO 12-31	.600 CFS	
A36-07646	COMMERCIAL	FROM 01-01	TO 12-31	1.000 CFS	
TOTAL DIVERSION RATE/VOLUME CLAIMED				1.600 CFS	

B. WR RECORDED USES:

PURPOSES		MONTH/DAY		DIVERSION QUANTITY	
36-07646	STOCKWATER	FROM 01-01	TO 12-31	.600 CFS	160.80 AF/A
36-07646	COMMERCIAL	FROM 01-01	TO 12-31	1.000 CFS	362.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED				1.050 CFS	522.80 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

Div. rate claimed as permitted, but recommended as licensed, ∴ total div. rate should be recommended as 1.05 cfs. See licensing field report + pump test field data. Licensed div. volume will be recommended.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N(X)

AJ TOTAL CLAIMED DIVERSION RATE: 1.600 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.050 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
X NO

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

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

3. IRRIGATION DIVERSION VOLUME

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

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

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

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
STOCKWATER	01-01 12-31	DATABASE 0.600 EXAMINER 0.60	DATABASE 1460.80 EXAMINER 1460.80	DATABASE 0.0 EXAMINER 0.0
COMMERCIAL	01-01 12-31	DATABASE 1.000 EXAMINER 1.00	DATABASE 522.80 EXAMINER 522.80	DATABASE 0.0 EXAMINER 0.0
TOTAL FOR THIS RIGHT		1.600 1.05		

REVIEWED BY: _____

DATE: _____

1200000000 104 01

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07646

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.050	EXAMINER <u>1.05</u>	CFS
-----------------------------------	-------------------	-------------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07646	1.600	-		36-07646	1.050
TOTAL CFS		1.600				1.050

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 <u>N</u>	FIELD EXAMINER <u>Y</u>
----------------------	-------------------------------

REMARKS:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

09 30

19 20

CLAWSON
FARMS

Dust control Heads

CLAWSON
FARMS

CLAWSON

MAR 05 1990

D35
842

B

12.5

411

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

RECEIVED
SEP 26 1986

A. GENERAL INFORMATION

Permit No. 36-7646

1. Owner: Blinco Farms Phone No. _____

Current Address: _____

2. Accompanied by: Richard Blinco EXAM. DATE: 7-18-78
8-1-86

Address: _____ Phone No. _____

Relationship to Permit Holder: owner

3. Source: groundwater tributary to _____

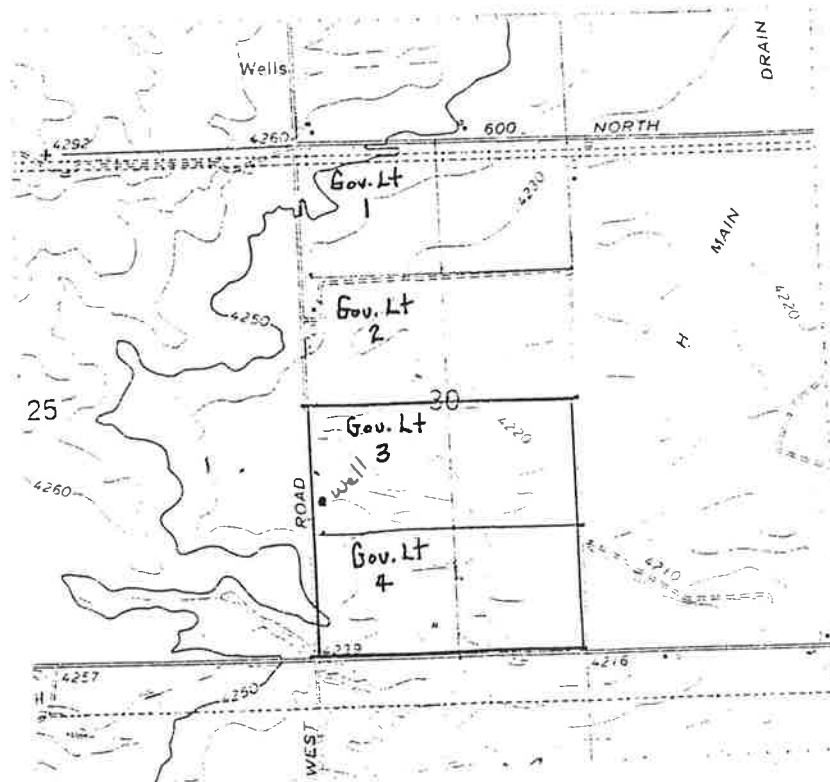
B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached

2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



T 7 S
R 23 E

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Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☐ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

RECOMMENDATIONS

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1-1	12-31	1.0 cfs	~~362~~ 362.0 AFA
Livestock	1-1	12-31	0.6 cfs	~~120.3~~ 161.0

Totals: ~~1.05~~ 1.05 ~~72 587.4 AFA~~
~~28744~~ AFA
 523,0

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

Field Examiner's Name Gary Funderburg
Signature Gary Funderburg
Certification Date _____
Field Report Preparation Date _____

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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MAR 06 1990

District Rupert Date August 10, 1982
 Customer Blinn Farm Account Number _____
 Address _____ City _____ State _____ Zip _____
 Meter Number 3-4961 Demand - 77
 Pump Location STA. # 100 HP @ Field Type _____
 Motor Nameplate G.E. Induction Motor Model - SK6262xH45A
100 HP Volts - 230/460 FL Amps - 234/112
Cycles - 60 Phase - 3
 Pump Nameplate Johnson Base

Bowl Size _____ Column Size _____ Depth Setting _____ (ft)
 Pump Design _____ GPM @ _____ TDH _____ (ft)
 Well Depth 578 ft Diameter 8 in. 3/4 in Static Water Level 337 ft
 Pumping Level _____ Usual Discharge Pressure _____ Suction Pressure _____
 Meter Disc Revolutions _____ Meter Constant _____ Seconds (time) _____
 CT Ratio _____ PT Ratio _____ Or Multiplier _____ Inst. Demand _____
 Flow Meter Device _____ Recorded Demand 77 KW

FORMULA

10. Total Head Pressure (2.31 x Pressure) + Pumping Level
 against the pump: (2.31 x 76.25) + 334 = 509 TDH in feet
- Flow: Pipes under 10" $2.55 (ID)^2 - ID \times \text{Meter Reading} = \text{Flow in GPM}$
 Pipes over 10" $2.45 \times (\text{Pipe ID})^2 \times \text{Meter Reading} = \text{Flow in GPM}$
 $2.45 \times ()^2 \times = \text{Flow in GPM}$
- Water Horsepower: $\text{Flow} \times \text{TDH} / 3960$
 $(472) \times (509) / 3960 = \underline{60.66}$ Water Horsepower
- Input KW: $.PF \times \text{Avg Volts} \times \text{Avg Amps} \times 1.732 / 1000$
 OR $() \times () \times () \times 1.732 / 1000 = \text{Input KW}$
- Input KW: $\text{Rev} \times \text{Kh} \times (\text{x multiplier} \times 3.6) \div \text{seconds} = \text{KW}$
 $13.2 \times 18.8 = \underline{248.16}$ KW
- Horsepower Input: $\text{Input KW} / .746$
 $248.16 / .746 = \underline{332.64}$ Input Horsepower
- Plant Efficiency: $\text{Water H P} / \text{Input H P} \times 100$
 $\times 100 = \underline{55\%}$ Plant Efficiency

Collins Flow Readings

	A	B
1	3.1	3.65
2	3.2	3.7
3	3.6	3.55
4	3.6	3.55
5	3.0	3.1
6	3.05	2.5

Power Read. at Various Pressures

	PSI	Rev.	Seconds	KW	Produced Hp
1	10	5	8.9	8.7	1.7
2	54	5	9.6	8.1	9.2
3	10	5	9.1	8.5	1.3
4	76	10	15.3	8.7	10.2

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12 Readings Total 47.2 ÷ 12
 = 3.93 (Line 2 Meter Reading)