

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: A36-08051
Date Received: 1/19/1989
Receipt No: S006085
Received By: _____

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

1. Name: JOHN BRUNE
Address: 2463E 1200S
HAZELTON, ID
208-829-5457
83335-0000
2. Date of Priority: JAN 20, 1982
3. Source: WASTE WATER
Trib. to: MILNER-GOODING CANAL
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	21E	18	SW	SW		4	JEROME
		19	NE	NE			JEROME

5. Description of diverting works:
POND, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.480		96.00

7. Total Quantity Appropriated is:
0.480 C.F.S. (and/or) 96.00 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
10S	21E	19	NE	NE		IRR	19.0
			SE	NE		IRR	5.0

Section Acres 24.0

10. Place of Use: Continued

Total Acres 24.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
NORTHSIDE CANAL WATER

14. Remarks:

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 D. Brun

Date:

Jan 19, 1989

Date:

State of Idaho

County of Twin Falls

)
) SS.
)

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

of January 19 89

Mary A. Baldwin
Notary Public

Seal

Residing at

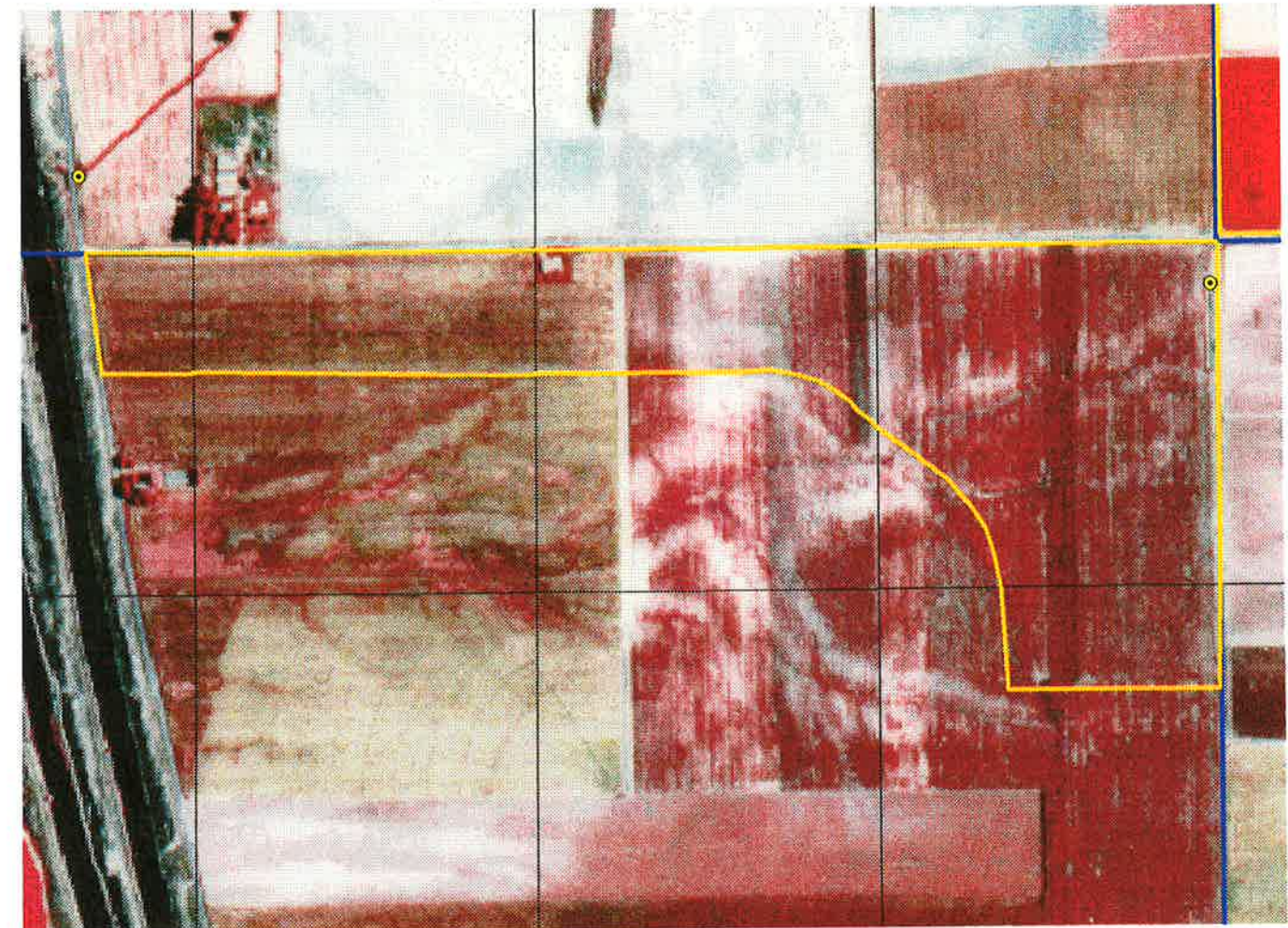
Gooding Id

My Commission Expires

10/16/1992

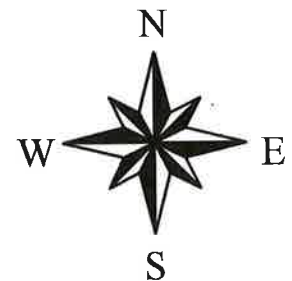
IDAHO DEPARTMENT OF WATER RESOURCES

36-04137 & 36-08051
JOHN BRUNE



0.04 0 0.04 0.08 0.12 0.16 0.2 0.24 0.28 0.32 0.36 0.4 0.44 0.48 0.52 0.56 0.6 0.64 0.68 Miles

TNS 10S, RNG 21E, SEC 19



- B36-pod.shp
- Pou-outline.shp
- 10s21e.dxf
- 4
- T10s21eqq.shp

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

Decreed right

CLAIM NUMBERS 36-4137
-8051

DATE 8-4-97
AGENT KKC

TRANSFER NUMBER _____
OBJECTION FILED _____
TOTAL ACRES FROM RECOMMENDATION 77
GEOGRAPHIC INFO SYSTEM 77

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	<u>10S</u>	<u>21E</u>	<u>19</u>	<u>36</u>	<u>15</u>		<u>8</u>	<u>15</u>	<u>3</u>										<u>77</u>
GIS				<u>35.7</u>	<u>15.1</u>		<u>7.5</u>	<u>14.3</u>	<u>4.1</u>										<u>76.7</u>
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 8-7
B36-DBPOD.DBF 8-7

POLYGON CREATED ON 604 (X)
ATTRIBUTES OF B36-POU.SHP (297) 8-7
ATTRIBUTES OF B36-POD.SHP ()

POD

Sec 18 SE SWSW 264 8-7
Sec 19 NE NENE 265 8-7

P/U based upon a settlement
conference held 3-7-97

P/U CONFLICT yes () no (X)
P/D CONFLICT yes () no (X)
READY FOR DECREE yes (X) no ()
SENT FOR DECREE yes (X) no ()

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

Water Right Number - R36-08051

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
BRUNE

JOHN

1 - 2463 E 1200 S

2 -

3 -

City- HAZELTON

State- ID Zip- 83335

Phone - 208-829-5457

BRUNE

NANCY

1 - 2463 E 1200 S

2 -

3 -

City- HAZELTON

State- ID Zip- 83335

Phone - 208-829-5457

+ - - Priority Date - - +
01/20/1982

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - - - Source - - - - - +
WASTE WATER

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

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

10S 21E 18 SE SW SW 4 (53) JEROME
19 NE NE NE (53) JEROME

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

01 - IRRIGATION 04/01 10/31 0.480

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.480 0.0

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

10S 21E 19 NE NE 36.0 01 IRRIGATION (53) JEROME
10S 21E 19 NW NE 15.0 01 IRRIGATION (53) JEROME
10S 21E 19 SE NE 8.0 01 IRRIGATION (53) JEROME
10S 21E 19 NE NW 15.0 01 IRRIGATION (53) JEROME
10S 21E 19 NW NW 3.0 01 IRRIGATION (53) JEROME

Total Acres: 77.0

+ - - Diversion Means - PONDS, PUMPS, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

RECOMMENDATION
BASED UPON A
SETTLEMENT
CONFERENCE HELD 3-7-97
KNC

Water right number - R36-08051

Prefix Translation: RESEARCH

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

QNT USE OF THIS RIGHT WITH RIGHT NO. 36-04137 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.54 CFS, AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 308 AF.

POU THIS RIGHT IS LIMITED TO THE IRRIGATION OF 24 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-04137 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE
IRRIGATION SEASON.

EXP RIGHT NO. 36-04137 IS ALSO DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE.

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

No Old Water Right Numbers Found

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

- S18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE PUMPING CO.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
- G01 - THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL
- APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS
- GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO
- CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT,
- OR TO RECAPTURE IT.

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

00/00/0000

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

Date: 04/22/1991 User Id: WORSTELL Subject: OVERLAP

THERE ARE 43 ACRES OF OVERLAPPING CLAIMS INVOLVED IN THIS AREA, BETWEEN THE NORTH SIDE CANAL WATER AND CLAIM R36-04137. THE 2
WASTE WATER CLAIMS ARE NEEDED AS SUPPLEMENTARY SUPPLIES WHEN THE CANAL WATER IS IN SHORT SUPPLY.

Date: 03/07/1997 User Id: KCHRISTE Subject: SETTLEMENT CONFERENCE HELD 3-7-1997

AGREEMENT WAS MADE ON 77 ACRES PERMISSIBLE PLACE OF USE, 1.06 CFS FOR 36-04137 AND 0.89 CFS FOR 36-08051 FOR A TOTAL OF 1.54 CFS.
SPECIAL MASTER DOLAN SOLICITED OWNERSHIP IDENTIFICATION. BASED UPON THE INFORMATION GIVEN TO MR DOLAN, NANCY BRUNE WAS ADDED TO
THE OWNERSHIP OF THE CLAIM. STANDARD FORM 5 DUE WITHIN TWO WEEKS OF THIS DATE. KKC

+ - - Audit Fields - - +

03/07/97 KCHRISTE

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 03/07/1997	Old Judicial District	-
Claim Received Date	- 01/19/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S006085	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-



March 7, 1997 SETTLEMENT CONFERENCE FOR 36-04317 & 36-08051

ATTENDING: SPECIAL MASTER DOLAN, CHARLIE HONSINGER, KELLY K
CHRISTENSEN & JOHN BRUNE

PLACE OF USE

Based upon the settlement conference the system was determined to be a permissible place of use with two points of diversion. The original place of use for each claim was identified as having been developed as a separate system but by 1986 joined into a common system. The place of use as claimed under each right was accepted as accurately representing the actual development. A third system for the canal water is joined to this system and does supply canal water to the recommended acres but Mr Brune indicated that the waste water systems do not supply water to the center pivot systems therefore the acres covered by the canal water are not included in the permissible place of use. The system has gone through another change in operations in the past two or three years, but that change is not reflected in this recommendation. A transfer may be necessary to reflect the current changes made.

DIVERSION RATE

Mr Brune stated that only one pump (the 25hp pump) was operating during the field examination conducted by Jim Stanton. He further stated that the other point of diversion had a 40 hp pump installed. Information in the claims review file for A36-04137 and the licensing field examination for 36-08051 tend to support that statement. It was agreed by all parties that the 0.89 cfs measured by Jim represented the capacity of the 25 hp pump system. The theoretical calculation developed by Robert Worstell for A36-04135 was 1.71 cfs which was for that right and system only. When combined the system capacity would be 2.60 cfs.

We discussed the origination of the waste waters. He indicated that the waste water from the point of diversion at TNS 10S; RNG 21E; SEC 19; NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ B.M. was primarily from his neighbor's property to the east and that the waste water from the point of diversion at TNS 10S; RNG 21E; SEC 1; SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ B.M. was a combination of canal wastewater and private rights on other neighbors to the north and east. This recommendation does not differentiate between the sources of the waste water.

CONSUMPTIVE USE

Charlie Honsinger stated that because of the pending legislation, we will not recommend a consumptive use volume for these rights.

Water Right Number - 36-08051

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
BRUNE

JOHN

1 - 2463 E 1200 S

2 -

3 -

City- HAZELTON

Phone - 208-829-5457

State- ID Zip- 83335

+ - - Priority Date - - +
01/20/1982

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - +
WASTE WATER

+ - - Tributary - - - - +

+ - - Point of Diversion - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name

10S 21E 18 SE SW SW 4 (53) JEROME
19 NE NE NE (53) JEROME

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

01 - IRRIGATION 04/01 10/31 0.480 OK 96.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.480 96.00 0.0

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

10S 21E 19 NE NE 36.0 01 IRRIGATION (53) JEROME
10S 21E 19 NW NE 15.0 01 IRRIGATION (53) JEROME
10S 21E 19 SE NE 8.0 01 IRRIGATION (53) JEROME
10S 21E 19 NE NW 15.0 01 IRRIGATION (53) JEROME
10S 21E 19 NW NW 3.0 01 IRRIGATION (53) JEROME

Total Acres: 77.0

+ - - Diversion Means - POND, PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - Remarks - - - - +

GEN THIS RIGHT IS LIMITED TO THE IRRIGATION OF 24 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-04137 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.89 GFS, A TOTAL COMBINED
ANNUAL CONSUMPTIVE USE VOLUME OF 231 AF, AND TO THE IRRIGATION

POU E 11
QNT E

1.54 CFS

POU K 6

updates required
for settlement
conference
3-7-97
KRC

Water right number - 36-08051

Prefix Translation: WATER RIGHT

+ - - - - Remarks - - - - - +
OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-04137 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

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

+ - - - - Conditions of Approval - - - - - +
S18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE PUMPING CO.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
G01 - THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL
- APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS
- GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO
- CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT,
- OR TO RECAPTURE IT.

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

+ - - Audit Fields - 04/22/91 WORSTELL 05/07/92 CHRISTEN 07/18/92 POST-STD 07/31/92 MERRITT 08/03/92 MERRITT
08/28/92 PR-PRODM 11/02/92 CPSHAW 12/05/92 ADT-SHAW 05/20/93 CM2-SEIF 09/17/93 UPD-SCHU
03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 257384 08/24/92

+ - - - - Comments - - - - - +
Date: 04/22/1991 User Id: WORSTELL Subject: OVERLAP
THERE ARE 43 ACRES OF OVERLAPPING CLAIMS INVOLVED IN THIS AREA, BETWEEN THE NORTH SIDE CANAL WATER AND CLAIM R36-04137. THE 2
WASTE WATER CLAIMS ARE NEEDED AS SUPPLEMENTARY SUPPLIES WHEN THE CANAL WATER IS IN SHORT SUPPLY.

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 02/11/1993	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 09/10/1993	Verified Date	- 08/03/1992	Old Judicial District	-
Claim Received Date	- 01/19/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S006085	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	-	Notice of Error Flag	-

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 20 1994

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

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

Case No. 36-08051 -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)

MICROFILMED
OCT 20 1994

DECL. 5-17-79
NICHOLAS B SPENCER

2. Person who filed objection:

Name: JOHN D BRUNE
Address: 2463 E 1200 S
HAZELTON ID 83335

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.
9. ☒ Place of Use: I respond to the objection concerning:
- 9a. ☒ The legal description of the place of use.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection items 3 and 3.a, and all allegations of the objection regarding those items, IDWR responds as follows: This right was claimed based on a permit for which a license has been issued by IDWR. The diversion rate and diversion volume recommended are the same as stated on the license. The claimant is not entitled to an amount greater than

licensed.

In response to Statement of the Objection 9 and 9.a, and all allegations of the objection regarding those items, IDWR responds as follows: There is an error in the description of the place of use of this right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law." The corrected recommendation shows the place of use as licensed by IDWR.

In response to Statement of the Objection item 10 and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(i) requires the director to determine the annual volume of consumptive use for each water right acquired under state law and recommended in the director's report. IDWR has developed uniform standards of consumptive use for various climatic areas throughout the state, based upon the definition of consumptive use contained in Idaho Code Sec. 42-1401A(2), which is the maximum volume of water consumed by "the most water consumptive crop that can be grown in the area during the period of year when water is used for irrigation." The consumptive use recommended for this water right is 3 acre feet per acre. This is the maximum volume of water consumed by the most water consumptive crop (pasture) that can be grown in the area during the irrigation season. Idaho Code Sec. 42-1401A(2) provides that the quantification of consumptive use "is included as a rebuttable presumption in a decree only for the purpose of transfers pursuant to section 42-222, Idaho Code." Therefore, the consumptive use recommended for this water right is included solely for use in future transfer proceedings, and not as a limitation on the quantity of water that the claimant may divert pursuant to this recommended right.

In response to Statement of the Objection item 11, and all allegations of the objection regarding this item, IDWR responds as follows: There is an error in the remarks in the description of this water right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law." The corrections are consistent with the corrections in the place of use.

(Over)

6/13/80
UNRECORDED

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

☒ 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:

	No. of Pages
Notice of Claim No. A36-08051	2
Recommended Water Rights Acquired Under State Law	1

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

My Commission Expires December 5, 1994

(Over)

MICROFILMED

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:

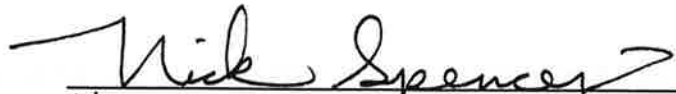
See No. 3

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: JOHN D BRUNE
Address: 2463 E 1200 S
HAZELTON ID 83335

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-08051
Date Received: 1/19/1989
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Received By: _____

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ACQUIRED UNDER STATE LAW

1. Name: JOHN BRUNE
Address: 2463E 1200S
HAZELTON, ID 83335-0000
208-829-5457
2. Date of Priority: JAN 20, 1982
3. Source: WASTE WATER Trib. to: MILNER-GOODING CANAL
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	21E	18	SW	SW	SW	4	JEROME
		19	NE	NE	NE		JEROME

5. Description of diverting works:
POND, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.480		96.00

7. Total Quantity Appropriated is:
0.480 C.F.S. (and/or) 96.00 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 of	Lot	Use	Acres
10S	21E	19	NE	NE		IRR	19.0
			SE	NE		IRR	5.0
						Section Acres	24.0

A36-08051

Page 1

Date: 01/19/89

MICROFILMED
OCT 20 1994
FEB 09 1993

10. Place of Use: Continued

Total Acres 24.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
NORTHSIDE CANAL WATER

14. Remarks:

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 D. Bruner Date: Jan 19, 1989

Date: _____

State of Idaho)
County of Twin Falls) SS.

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

of January 19 89

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding ID

My Commission Expires 10/16/1992

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-29-1993
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: WASTE WATER						
36-08051	JOHN BRUNE 2463 E 1200 S HAZELTON ID 83335	01/20/1982	IRRIGATION	04-01 10-31	.48 96.00	CFS AFY LICENSE
			TOTAL QUANTITY:		.48 96.00	CFS AFY
	POINT OF DIVERSION: T10S R21E S18 LOT 4 (SESWSW) S19 NENENE		CONSUMPTIVE USE:		72.00	AFY
	PLACE OF USE: IRRIGATION T10S R21E S19	NENE 36.019.0 NNWNW 3.0	NWNE 15.0	SENE 8.05.0		NENW 15.0
	REMARKS:	24.0 77.0 ACRES TOTAL USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE PUMPING CO. ~~RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.~~ THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT, OR TO RECAPTURE IT. ~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 24 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~ USE OF THIS RIGHT WITH RIGHT NO. 36-04137 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.89 CFS, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 231 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-04137 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE-AS LOCATED IN TWP. 10S, RGE. 21E. SEC. 19 LOT 4 SESWSW.				

MICROFILMED
OCT 20 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

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

John Brune

2. SUBJECT OF INQUIRY: 36-08051 & 36-04137

The recommendation for 36-08051 was based upon the licensing field exam as combined with the use developed under 36-04137 for additional acres & div rate. The total acres recommended identify acres in the northern portion of Sec 19 outside of a single center pivot (200 Acre coverage) as shown on the orthophoto.

The recommended diversion rate for the combined ~~diversion~~ ^{diversion} rights was limited to the measured rate ^{found} during the 1986 licensing field exam for 36-08051 that measurement was a sprinkler head calculation for the hand lines on the 23 acres under that

3. RESPONSE TO INQUIRY:

claim only. The claimant states that that measurement does not identify the system capacity.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

K. CHRISTENSEN

Kelly K. Christensen

36-08051 AND 36-04137

MICROFILMED

OCT 20 1994

TRANSMITTAL COVER SHEET

OMNIFAX G66

TO: NICK SPENCER

TOTAL PAGES SENT: 1

DOCUMENT DESCRIPTION: Conversation Memo

RE: 36-08051 & 36-04137

FROM: IDAHO DEPARTMENT OF WATER RESOURCES
222 SHOSHONE AVE E
TWIN FALLS ID 83301

PHONE: 736-3033

FAX: 736-3037

SENDER: K Christensen

CHARGES:

One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost \$0.25 per page. (\$0.50 minimum)

Please consider this document as a billing statement.

The charge for your fax copies is: _____

Please remit to the above address.

COMMENTS:

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OCT 20 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

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

John Bruke

2. SUBJECT OF INQUIRY:

He neglected to read the mailing on his water rights & needs to file an objection. He stated that his wastewater comes from two diff sources & that they were recommended as combined & the rate was reduced.

3. RESPONSE TO INQUIRY:

I agreed with him that he needed to file an objection & mailed him the forms. I could not explain the basis for the recommendation.

4. IDWR STAFF AND DATE:

12-8-92 Kelly K. Christensen

Print name and Initial

WATER RIGHT CLAIM (Nos.):

36-8051 & 36-4137

MICROFILMED
OCT 20 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

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

John Brune
office visit

2. SUBJECT OF INQUIRY:

Why the 2 claims were ~~as~~ combined & then limited to .89CFS.

3. RESPONSE TO INQUIRY:

Recommended Div rate based upon 86 field exam sprinkler head measurement for 2.4 acres covered by 8051. The system may have been supplying additional water to other ground at the same time (personal observation KKC) P/Ds appear OK. System includes canal shares therefore waste water covers most of Sec 19 rather than just the claimed acres (based upon cons. not field exam). I explained how the field exam (86 by Jim S) was conducted & how it was used in the adj review. I exp object procedure. & gave him 2 Forms.

4. IDWR STAFF AND DATE:

Print name and Initial

WATER RIGHT CLAIM (Nos.):

Kelly L. Christensen

1-28-93

A36-4137 & A36-8051

MICROFILMED
OCT 20 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

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

John Bruke

2. SUBJECT OF INQUIRY:

He neglected to read the mailing on his water rights & needs to file an objection. He stated that his wastewater come from two diff sources & that they were recommended as combined & the rate was reduced.

3. RESPONSE TO INQUIRY:

I agreed with him that he needed to file an objection & mailed him the forms. I could not explain the basis for the recommendation.

4. IDWR STAFF AND DATE:

12-8-92 Kelly K. Christensen

Print name and initial

WATER RIGHT CLAIM (Nos.):

36-8051 & 36-4137

MICROFILMED
OCT 20 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

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

John Bruner
829-5457

2. SUBJECT OF INQUIRY:

the why of the recommendations for the two rights. he stated that the two rights apparently come from diff sources but were recom. with same P/D & combined for less than he claimed. He wanted to know if he should object to the recommendation.

3. RESPONSE TO INQUIRY:

after listening to his description of the rights, I could not explain the recommendation. That would require reviewing the files. I suggested that he come in and review his files & an Agent could at that time explain the recommendation. I told him that the current recommendation was based upon currently available info & Dept's application of Idaho Code. He stated that he would probably come in.

4. IDWR STAFF AND DATE:

Print name and initial

Kelly K. Christensen 1-25-93
36-4137 & 36-8051

WATER RIGHT CLAIM (Nos.):

MICROFILMED
OCT 20 1994

RECEIVED

FEB 22 1993

Department of Water Resources

1993 FEB 11 AM 9:38

DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED 127
DISTRICT OF THE

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

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.

Case No. 36-08051
(You must insert the
water right number you
are objecting to)

OBJECTION

RECEIVED

FEB 17 1993

Department of Water Resources
Adjudication Bureau

RECEIVED

FEB 26 1993

Department of Water Resources
Southern Region Office

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. You may object to one water right per objection form. The water right number you are objecting to must be indicated above in the blank space following "Case No." To object to more than one water right, you must file a separate objection form for each. Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

OBJECTION - 1

(Over)

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OCT 20 1994

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: John D. Brune

Address: 2463 E 1200 S

Hazelton, Idaho 83335

Briefly describe your interest in this water right:

Beneficial use for irrigation purposes.

2. Owner of the water right:

Name: ~~Waste water~~ John D. Brune

Address: SAME

3. If this objection is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

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: _____
- _____
- _____
- _____
- _____

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 pages

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 pages

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

☒ 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.

Application for permit 36-08051 two pages

VERIFICATION (Must be Completed)

State of Idaho

County of Jerome

John D. Brune
(Name of person filing objection), being first duly sworn, upon oath, deposes and says:

That I am the person or entity filing this objection, that I am a water claimant or party 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.

John D. Brune
Signature of person filing objection

By: _____
(Attorney signing in representative capacity)

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

Oliver Arkhous
Notary Public for State of Idaho
Residing at: 7122 Hord
My Commission expires: 6/24/98

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 10 day of Feb, 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, and you must fill in the following information:

Owner name:

MYSELF

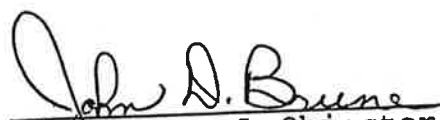
Owner's address:

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

REASONS SUPPORTING EACH BOX CHECKED

3. Quantity:

I object to the total quantity used because it is different than the originally approved permit. (see attached document) A mistake was made in the total acreage thus limiting the total CFS to 0.48. This was made because the number 19 from Section 19 was transposed, I believe, into the acreage listed on the NENE of subsequent forms. The numbers were side by side and the 20 acres as originally filled became a 19. The reduced acreage of 25 to 24 limited my CFS to 0.48 instead of 0.5 and my AFY to 96.0 instead of 100.

9. Place of Use:

I object to the legal description of the place of use. The place of use was combined with water claim 36-04137 and does not reflect where the water will be used. The total acres approved on the permit was 25 acres.

11. REMARKS:

This right was incorrectly combined with right number 36-04137. Because of a mistake in measurement in the approval process of this claim, the diversion point of claim 3604137 was included as producing water toward the acreage in this measurement. The measurement of usage should have been made to determine what water claim 36-08051 would produce, not a combination of claims. Because of combined claims the total combined diversion rate 0.89 CFS, annual consumptive use volume 231 AF and combined total acres of 77 acres are incorrect.

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OCT 20 1994

CHANGES TO DIRECTORS REPORT

Maximum Quantity: 0.5 CFS, 100 AFY

Total Quantity: 0.5 CFS

Total Volume: 100.00 AFY

Place of Use: Irrigation T10S R21E S19
NENE 15.0, NWNE 5.0, NENW 5.0
25 acres total

Remarks:

Use of this right is combined with water from North Side Pump Co.

Right includes accomplished change in place of use pursuant to Idaho Code 42-1416A.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

This right is limited to the irrigation of 25 acres within the place of use described above in a single irrigation season. Use of this right with right no. 36-04137 is limited to a total combined diversion rate of 2.17 CFS, a total combined annual consumptive use volume of 440 AF, and to the irrigation of a combined total of 110 acres in a single irrigation season.

Right no. 36-04137 is also diverted through one point of the diversion described above.

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant John Brune Phone 829-5457

Post office address Route #1 Box 49A, Hazelton, ID 83335

2. Source of water supply Wastewater which is a tributary of Milner-Gooding Ca

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19 Township 10S
Range 21E B.M. Jerome County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.50 cfs for irrigation purposes from Apr 1 to Sep 30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.50 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pond, pump, pipeline, sprinklers

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years. (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

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OCT 20 1994

Total number of acres to be irrigated 25

North Side Canal Co. shares

b. Who owns the land to be irrigated or place of use _____"

c. If the property is owned by a person other than the applicant, describe the arrangement enabling applicant to make this filing _____

10. Remarks Wastewater is from 2 wells & excess canal water on adjacent lands. Sys
was developed about 1961 but was not used for more than five years duri
the following years. Use began again in about 1975.

R PROOF



CVR



MAPS



PHOTOS



MISC



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FEB 09 1993

Water Right Number - 36-08051 Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***
BRUNE JOHN 1 - 2463 E 1200 S
2 -
3 -
City- HAZELTON State- ID Zip- 83335
Phone - 208-829-5457

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/20/1982 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
WASTE WATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
10S 21E 18 SE SW SW 4 (53) JEROME
19 NE NE NE (53) JEROME

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.480 96.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.480 96.00 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10S 21E 19 NE NE 36.0 01 IRRIGATION (53) JEROME
10S 21E 19 NW NE 15.0 01 IRRIGATION (53) JEROME
10S 21E 19 SE NE 8.0 01 IRRIGATION (53) JEROME
10S 21E 19 NE NW 15.0 01 IRRIGATION (53) JEROME
10S 21E 19 NW NW 3.0 01 IRRIGATION (53) JEROME

Total Acres: 77.0

+ - - Diversion Means - POND, PUMP, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - - - Remarks - - - - - +
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 24 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-04137 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.89 CFS, A TOTAL COMBINED

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FEB 0 9 1993

Water right number - R36-08051

Prefix Translation: RESEARCH

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

ANNUAL CONSUMPTIVE USE VOLUME OF 231 AF, AND TO THE IRRIGATION
OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-04137 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

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

No Old Water Right Numbers Found

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

S18 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE PUMPING CO.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.
G01 - THIS RIGHT REMAINS SUBJECT TO THE RIGHT OF THE ORIGINAL
- APPROPRIATOR, IN GOOD FAITH AND IN COMPLIANCE WITH STATE LAWS
- GOVERNING CHANGES IN USE AND/OR EXPANSION OF WATER RIGHTS, TO
- CEASE WASTING WATER, TO CHANGE THE PLACE OR MANNER OF WASTING IT,
- OR TO RECAPTURE IT.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

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

Date: 04/22/1991 User Id: WORSTELL Subject: OVERLAP

THERE ARE 43 ACRES OF OVERLAPPING CLAIMS INVOLVED IN THIS AREA, BETWEEN THE NORTH SIDE CANAL WATER AND CLAIM R36-04137. THE 2
WASTE WATER CLAIMS ARE NEEDED AS SUPPLEMENTARY SUPPLIES WHEN THE CANAL WATER IS IN SHORT SUPPLY.

+ - - Audit Fields - - +

08/03/92 MERRITT

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 08/03/1992	Old Judicial District	-
Claim Received Date	- 01/19/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S006085	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

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FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:09
12/21/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-08051

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								
POINT OF DIV	Y			N				
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				N	4 6, 14			
CONSUMPTIVE USE				N	4 6			
PURPOSES				Y	4 6 KKE			
PERIOD OF USE				N	4 6			
BASIS OF CLAIM				N	4 6			
REMARKS				N	4 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.

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FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:09
12/21/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-08051

LAST: BRUNE
ADDRESS: 2463 E. 1200 S.
CITY: HAZELTON
PHONE NUMBER: 208-829-5457

FIRST: JOHN
STATE: ID ZIP: 83335

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER
N

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
FEB 09 1993

A. AJ CLAIM: # A36-08051 PRIORITY DATE: 01-20-1982 STAGE: L

B. WR RECORD: # 36-08051 PRIORITY DATE: 01-20-1982 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:

*claimed priority
matches licensed priority
accept as claimed
KKC 5-7-92*

RECOMMENDED PRIORITY DATE:
01-20-1982

REVIEWED BY B. V. W.

DATE 4/18/91

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FEB 09 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-08051	10S	21E	19	NE	NE	NE		JEROME
A36-08051	10S	21E	18	SE	SW	SW	4	JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-04137 NONE

WR RECORDS IN SAME 40 ACRE TRACT
36-04137

SOURCE: WASTE WATER

TRIB: MILNER-GOODING CANAL

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-08051	10S	21E	19		NE	NE		JEROME
36-08051	10S	21E	18		SW	SW	4	JEROME

OTHER WR RECORDS WITH SAME WR POD
36-04137

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A36-04137 NONE

SOURCE: WASTE WATER

TRIB: MILNER-GOODING CANAL

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
	Y	N	Y	<u>N</u>
	Y	N	N	<u>N</u>

REMARKS:

add 10 acre designation
otherwise OK
KHC

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
---	<u>Same</u>	<u>SE</u>	---	<u>Same</u>	---	---	---
---	<u>Same</u>	<u>NE</u>	---	---	---	---	---

SOURCE: WASTE WATER

TRIB: MILNER-GOODING CANAL

REVIEWED BY: R.V. JV

DATE: 4/19/91

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A. ROOT WATER RIGHT NUMBERS: A36-08051

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	21E	19	NE	NE		BRUNE, JOHN	A36-08051 /19.0	36-08051 /19.0	39.0		
						BRUNE, JOHN	A36-04137 /17.0	36-04137 /17.0			
						LARGE CLAIM	A01-00212Z5/35.0	- /			19
10S	21E	19	SE	NE		BRUNE, JOHN	A36-08051 / 5.0	36-08051 / 5.0	39.0		
						BRUNE, JOHN	A36-04137 / 3.0	36-04137 / 3.0			5
						LARGE CLAIM	A01-00212Z5/40.0	- /			
TOTAL ACRES							A36-08051	24.00	24.00	78.00	24

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
✓

PRESUMPTION FLAG:

REMARKS:

This claim shares the same P/O system as 36-4137. Recommend as P-P/O, see worksheet for land list. System overlaps with canal share, water but P/O for canal 5 has not identified clearly therefore those acres are not included within the P/P/O. KKC - 5-7-96

RECOMMENDATIONS:

TOTAL ACRES: 24

REVIEWED BY: R.V.W.

DATE: 4/18/91

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A. AJ CLAIMED USES:

PURPOSES
A36-08051 IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

change to Dept Standards.

DIVERSION QUANTITY
.480 CFS 96.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED .480 CFS 96.00 AF/A

B. WR RECORDED USES:

PURPOSES
36-08051 IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

DIVERSION QUANTITY
.480 CFS 96.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED .480 CFS 96.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.480 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.480 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(Y) N(☐) IF YES COMPLETE OVERLAP REVIEW.

(See page 9)

OTHER RIGHTS LISTED IN CLAIM: NORTHSIDE CANAL WATER

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-08051	WASTE WATER	BRUNE , JOHN	0.480	0.020	96.00	4.00
A36-04137	WASTE WATER	BRUNE , JOHN	1.670	0.031		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 24 x 0.02 CFS/ACRE = 0.48 CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 72.0 AF/A

ACRES 24 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 72 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 96.00 AF/A

ACRES 24 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 96 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

*COMBINED SYSTEM
see Remark worksheet for
recommendation data.
KKE. 5-7-92*

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE 0.480 EXAMINER <u>0.48</u>	DATABASE 96.00 EXAMINER <u>96</u>	DATABASE 72.0 EXAMINER <u>72</u>
TOTAL FOR THIS RIGHT		0.480	96.00	72.0

REVIEWED BY: R.V. JK

DATE: 4/18/91

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Overlap Review	A36-08051	A36-04137	AD1-00212 Z5	Overlap.
Sec 19 NE NE	19 ac	17 ac	35 ac	35
SE NE	5 ac	3 ac	40 ac.	8
			<u>TOTAL</u>	<u>43</u>

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(☒)	()
()	()
(1)	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-08051

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.480

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-08051	0.480	-		36-08051	0.480
TOTAL CFS		0.480				0.480

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
Y

REMARKS:

AUTHENTICATION:

SIGNATURE:

Robert V. Worstell

DATE:

4/18/91

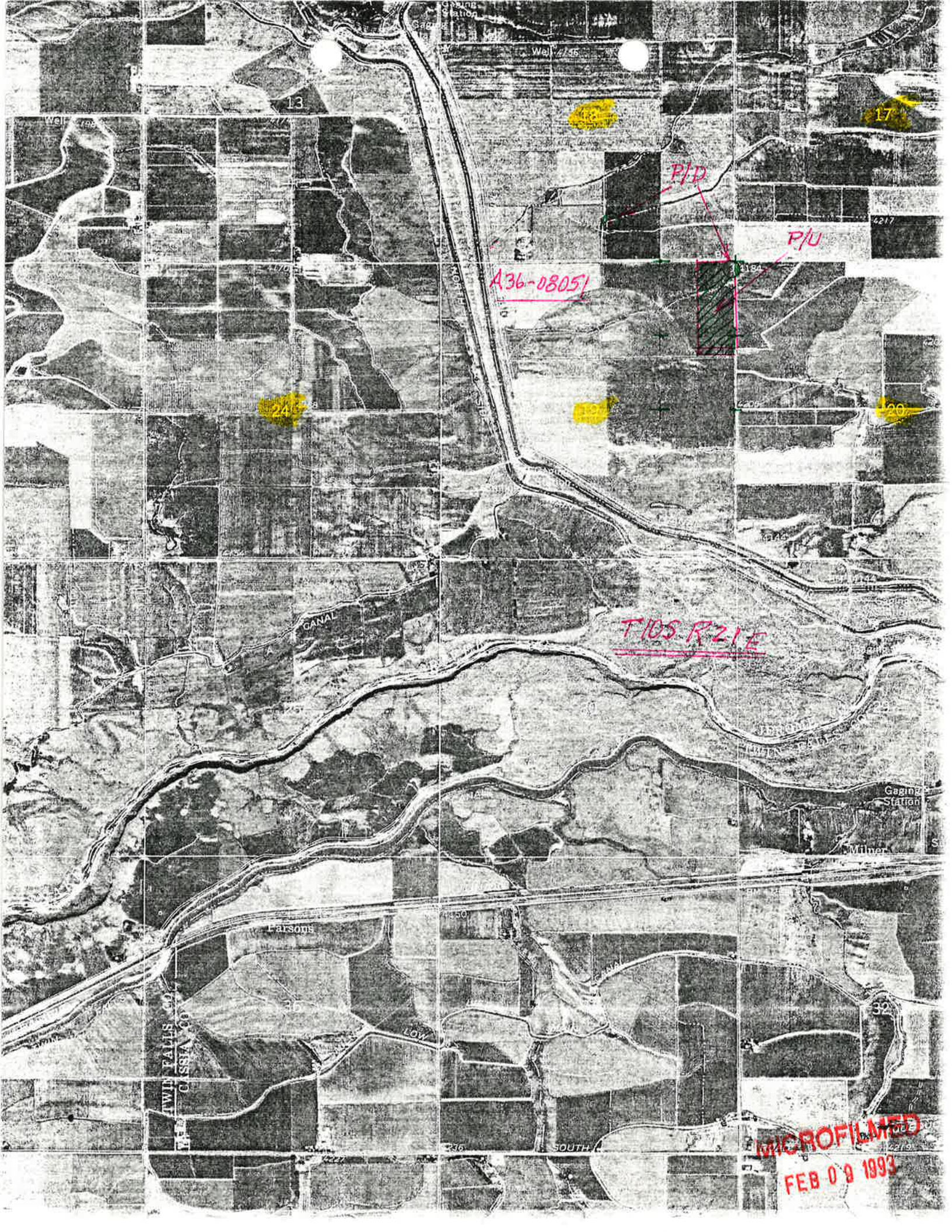
NAME OF FIELD EXAMINER:

ROBERT V. WORSTELL

TITLE:

SR. ADJ. AGENT

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13

17

217

20

24

A36-08051

P/D

P/U

T105 R21E

CANAL

Gaging Station

Wilbur

Parsons

LOW

TWIN FALLS CO.
CASSIA CO.

SOUTH

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KKC
5-7-92

[illegible]

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RECOMMENDED PERMISSIBLE PLACE OF USE:

CLAIMS: 36-4137
36-8051

	NUMBER	TNS	RNG	SEC	NE				NW				SW				SE				TOTAL	SYSTEM TOTAL
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
RECOMMENDED	P-P/U	10S	21E	19	36	15		8	15	3												77
	36 4137			19	17	15		3	15	3											53	
	36 8051			19	19			5													24	

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

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

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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
SEP 26 1986

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: John Prune Permit No. 36-8051
Current Address: Rt. 1 Box 49A, Hazelton, ID 83335 Phone No. 827-5457
2. Accompanied by: Mr. Reade EXAM. DATE: 6-17-86
Address: _____ Phone No. _____
Relationship to Permit Holder: _____

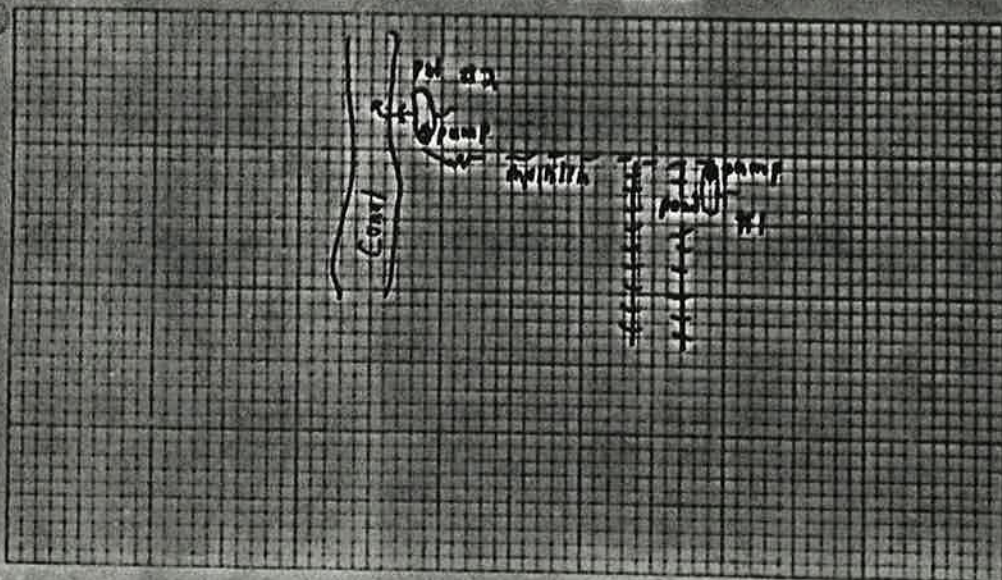
3. Source: Waste Water tributary to Milner-Feeding Canal

B. OVERLAP REVIEW

1. Other water rights with same place of use: North Side Canal Co. shares
2. Other water rights with same point of diversion: 36-4127 (pp. 2)
☐ 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/pipeline d. as applicable. ☐ Alternative diagram attached



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)

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Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Pressure Gauge						

2. Measurements:

Measured 144.5 psi ave. pressure = 4.79 gpm x hl

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

83 h/s x 4.79 gpm/hl = 398 gpm / 448.8 gpm/cfs = 0.89 cfs Allow 0.48 cfs

2. Alternate Method for Checking Purposes

(24 ac x .02 cfs/ac)

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
 Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)
 Water HP: (3) x (4) / 1.8 = _____ (5)
 Motor Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
 Motor Input HP: (6) x 1.34 = _____ (7)
 Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)
 Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

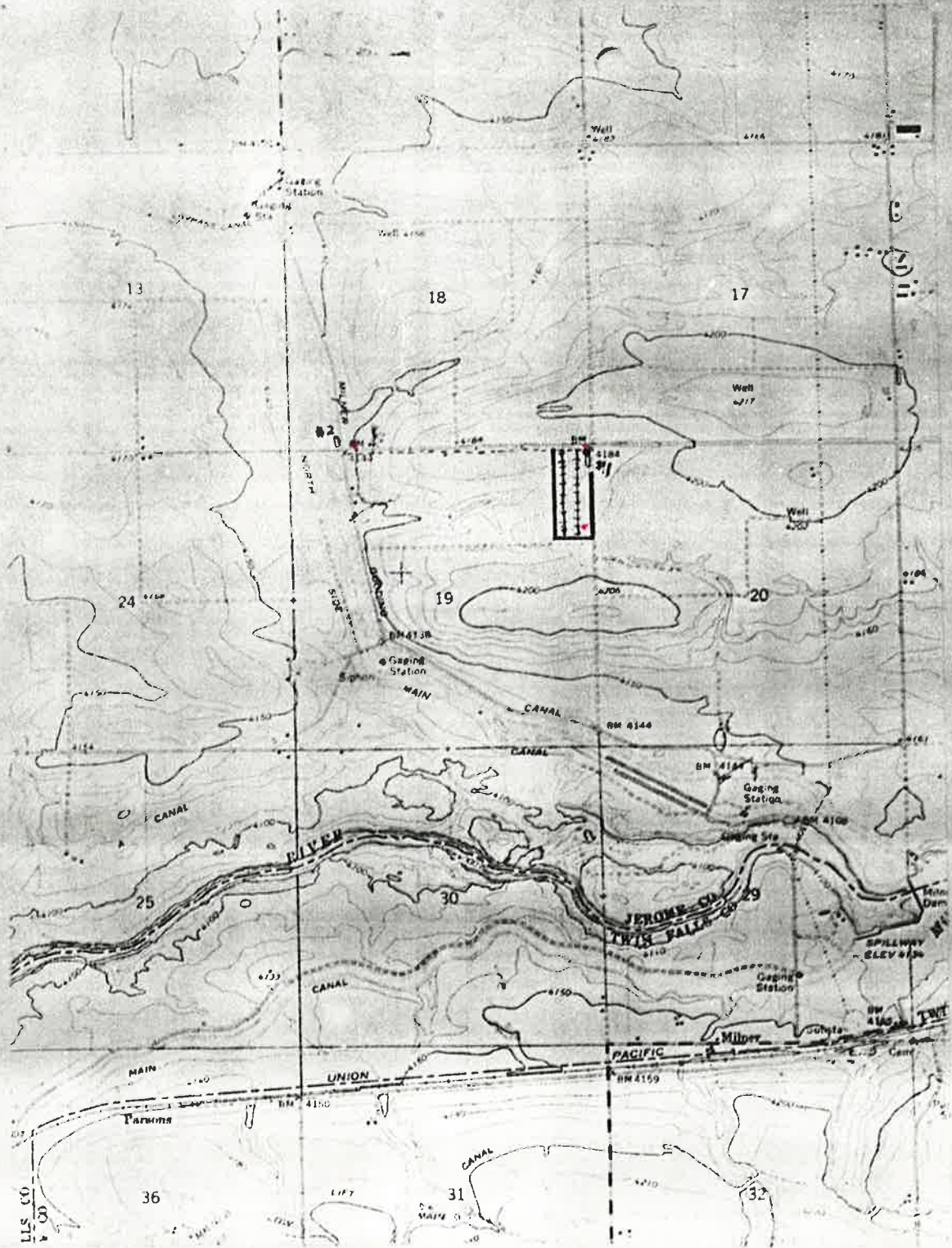
$V_a = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 24 \times 4 = 96$

$V_{aa} = (\text{Diversion Rate (cfs)}) \times (\text{Days in Irrigation Season}) \times 1.9835 = .48 \times 182 \times 1.9835 = 174.2$

$V = \text{Smaller of } V_a \text{ and } V_{aa} = 96 \text{ AFA}$

2. Volume Calculations for Other Uses

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System Description (continued)

3 Narrative: Description is operating at time of measurement. Ind. pressure, number of sprinklers, etc.)
 2 ponds collect waste water. A pump in each pond runs water into a common mainline that serves additional land in Sec. 19. If there is enough water, 2 wheel lines can be used on the land under this permit. All the waste water used to go to the pond in Sec. 18; use of the upper pond reduced the amount of water running thru the sprinkled ground. Land has canal shares, but is short of water (225 shares for 325 acres).

See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	Marathon	25	Model NF289TID RSD94AN W	Cornell	41939
2	G.E.	40	Model 5K386TN 1103A	*	17832

*Code to correspond with No. on map and aerial photo

5 Point(s) of Diversion:

Ident. No.	Gov't. Lot	%	%	%	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1		NE	NE	NE	19	10S	21E	Jerome	Aerial photo
2	4	SE	SW	SW	19	"	"	"	"

6. Place(s) 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	
10S	21E	19	19				5													24

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II. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	9-30	0.48	96
Totals:			0.48	96

2. Recommended Amendments

- ☐ 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

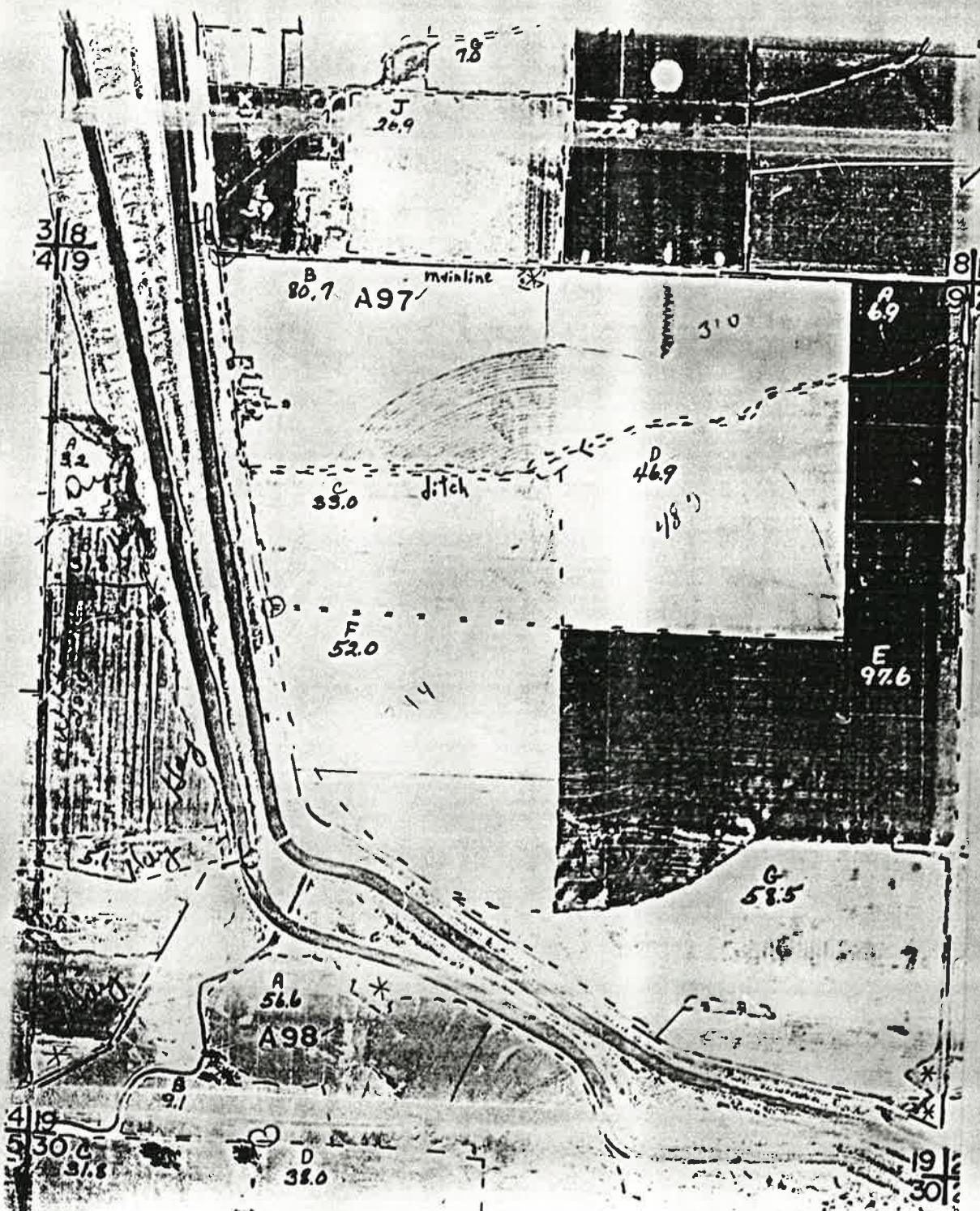
J. AUTHENTICATION

Field Examiner's Name: James E. Stanton
 Signature: James E. Stanton
 Certification Date: _____
 Field Report Preparation Date: _____

CONSULTANT'S NAME

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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
~~LICENSING REPORT~~

STATE OFFICE REVIEW

Permit No. _____

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$24 \text{ ac.} \times 0.02 = 0.48 \text{ cfs}$$

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{in} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 24 \times 4.0 = 96.0 \text{ AF} \\ V_{on} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.48 \times 19835 \times 245 = 233.3 \\ V &= \text{Smaller of } V_{in} \text{ and } V_{on} = \underline{96.0} \end{aligned}$$

- c) Volume Calculations for Other Uses:

2. Overlap Review

- a) Other water rights with same place of use: 01-0005, 01-0016, 01-0212,
01-0213, 01-0215, 01-0220, 36-4137
- b) Other water rights with same point of diversion: 36-4137 (#2 P/D)-claim,
no overlap

- c) Analysis:

Recommend R31 for P/U
overlaps -

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30 day
P/D

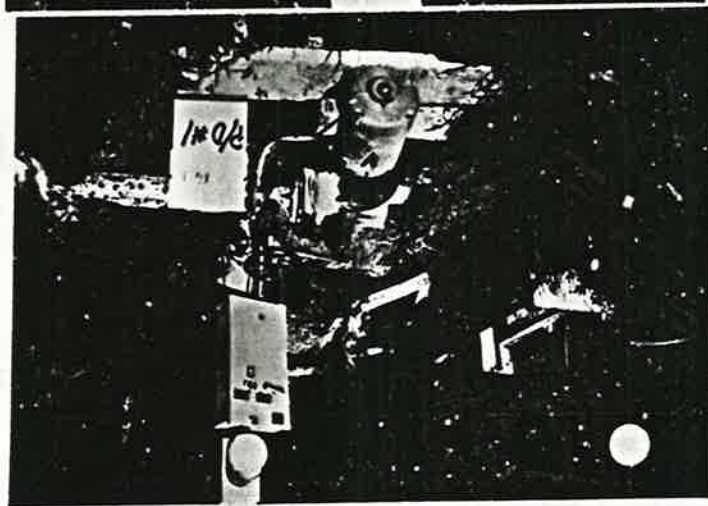
- 0.48 ✓ c/w 96.0 ✓ AFA

- Total Acres 24 ✓

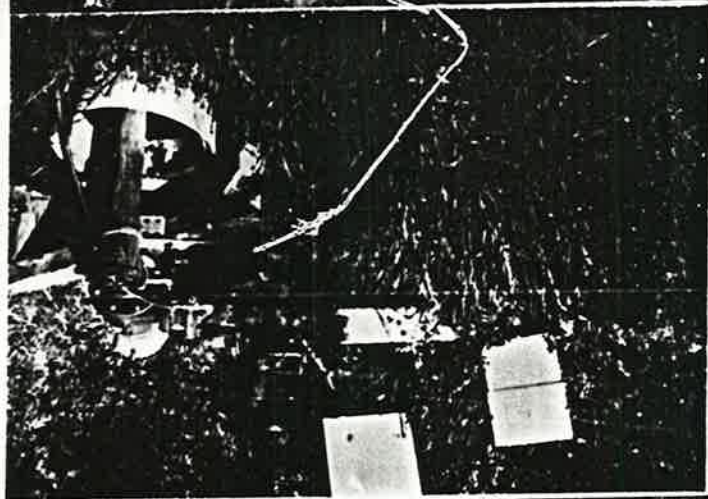
- R31 ✓

- Date _____

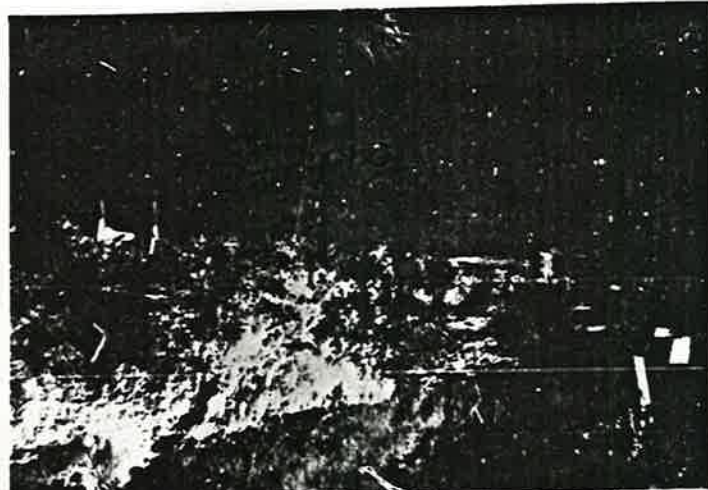
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