

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: **A36-08275A**
Date Received: 12/24/1991
Receipt No: S014010
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: FLAT TOP SHEEP 208-788-2850
Address: PO BOX 88
CAREY ID 83320

2. Date of Priority: MAY 9, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	23E	21		SE	SE		LINCOLN

5. Description of diverting works:
WELL, PUMP & SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	2.440		

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

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	23E	21	NE	SW		IRR	31.0
			NW	SW		IRR	31.0
			SW	SW		IRR	30.0
			SE	SW		IRR	30.0

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10. Place of Use: Continued

Section Acres 122.0

Total Acres 122.0

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:
 36-7007

14. Remarks:

15. Basis of Claim: PERMIT

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RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

AUG 31 1992

Department of Water Resources
Southern Region Office

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now B-P Farms through its managing partner John T. Peavey
of (address) P.O. Box 88, Carey, Idaho 83320, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 36-8275, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE 1/4 SE 1/4, Section 21, Township 6S, Range 23E, B.M.,
County of Lincoln. Other points of diversion: NWSE, S28, 6S, 23E
S28 well splits to P36-8275 B
S21 well splits to P36-8275 A

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

S28 well Amount 2.46 for Irrigation purposes from 4-1 to 10-31 (both dates inclusive)
(cfs or acre feet per annum)
S21 well Amount 7.57 for Irrigation purposes from 4-1 to 10-31 (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)

3. Place of use or land to be irrigated:

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	
<u>S28 well</u>	<u>6S</u>	<u>23E</u>	<u>28</u>					<u>8</u>	<u>34</u>		<u>2</u>	<u>25</u>	<u>21</u>			<u>3</u>			<u>93</u>
			<u>21</u>						<u>10</u>	<u>8</u>	<u>4</u>	<u>3</u>	<u>1</u>	<u>4</u>					<u>30</u>
																			<u>123 total</u>
<u>S21 well</u>	<u>6S</u>	<u>23E</u>	<u>21</u>								<u>31</u>	<u>31</u>	<u>30</u>	<u>30</u>					<u>122 total</u>

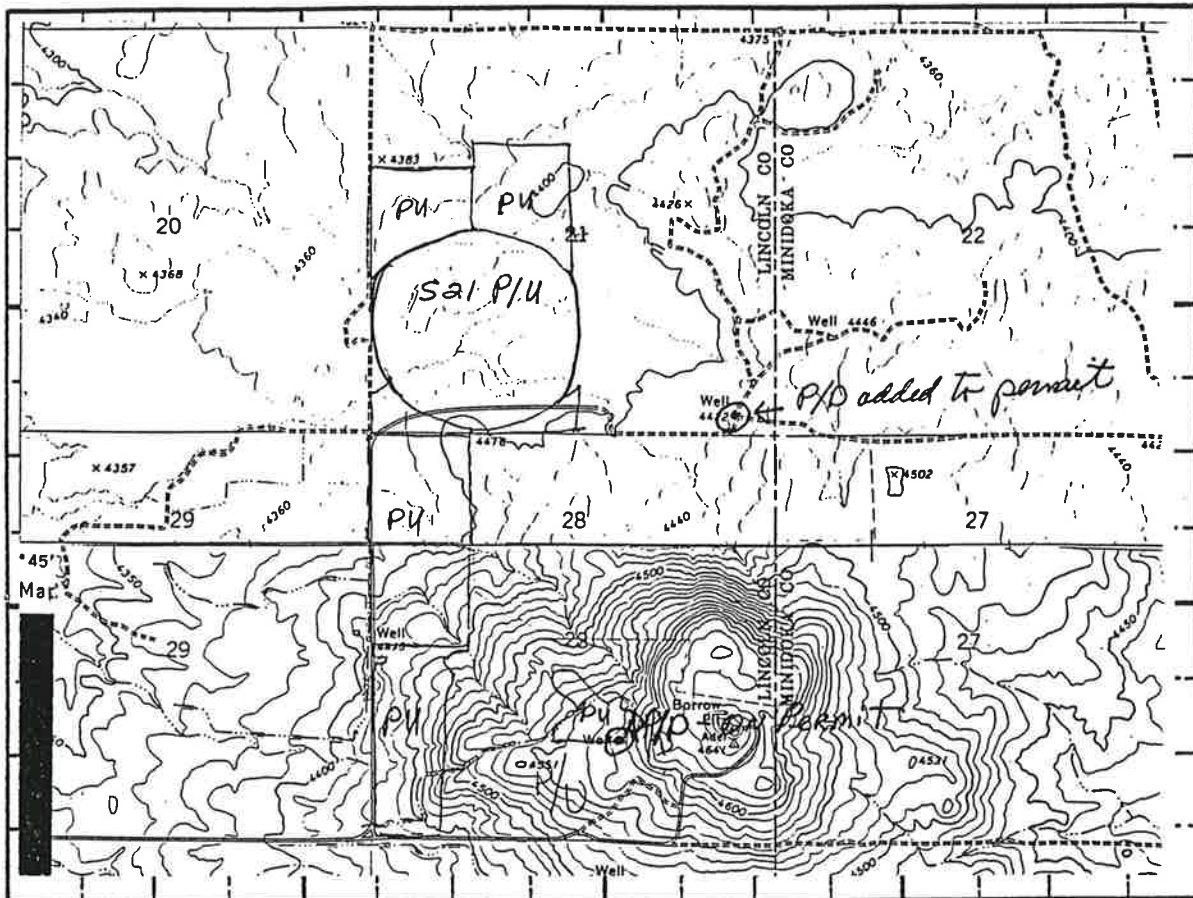
Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? applicant
b. Who owns the land to be irrigated or the place of use? applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Permit assigned by B-P Farms to Flat Top Sheep Co 8-28-92

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Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.

65,23E



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Carey, Idaho, this 29th day of August, 19 92.

John Peavey
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by ✓ Fee = \$20.00

Received by M.T.S. Date 8-31-92

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, Director of the Department of Water Resources hereby
APPROVE THE ABOVE APPLICATION FOR AMENDMENT.

Witness my hand this 5TH day of OCTOBER, 19 92.

John Peavey
Acting for Director

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FEB 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

F. E.
Date Sent to S.O.

SEP 04 1992

ASSIGNMENT OF APPLICATION FOR PERMIT

I, B-P Farms, hereby assign to Flat Top Sheep Co.
of, P.O. Box 88, Carey, ID 83320
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 36-8274, 36-8275 to appropriate the public waters of the State of Idaho.

36-8275
OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this Aug 28 day of _____, 1992

John Peavey
Applicant
Managing Partner, B-P Farms

State of Idaho)

ss

County of Twin Falls

On this 28 day of August, 1992, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Loren O. Halum
Notary Public

seal

My commission expires: 3/21/93

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FEB 05 1993

36-8275

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: **A36-08275**
Date Received: 12/30/1991
Receipt No: S014010
Received By: _____

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

1. Name: FLAT TOP SHEEP 208-788-2850
Address: PO BOX 88
CAREY ID 83320

2. Date of Priority: MAY 9, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	23E	28	NW	SE			LINCOLN

5. Description of diverting works:
WELL, PUMP & SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.000		

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

8. Total consumptive use is 960.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	23E	21	SW	NW		IRR	25.0
			SE	NW		IRR	25.0
			NE	SW		IRR	35.0
			NW	SW		IRR	35.0
			SW	SW		IRR	35.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	23E	21	SE	SW		IRR	35.0
Section Acres							190.0
		28	NW	NW		IRR	10.0
			SW	NW		IRR	35.0
			NE	SW		IRR	5.0
			NW	SW		IRR	35.0
			SW	SW		IRR	35.0
			NW	SE		IRR	10.0
Section Acres							130.0
Total Acres							320.0

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:
36-7007

14. Remarks:

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: _____

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For Organizations:

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

Signature of Authorized Agent

Title and Organization

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 _____

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8275

OK

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: A36-08275

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: Flat Top Sheep Company Phone: 788-2850 or
Address: P.O. Box 88 726-7568
Carey, Idaho 83320

2. Date of Priority: May 9, 1985

3. Source: Groundwater Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
6S	23E	28		NW	SE		Lincoln

5. Description of diversion works:
Well, pump, and sprinkler

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.
Irrigation	Mar. 15	Nov. 15	6.0		

7. Total Quantity Claimed is:
6.0 C.F.S. (and/or) (Acre Feet)

8. Total consumptive use claimed is:
960 Acre Feet Per Annum.

9. Non-irrigation uses: None

10. Description of place of use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
6S	23E	21	SW	NW		Irrig.	25
		21	SE	NW		Irrig.	25
		21	NE	SW		Irrig.	35

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21	NW	SW	Irrig.	35
21	SW	SW	Irrig.	35
21	SE	SW	Irrig.	35
28	NW	NW	Irrig.	10
28	SW	NW	Irrig.	35
28	NE	SW	Irrig.	5
28	NW	SW	Irrig.	35
28	SW	SW	Irrig.	35
28	NW	SE	Irrig.	10

TOTAL ACRES: 320

11. In which county (ies) are lands listed above as place of use located?
Lincoln

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

13. Other water rights used at the same place and for the same purposes as describe above.
36-7007

14. Remarks:

15. Basis of Claim:
Water Right Number: Permit 36-08275

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication."

(b.) I/We do _____ do not _____ x wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Claim 36-7021

For Organizations:

I do solemnly swear or affirm that I am President of Flat Top Sheep Company, that I have signed the foregoing document in the space below as President of Flat Top Sheep Company and that the statements contained in the foregoing document are true and correct.



John T. Peavey
President - Flat Top Sheep Company

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FEB 05 1993

Dec 18, 1991

Date

State of Idaho)
County of MIDWIDOKA) ss.

Subscribed and sworn (or affirmed) before me this 18th day of
~~November~~, 1991.
December

(SEAL)

Roger D. Ling
Notary Public for Idaho
Residing at: Rupert, Idaho
My Commission Expires: 10/30/92

17. Notice of Appearance:

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

Signature: Roger D. Ling

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

Date: Dec 18, 1991

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FEB 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

31-DEC-1991

ROGER D. LING
PO BOX 396
RUPERT ID 83350

RE: ADJUDICATION CLAIM NO. A36-08273, A36-08274, A36-08275,
A36-02454B, A36-07007B, A36-07021,
A36-02455, A37-04116, A37-01217,
A36-15339, A37-04397, A36-04268,
A36-07138, A37-00390, A37-00391,
A37-00392, A37-00393, A37-00394,
A37-00395, A37-00396, A37-00397,
A37-00398, A37-00399, A37-00400,
A37-00401, A37-02092, A37-02234,
A37-02294 - FLAT TOP SHEEP COMPANY

Mr. Ling:

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

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

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures

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FEB 05 1993

1. OF CLAIMS IN POLYGON _____

CLAIM NUMBERS 36-02455

DATE 7/15/97

TRANSFER NUMBER _____

OBJECTION FILED No

36-08275A

AGENT SC

TOTAL ACRES FROM RECOMMENDATION 170

36-08273

GEOGRAPHIC INFO SYSTEM _____

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	6S	23E	21			30	10				10	30	30	30	30				170
GIS	6S	23E	21			22	8			(15)	21	40	40	37	40	36	40	38	32
TRANS	7S	23E	1						44			33	33	33	33			TRANS	146
RECOM	6S	23E	21									31	31	30	30				122
GIS																			
RECOM	6S	23E	21													10	10	8	6
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF

ATTRIBUTES OF B36-POU.SHP (*) see below

B36-DBPOD.DBF

ATTRIBUTES OF B36-POD.SHP (260)

8/5/97

36-2455, 36-8275A & 36-8273

7/29/97 sec: Search of WR database (blank & 'X') shows this right: POU is for lands in 6S 23E - based on this, POU is as licensed.

Polygon: 223 - 36-2455 = 50 Ac

224 - 36-2455, 36-8275A = 157 Ac

225 - 36-8273 = 145 Ac

226 - (unknown) (no claim) = 15 acres

P/U CONFLICT yes (X) no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()

↑
NORTH

↑
POU

↑
POD

36-2455 36-8275A 36-8273

8/5/97 sec

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

X

—

X

—

X

—

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FEB 05 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLAT TOP SHEEP CO PO BOX 88 CAREY ID 83320	05/09/1985	IRRIGATION	04-15 10-31	2.44 CFS	488.0 AFA
					TOTAL DIVERSION:	2.44 CFS
					CONSUMPTIVE USE:	488.0 AFA 366.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R23E S21

SESE

LINCOLN County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06S	23E	21	:																	:	122.0
																				TOTAL ACRES	122.0

POU County: LINCOLN

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 36-02455 AND 36-08273
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.4 CFS.

Dates: Exam Made Date: 07/22/1992 Verified Date:

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

Comments: Date: 10/21/1992 User-ID: SOUTH3 Subject: CORRECTION OF LICENSING CONDITION
THE SYSTEM CAPACITY FOUND DURING THE FIELD EXAMINATION WAS 3.4
CFS AND THE EXAMINER RECOMMENDED THAT THE RIGHT BE CONDITIONED
TO LIMIT IT TO THIS DIVERSION RATE WHEN USED IN CONJUNCTION WITH
36-02455 AND 36-08273. THE LICENSE WAS ISSUED IN ERROR LIMITING
THIS RIGHT TO A DIVERSION CAPACITY OF 5.2 CFS. THIS ERROR HAS
BEEN CORRECTED IN THIS RECOMMENDATION. RMC

Date: 10/28/1992 User-ID: THORNTON Subject: CHANGE IN RECOMMENDATION
CHANGED PRIORITY DATE.

Audit: 10/28/92 THORNTON

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FEB 05 1993

HHT

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/21/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLAT TOP SHEEP CO PO BOX 88 CAREY ID 83320	07/04/1985	IRRIGATION	04-15 10-31	2.44 CFS	488.0 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:					2.44 CFS	488.0 AFA 366.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T06S R23E S21

SESE

LINCOLN County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
06S	23E	21	:					:						:	31	31	30	30	:						:	122.0
																							TOTAL ACRES		122.0	

POU County: LINCOLN

Remarks: USE OF THIS RIGHT WITH RIGHT NOS. 36-02455 AND 36-08273
IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.4 CFS.

Dates: Exam Made Date: 07/22/1992 Verified Date: 10/21/1992

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

Comments: Date: 10/21/1992 User-ID: SOUTH3 Subject: CORRECTION OF LICENSING CONDITION
THE SYSTEM CAPACITY FOUND DURING THE FIELD EXAMINATION WAS 3.4
CFS AND THE EXAMINER RECOMMENDED THAT THE RIGHT BE CONDITIONED
TO LIMIT IT TO THIS DIVERSION RATE WHEN USED IN CONJUNCTION WITH
36-02455 AND 36-08273. THE LICENSE WAS ISSUED IN ERROR LIMITING
THIS RIGHT TO A DIVERSION CAPACITY OF 5.2 CFS. THIS ERROR HAS
BEEN CORRECTED IN THIS RECOMMENDATION. RMC

Audit: 10/21/92 SOUTH3

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FEB 05 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Oct-1992

Roger Ling
PO Box 396
Rupert, ID 83350

RE: Proposed Recommendation for Flat Top Sheep
Nos: 36-07007B, 36-08275, 36-07021, 36-08273, 36-08274 & 36-02454B

Dear Mr. Ling:

This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claim(s) listed above. Your NOE indicates that you would like the recommendation to show a longer season of use for irrigation. For the reasons states below, the season of use that will be recommended in the Director's Report will remain as proposed.

The proposed recommendation is based on irrigation season of use standards adopted by the director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost.

In addition, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for irrigation outside the irrigation season under certain conditions. The conditions are that the water is beneficially used, as determined by the director; that all water rights with a period of use outside the irrigation season regardless of priority, are satisfied; and that the use does not conflict with the public interest as determined by the director. This proposed general provision will be included in the Director's Report.

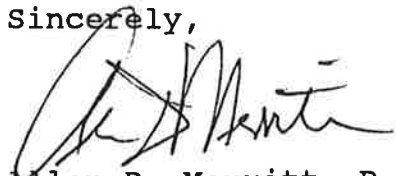
Additionally in your NOE for 36-07007B you questioned the number of acres and the amount. Our original recommendation was based on a 1984 ASCS map which showed that only 15 acres were irrigated in NESW and NWSE S28 (We recommended 15 for this area). In reevaluating this claim it appears that 1986 landsat data confirm that more acres than 66 are irrigated for this area presumably due to development of 36-08275. For this reason I have corrected our recommendation since the final adjustment of the acres should occur in the licensing of 36-08275. Please find enclosed a profile report for our modified recommendation for 36-07007B.

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FEB 05 1993

Page 2
Oct 12, 1992

If you still disagree with IDWR's recommendations you will have an opportunity to file an objection to the Director's report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process.

Sincerely,

A handwritten signature in black ink, appearing to read "A. D. Merritt", written over a horizontal line.

Allen D. Merritt, P.E.
Water Rights Supervisor

Encl:

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FEB 05 1993

Water Right Number - R36-08275

Prefix Translation: RESEARCH

Old (D) Number -

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

*** A - ATTORNEY ***
LING

ROGER D

1 - PO BOX 396
2 -
3 -
City- RUPERT
Phone - 208-000-0000

State- ID Zip- 83350

*** C - CURRENT OWNER ***
FLAT TOP SHEEP COMPANY1 - PO BOX 88
2 -
3 -
City- CAREY
Phone - 208-788-2850

State- ID Zip- 83320

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/09/1985 17 SOUTHERN P - PERMIT+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
06S 23E 28 NW SE (63) LINCOLN+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 6.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
6.000 960.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
06S 23E 21 SW NW 25.0 01 IRRIGATION (63) LINCOLN
06S 23E 21 SE NW 25.0 01 IRRIGATION (63) LINCOLN
06S 23E 21 NE SW 35.0 01 IRRIGATION (63) LINCOLN
06S 23E 21 NW SW 35.0 01 IRRIGATION (63) LINCOLN
06S 23E 21 SW SW 35.0 01 IRRIGATION (63) LINCOLN
06S 23E 21 SE SW 35.0 01 IRRIGATION (63) LINCOLN
06S 23E 28 NW NW 10.0 01 IRRIGATION (63) LINCOLN
06S 23E 28 SW NW 35.0 01 IRRIGATION (63) LINCOLN
06S 23E 28 NE SW 5.0 01 IRRIGATION (63) LINCOLN
06S 23E 28 NW SW 35.0 01 IRRIGATION (63) LINCOLN
06S 23E 28 SW SW 35.0 01 IRRIGATION (63) LINCOLN
06S 23E 28 NW SE 10.0 01 IRRIGATION (63) LINCOLN

Total Acres: 320.0

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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	- 10/12/1992	Old Judicial District	-
Claim Received Date	- 12/24/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S014010	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	- B

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NOTICE OF ERROR FORM

AUG-24-1992

Please type or print clearly, fill out completely, and return to:

**Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000**

RECEIVED

SEP 28 1992

Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS:

SEP-24-1992

1. Water right number:

36-08275[✓], 36-08274[✓], 36-08273[✓]
36-02454B[✓], 36-07021[✓]

2. Name:

FLAT TOP SHEEP COMPANY

Address:

P.O. Box 88
CAREY, ID 83320

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RECEIVED
FEB 10 1993

OCT 01 1992

Weekday Telephone Number:

Department of Water Resources
Southern Region Office

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

PERIOD OF USE

4. Describe the changes you wish to have made in the proposed recommendation:

PERIOD OF USE: 3-15 to 11-15

5. Describe why you disagree with the proposed recommendation:

In some years water is needed for the proper irrigation of crops during the period

6. Date: *Sept 27, 1992*

SIGNATURE

Robert D. King - Sec.

R PROOF

CVR

MAPS

PHOTOS

MISC

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 36-8275A

1. Owner: Flat Top Sheep Co. (B-P Farms) Phone No. 788-2850

Current Address: P.O. Box 88 Carey 83320

2. Accompanied by: Tom Peavey / Mel Schulte IDWR EXAM DATE: 7-22-92

Address: _____ Phone No. _____

Relationship to Permit Holder: Son

3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: 36-8273, L36-2455

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	SE	21	06S	23E	Lincoln	Aerial Photo / Inspection

2. Place(s) of Use:

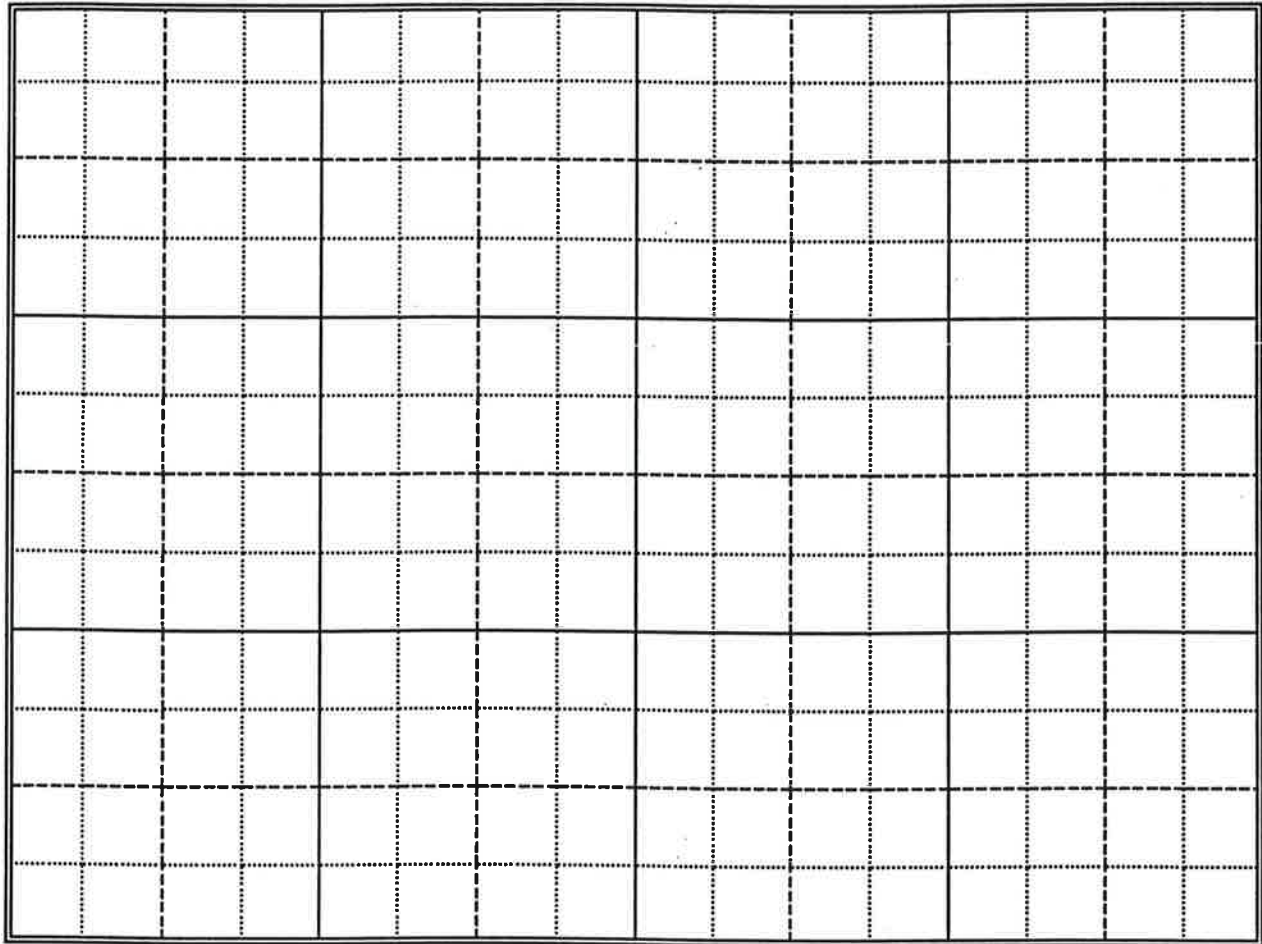
Indicate Method of Determination Aerial Photo

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	23E	21									31	31	30	30					122

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See attached system diagram

3. **Delivery System Diagram:** Include all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	U.S. Electrical	200	1293583		
	Lincoln AC.	75			

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

D. FLOW MEASUREMENTS

1.

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

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2. **Measurements:** No measurements were taken. Acreage was based upon ASCE aerial photo. A planimeter & aerial grid were used to determine P/O in the proper tracts.

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \overset{\text{Total system}}{(326)(4.0)} = 1304 \text{ afa}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (3.4)(214)(1.9835) = 1443 \text{ afa}$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1304 \text{ afa}$$

2. Volume Calculations for Other Uses:

Allocated to L36-2455 680 afa
Allocated to P36-8273 136 afa
Allocated to this permit 488 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4/1	10/31	1.27 cfs 2.44	488 afa
Totals:			1.27 cfs 2.44	488 afa

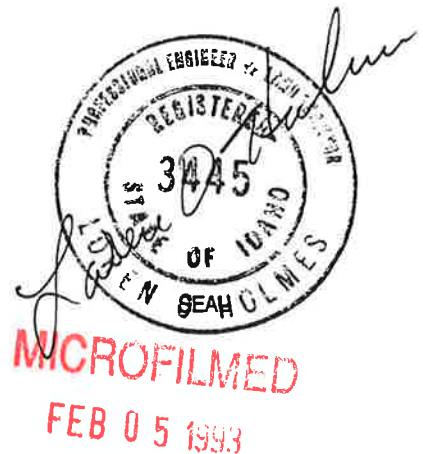
2. Recommended Amendments

☒ 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

I. AUTHENTICATION

Field Examiner's Name Brett Barry Date 8-25-92

Reviewer Mel Schulte Date 9-3-92



E. NARRATIVE/REMARKS/COMMENTS

The acres on this permit originate from a split water right from permit 36-8275. During the exam it was found that the 122 acres on this permit were being watered from a different P/D than what original permit said. Therefore, the original water right was split into parts A & B. The only documentation found by the owner on the water level was a pump efficiency test in 1981. A booster pump has been added since.

P36-8273 & L36-02455 overlap P/D with this permit. All of P36-8273 is under CRP while part of L36-02455 is in use & part under CRP.

I was concerned with whether or not this system could supposedly water all these acres. Giving the permit holder the benefit of the doubt, I used the total lift found in 1981. I calculated a theoretical capacity of 3.4 cfs, not enough for this permit or P36-8273 to receive a full inch to an acre. The flow rate recommended for this permit is 1.27 cfs. A complete overlap analysis is attached. Please note the imposed condition.

These 122 acres are watered by a 900 gpm pivot.

An application for Amendment is necessary (see attached copy) to add the P/D for this portion and to split 36-8275. The permit has been assigned (see attached copy) from B-P Farms to Flat Top Sheep Co.

Have conditions of permit approval been met? ☒ yes ☐ no

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AUG 13 1992

Department of Water Resources
Southern Region

BOX 70 • BOISE, IDAHO 83707

PUMP EFFICIENCY TEST RESULTS Page 1 of 2

District Rupert Date June 19, 1981 Acct.# 1956-001183-4
Customer B P Farms C/O John Peavey Pump Identification Sta. #703
P. O. Box 88, Carey, ID 83320 200 Hp and 30 Hp booster
Pump Test Team Dick Wentworth & Jim Horting

Thank you for participating in the pump efficiency test program. Cost effective changes that reduce your costs and require less power from Idaho Power Company at a critical time of the year are expected to result from these measurements.

The results of the efficiency test and your record of the measurements are as follows:

Date of Test June 16, 1981

Pumping Plant Efficiency 54.0 % - 200 Hp only producing 39 psi

Water Level Measurements:

estimated Ground to well water 368 feet with pump off - based on 1965 measurement
estimated Ground to well water 376 feet with pump on and 1981 measurement of Sta. #694

Pressure Measurements:

39 psi at location of gage at the turbine pump
____ psi at location of gage ____
____ psi at location of gage ____

(TDH) Total Dynamic Head - total of ground to well water and pressure

466 feet
Flow & Power Measurements 901 gpm at 466 ft TDH at 181 Hp
____ gpm at ____ ft TDH at ____ Hp
____ gpm at ____ ft TDH at ____ Hp

Comments and Evaluation of the test result and measurements:

The friction loss of the water going through the valves, pipe and booster pump at 901 gpm flow was 12 psi.

If the impellers have not been adjusted recently, an adjustment might produce a noticeable improvement.

Results with the booster running are on the next page.

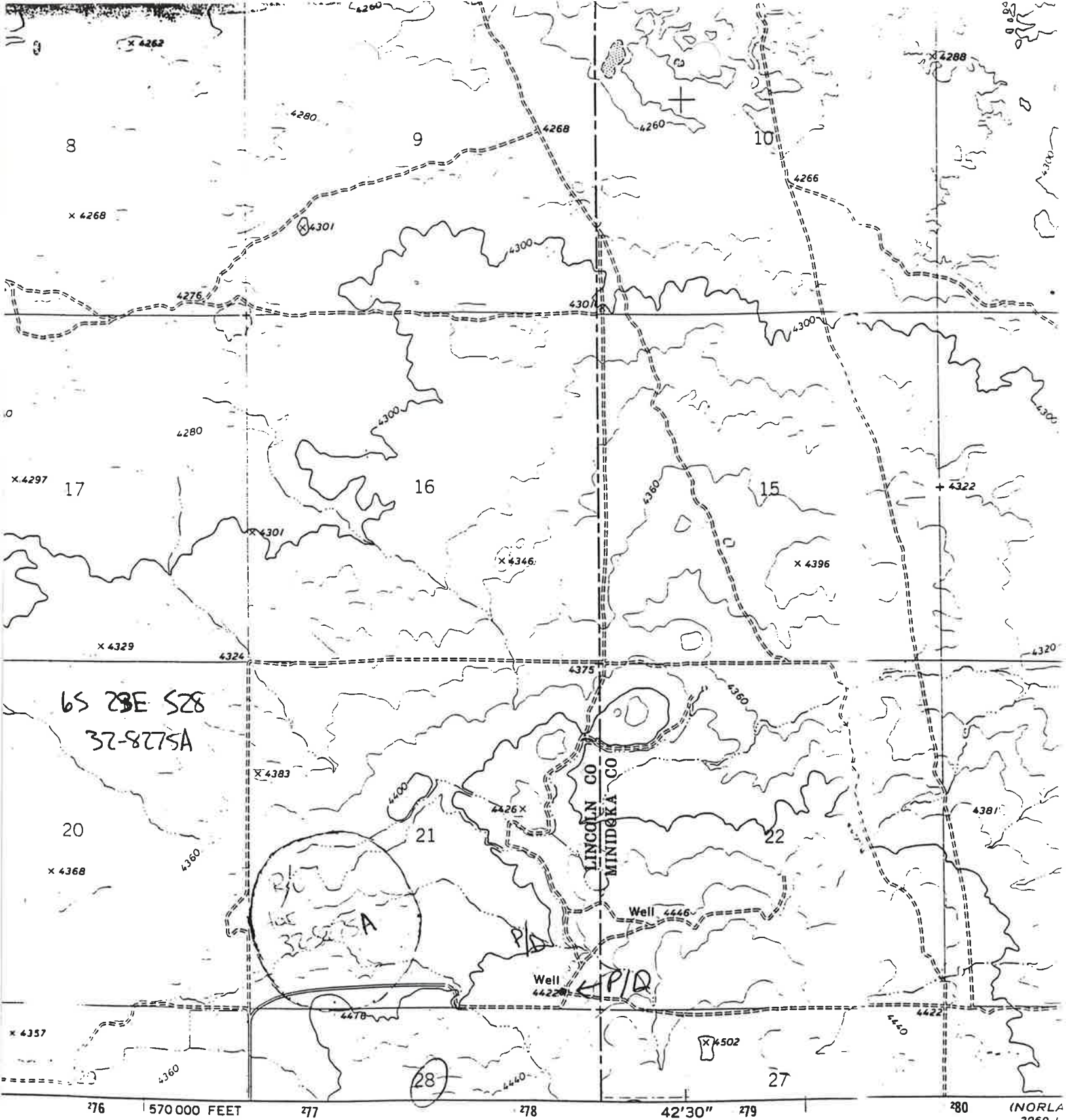
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signed

[Signature]

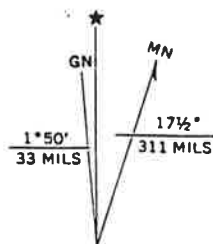
Agricultural Engineer

After changes are made to increase the pump efficiency or reduce kilowatt hour usage, one free efficiency test will be conducted to assure the customer that savings are occurring.

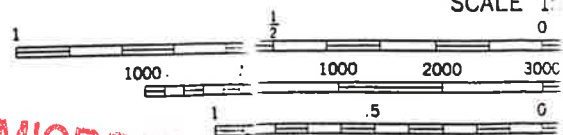


d, edited, and published by the Geological Survey
by USGS and NOS/NOAA

phy by photogrammetric methods from aerial
aphs taken 1971. Field checked 1972
on and 10,000-foot grid ticks: Idaho coordinate
central zone (transverse Mercator)
etre Universal Transverse Mercator grid ticks,
shown in blue. 1927 North American datum
dashed lines indicate selected fence lines



UTM GRID AND 1972 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



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CONTOUR INTER
NATIONAL GEODETTIC VER

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 36-8275A
DATE: 8-25-92
BY: Brett Barry

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (...275...) \times (0.70)}{[(...376...) + (...55...) \times 2.31]} = 3.4 \text{ cfs}$$

LIFT FROM:
measurement ()
owner (✓)
area estimate ()
well logs ()

PSI FROM:
measurement ()
owner ()
estimate (✓)
owner gage ()

NOTES ON PUMP:
Motor Make, Serial or ID
U.S. Electric 200 H.P. ; Lincoln A.C. 75 H.P.
Pump Make, Serial or ID, rating

REMARKS Booster (Y) (N)
The lift information came from a 1981 pump efficiency test.
A booster has been added since this test.

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)
3/15 - 11/15	246
4/1 - 11/1	215
4/15 - 10/15	184
3/1 - 12/1	276

POTENTIAL = $(.214 \text{ days}) \times (1.98) \times (.34 \text{ cfs})$
(...326 acres...)

POTENTIAL = 4.42 cfs/acre

REQUIRED Acre Feet/Acre/Annum = 4.0 cfs/acre
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

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1900 N

16 15
21 22

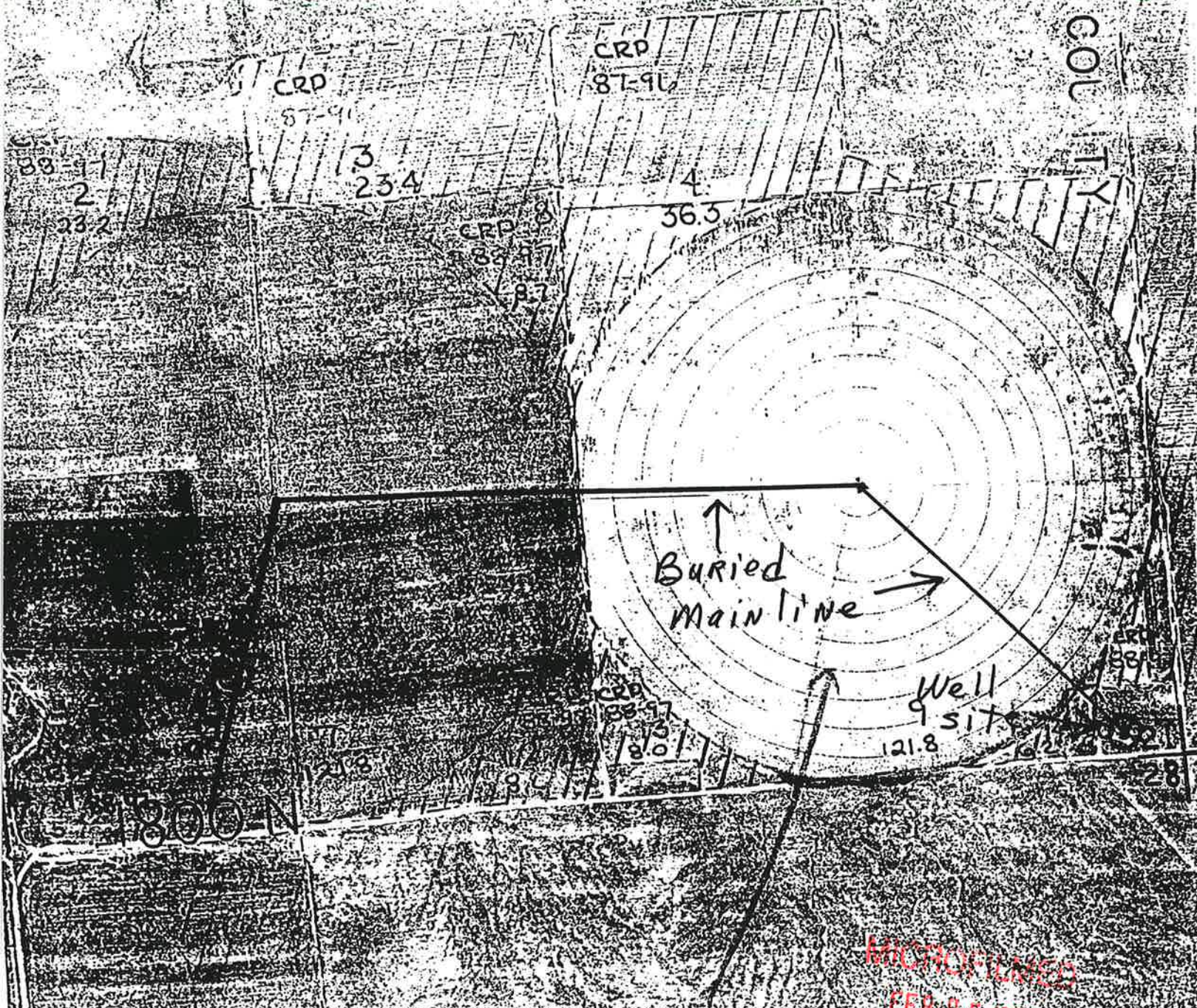
T 1752
1441

36-8275A
System Diagram

TRACT HEL

LINCOLN
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CRP
87



SEE
C 5

ARCHIVED
FEB 9 5 1997

36-8275A--OVERLAP REVIEW AND ANALYSIS

Point of Diversion: SESE, S21, 6S, 23E

Requested flow rate: 6.0 cfs for 320 acres prior to splitting the permit.

Theoretical diversion rate: 3.4 cfs

OVERLAP REVIEW:

License No.: 36-2455

Point of Diversion: SESE, S21, 6S, 23E

Licensed flow rate: 3.4 cfs for 170 acres

Permit No.: 36-8273

Point of Diversion: SESE, S21, 6S, 23E

Recommended flow rate: .35 cfs for 34 acres

Permit No.: 36-8275A

Point of Diversion: SESE, S21, 6S, 23E

Recommended flow rate: 1.27 cfs for 122 acres

CALCULATIONS:

Old rate: $L36-2455 = 3.4/170 = .02 \text{ cfs/acre}$

Current rate: $3.4/326 = .0104 \text{ cfs}$

Old rate exceeds current rate therefore old acres are not included in recommendation for new license.

Flow rate recommended for new acres: $122 \text{ acres} \times \overset{.02}{.0104} = \overset{2.44}{1.27} \text{ cfs}$

VOLUME CALCULATIONS:

System diversion capacity: $3.4 \text{ cfs} \times 214 \times 1.9835 = 1443.2 \text{ afa}$

Allocated to L36-2455 = $170 \text{ acres} \times 4 = 680 \text{ afa}$

Allocated to P36-8275A = $122 \text{ acres} \times 4 = 488 \text{ afa}$

Allocated to P36-8273 = $34 \text{ acres} \times 4 = \frac{136 \text{ afa}}{1304 \text{ afa}}$

The capacity of the system is 3.4 cfs. Total licensed flow of 5.02 cfs exceeds the capacity, therefore, the following condition must be imposed. "THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT, 36-2455 AND 36-8273 SHALL NOT EXCEED 3.4 CFS."

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:16:19
01/09/92

PAGE: 14
PROFILE REPORT

CLAIM NUMBER: A36-08275

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLAT TOP SHEEP PO BOX 88 CAREY ID 83320 (208) 788-2850	05/09/1985	IRRIGATION	03-15 11-15	6.00 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	6.00 CFS 960.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T06S R23E S28

NWSE

LINCOLN County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
06S	23E	21	:											25	25		35	35	35	35	:	190.0
06S	23E	28	:							10	35						05	35	35		:	130.0
																			TOTAL ACRES	:	320.0	

Other Rights: 36-7007

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

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