

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: A36-08276
Date Received: 7/15/1988
Receipt No: S000963
Received By: tw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN MADALENA 208-536-2356
Address: RT. 1 BOX 290
3560AS 1600E
WENDELL, ID 83355

AND/OR

Name: GRACE MADALENA 208-536-2356
Address: RT. 1 BOX 290
3560AS 1600E
WENDELL, ID 83355

2. Date of Priority: JUN 06, 1985

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	14E	36		SE	SW		GOODING

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	0.200		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	14E	36	NW SW		IRR	10.0
Section Acres						10.0
Total Acres						10.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

HELPS IRRIGATE 300 ACRES ALONG WITH A36-7597A & B, A36-2228A & B, A36-7681, A36-7682, A36-2493B & C. 2 WELL SYSTEM. THIS CLAIM IS PART OF SWAN FALLS HOLD.

15. Basis of Claim: APPLICATION

MICROFILMED
FEB 05 1993

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 Miedel Date: 7-15-88

Date: _____

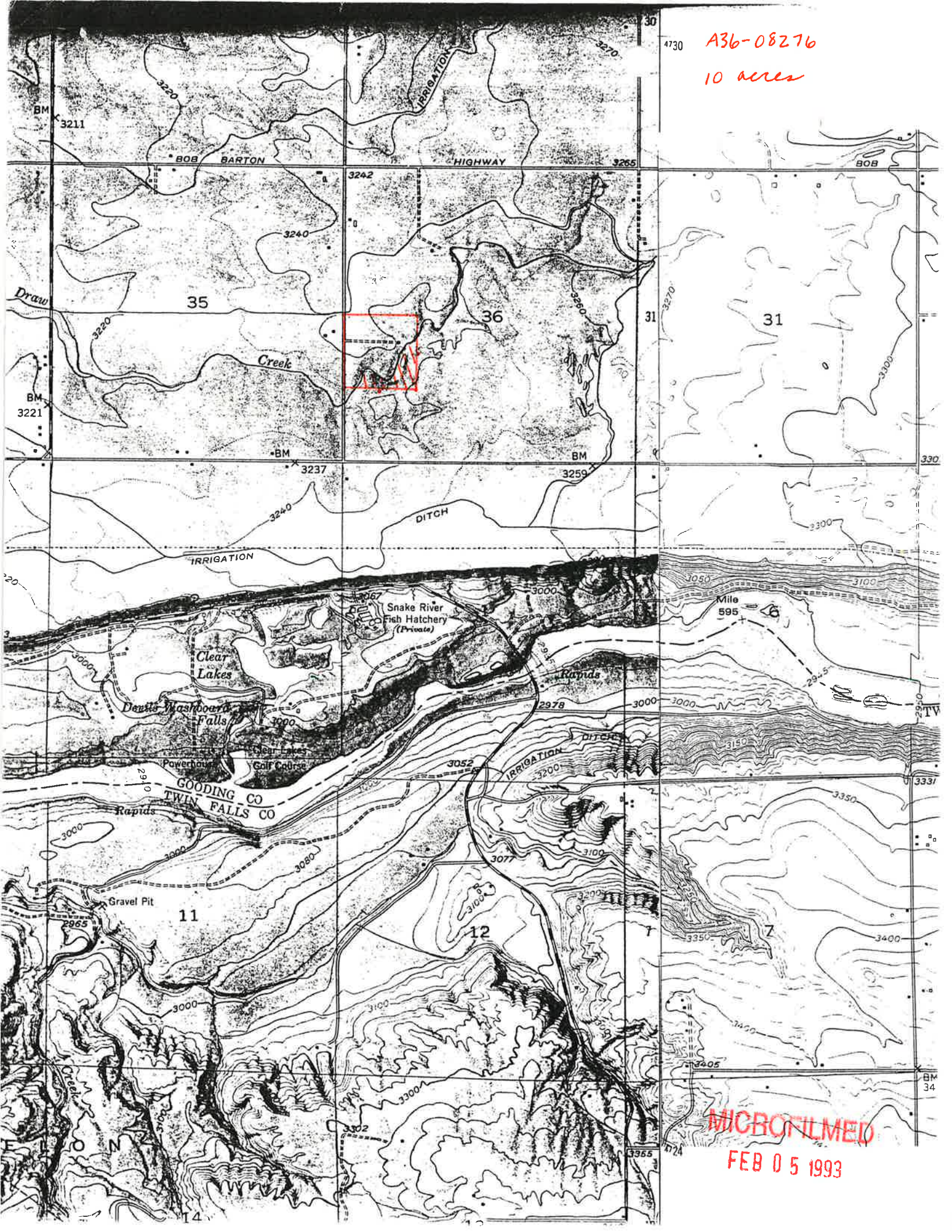
State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of July 19 88 Lori Wente
Notary Public

Seal

Residing at T.F.

My Commission Expires 5/95



A36-08276

10 acres

MICROFILMED

FEB 05 1993

RECEIVED

AUG 14 1990

Department of Water Resources
Southern Region Office

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A36-10212, 10213 A36-02493B, 02493C
A36-07597A, 07597B A36-07682
A36-02228A, 02228B A36-08276

[] Old Mailing Address: John & Grace V. Madalena
Rt. 1 Box 290
Wendell, ID 83355

[] New Mailing Address: John & Grace V. Madalena
919 11th Ave, North
Buhl, ID 83316

New Telephone Number: (208) 543-6725

[] Signature of Claimant: Grace V. Madalena **X**

Date: 8-13-90 **X**

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8/15/90 By: AG

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 8/15/90 By: AG

MICROFILMED
FEB 05 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)06/26/91 09:39:50
Page 1

Water Right Number - 36-08276

Adj. Flag Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
MADALENA

JOHN

1 - RT. 1 BOX 290

2 -

3 -

City- WENDELL

Phone - 208-536-2356

State- ID Zip- 83355

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/06/1985 17 ERROR IN REGION P - PERMIT EXAMINED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

08S 14E 36 SE SW (47) GOODING

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

01 - IRRIGATION 03/15 11/15 0.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.200+ - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S 14E 36 NW SW 10.0 01 IRRIGATION (47) GOODING

Total Acres: 10.0

+ - - Diversion Means - WELL, PUMP & SPRINKLER

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

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

046 - Permit holder shall comply with the drilling permit requirements
- of Section 42-235, Idaho Code.01G - Prior to the diversion of water under this permit a flow
- measurement port or other device as specified by the Department
- shall be installed to provide for the installation of measuring
- equipment and the determination of the rate of diversion by the

| | | | | | |
|------------------|--------------|-----------------|--------------|------------------|-----|
| Proof Due Date | - 05/01/1990 | Field Exam Made | - 08/09/1990 | Field Exam Fee | - R |
| Approved/Denied | - 04/19/1989 | Protested Date | - 00/00/0000 | Swan Falls | - 7 |
| Proof Made Date | - 05/09/1989 | Hearing Date | - 00/00/0000 | Temporary Right | - P |
| Start Work Date | - 00/00/0000 | Verified Date | - 00/00/0000 | DLE/Carey Act | - |
| Order Show Cause | - 00/00/0000 | Receipt Number | - | Water District | - |
| Licensed Date | - 00/00/0000 | Appl Received | - 06/06/1985 | Transfer/Amended | - |
| Decree Date | - 00/00/0000 | | | | |

Water Right Number - A36-08276

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

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

*** C - CURRENT OWNER ***

MADALENA

JOHN

1 - RT. 1 BOX 290

2 - 3560AS 1600E

3 -

City- WENDELL

Phone - 208-536-2356

State- ID Zip- 83355

MADALENA

GRACE

1 - RT. 1 BOX 290

2 - 3560AS 1600E

3 -

City- WENDELL

Phone - 208-536-2356

State- ID Zip- 83355

+ - - Priority Date - - +
06/06/1985+ - - Region - - - +
17+ - - Stage - - - +
P - PERMIT

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

08S 14E 36 SE SW (47) GOODING

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.200+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.200 30.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S 14E 36 NW SW 10.0 01 IRRIGATION (47) GOODING

Total Acres: 10.0

+ - - Diversion Means - WELL, PUMP, SPRINKLER

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

HELPS IRRIGATE 300 ACRES ALONG WITH A36-7597A & B, A36-2228A & B,
A36-7681, A36-7682, A36-2493B & C. 2 WELL SYSTEM. THIS CLAIM
IS PART OF SWAN FALLS HOLD.

BASIS OF CLAIM CHANGED TO PERMIT

ADM 6/7/90

Water right number - A36-08276

Adj. flag translation: Adjudication Temporary Work Area

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

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

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

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

+ - - - - -Comments- - - - - +
No Comments Found

+ - - Audit Fields - 07/14/88 WHITE 06/07/90 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 | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 07/15/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| Claims Tape Error Flg | - | Receipt Number | - S000964 | Water District | - |
| Fee Exempt Flag | - | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |

KKC

| CLAIM NO.
OR ENTRY
ORDER | REMARK
CODE | ENTRY DATA | CONDITION
CODE | STAGE
OR
STATUS | PRESUMPTION
CODE |
|--------------------------------|----------------|------------------------------|-------------------|-----------------------|---------------------|
| 36-2228A | EØ1 | 2.28 CFS, 456AFA, 342AFA | | | |
| | | 114 ACRES | | | |
| | EØ8 | 4.28 CFS, 36-7597A, 36-220BB | | | |
| | | 36-7597B, 36-2493B, 36-768Z | | | |
| | | ± 36-2493C | | | |
| 36-7597A | EØ1 | same as above | | | |
| | EØ8 | swap 36-7597A with | | | |
| | | 36-2228A | | | |
| 36-8276 | — | | AØ1 | P | |

VOID AS OF 7-15-92
see pg 12 of
CVR KKC

| SEC 36 | 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 | | |
| FOUND ACRES | | 8S | 14E | 36 | | | | | | | | | 37 | 7 | 38 | 39 | 39 | 40 | 39 | 39 | 278 | |
| RECOMMENDED SYSTEM 1 | | | | 36 | | | | | | | | | 37 | 7 | 38 | 39 | | | | | | (121) ¹ |
| SYSTEM 2 | | | | 36 | | | | | | | | | | | | | | 40 | 39 | | | (79) ² |
| SYSTEM 3 | | | | 36 | | | | | | | | | | | | | 39 | | | 39 | | (78) ³ |

| SEC 1 | 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 | | |
| FOUND ACRES | | 9S | 14E | 1 | 35 | 20 | | | | | | | | | | | | | | | 55 | |
| RECOMMENDED SYSTEM 4 | | | | | 35 | 20 | | | | | | | | | | | | | | | | (55) |

| SEC 6 | 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 | | |
| FOUND ACRES | | 9S | 15E | 6 | | | | | 39 | 37 | 3 | | | | | | | | | | 79 | |
| RECOMMENDED SYSTEM 4 | | | | | | | | | 39 | 37 | 3 | | | | | | | | | | | (79) |

| | 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 | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | |

TOTAL IRRIGATED ACRES 412

Madalena

VOID

2-19-1992

P/9 1/

| | System 1 | SYSTEM 2 | SYSTEM 3 | SYSTEM 4 |
|-----------|---------------------|-----------|------------------------------------|-----------|
| | A36-2228A | A36-2228B | A36-2493B | A36-2493C |
| | A36-7597A | A36-7597B | A36-7682 ₅ | |
| | A36-8276 | | licensed
for 2 P/D's
in 1980 | |
| CLAIM P/D | #1 references 7597B | #1
#2 | #2 | #1
#2 |
| ACRES | 121 | 78 | 78 | 134 |

| P/D # | LOCATION | CAPACITY | |
|-------|----------------|----------|-----------------------------|
| #1 | S-36, SE SE SW | 2.71 CFS | RATE AND LOCATION VERIFIED |
| #2 | S-36, SE SW SE | 1.57 CFS | BY LICENSING FIELD EXAM FOR |
| | TOTAL | 4.28 CFS | PERMIT 36-7682 ON 5-30-86 |

*Analysis void
as of 7-15-92.
Allocations has not
completed the licensing
procedure for this right.
Therefore 36-8276
is recommended as
permitted.*

The original field exams and transfers state that both PDs are tied together to irrigate the acres under all 4 systems. The transfers separated acres per Quarter Quarter tracts (see map). I recommend both P/Ds be recognised on all rights. The P/U is recommended by a system by system basis. Permissible P/U is recommended within each system but NOT ACROSS Systems.

The ^{approved} transfer separated the systems while tying them together.

System 1 analysis

The recommended div rate for A36-2228A and A36-7597A are the rates calculated in transfer 3171. Recommend as claimed. The Diversion rate for A36-8276 is based upon the licensing field exam for this claim, recommend as licensed.

This system div rate limiter is the sum of the rates for each claim. see Remark EØ1

System 1 analysis cont.

for 36-2228A

(RE: transfer 3171)

Data from transfer = 1.58 CFS div rate

P/U = 114 Acres

P/D = one well/tied to the other well.

for 36-7597A

Data from transfer = 0.70 CFS div rate

P/U = 114 Acres (same as above)

P/D = one well/tied to the other well

for 36-8276

Data from licensing field exam

.14 CFS div rate

P/U = 7 Acres (new acres)

P/D = one well

Calculations

For EØ1

total Acres = 121

 $121 \times 4 = 484 \text{ AFA}$ $\times 3 = 363 \text{ AFA}$ $1.58 + 0.70 + .14 = 2.42 \text{ CFS}$ vs 121 Acres ~~$\times 2$~~ = 2.42 CFS

For EØ8 list all claims

tied into the two P/Ds.

System 2 analysis

P/U for these claims is also based upon transfer 3171. The recommended P/U and div rates ~~use~~ data from that transfer.

The system limitor in Remark EØ1 is the sum of the recommended div rates, and the system limitor in EØ8 is the system capacity.

Calculations

for 36-2228B

Data from transfer = .40 CFS

P/U = 79 Acres

P/D = one well/tied to the other well

Adj claim = both wells tied together.

for 36-7597B

Data from transfer = 1.18 CFS

P/U = 79 Acres

P/D = one well/tied to the other well

Adj claim = both wells tied together.

System total = .4 CFS + 1.18 CFS = 1.58 CFS
VS 79A * 0.02 CFS = 1.58 CFS

KØ6 remark not needed both rights cover all of the P/U independently.

EØ1 = 1.58 CFS

EØ8 required.

79A * .4 = 316 AFA

* 3 = 237 AFA

total Acres = 79

System 3 analysis

P/U & div rate based upon transfer 2055.

The claimed 20 A & 0.36 CFS was approved on 4-15-77. Claimed use was found during Adj review. accept right as claimed (P/U & div rate). 2nd P/D is tied into this system, therefore, an amendment to the P/D is required.

36-7682 was licensed for 78 acres (includes the 20 A from 36-2493B) bringing the recommended total div rate (when combining both rates to 1" per acre.

Recommendation is for rate & acres to be recommended as claimed with this a permissible P/U of 78 acres. 36-7682 is recommended for the full 78 acres as this right brings the overlapping acres up to an inch/Acre.

Calculations

for 36-2493B

Data from transfer 2055

div rate = 0.36 CFS

P/U = 20 Acres

P/D = 1 well

the 2 P/D's are recommended based upon previous analysis.

for 36-7682

Data from license (issued 4-19-90)

div rate = 1.24 CFS

P/U = 78 Acres

P/D = 2 wells

combined rates

.36 CFS + 1.24 CFS = 1.60 CFS

VS: 78 A * .02 = 1.56 CFS

(FOR EPD)

78 * 4 = 312

* 3 = 234

System 4 analysis

The system is one claim covering 134 acres from two wells. The transfer 3169 indicates only 1 P/D but this claim and other related claims tie both wells in Sec 36 together. Therefore I recommend the P/D as claimed.

The transfer recognizes 134 acres with a div rate of 2.38 CFS. The claim matches. I recommend the P/U & div rate as claimed.

There is a P/D overlap requiring Remark code
E08 : "data"

4.28 CFS

36-7597A, 36-8276, 36-2228A, 36-2228B

36-7597B, 36-2493B, and 36-7682

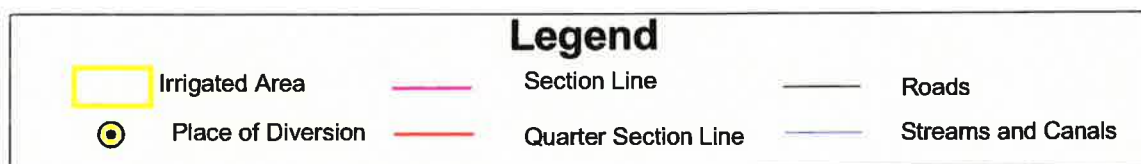
Log for claim 36-08276

Spatial Dynamics LTD

11/28/01

| TR | SEC | QQ | Acres
Recommended | Acres
Shaped | COMMENT |
|----------------|-----|------|----------------------|-----------------|--------------------------|
| 08s14e | 36 | NESW | 0 | 36 | Permissible place of use |
| 08s14e | 36 | NWSW | 10 | 9.2 | |
| 08s14e | 36 | SWSW | 0 | 38 | Permissible place of use |
| 08s14e | 36 | SESW | 0 | 39 | Permissible place of use |
| Totals: | | | 10 | 122.2 | |

11/28/2001



SPATIAL
DYNAMICS

1973 APR -7 PM 2:32

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA

Case No. 39576

NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-08276

IDWR has completed the following Administrative proceeding: **LICENSE ISSUED**

Name of Claimant:

Grace V Madalena
John Madalena
919 11th Ave N
Buhl ID 83316
(208) 543-6775

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

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

DATED:

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4-7, 1998, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Grace V Madalena
John Madalena
919 11th Ave N
Buhl ID 83316
3. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
4. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAR-26-1998
PAGE: A-16

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-08276

NAME & ADDRESS: GRACE V MADALENA
JOHN MADALENA
919 11TH AVE NORTH
BUHL ID 83316

SOURCE: GROUNDWATER

QUANTITY: 0.14 CFS
28.0 AFY

USE OF RIGHT NOS. 36-02228A, 36-07597A AND 36-08276 IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.42 CFS AND TO
A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 484 AF.

USE OF RIGHT NOS. 36-02228A, 36-02228B, 36-02493B, 36-02493C,
36-07597A, 36-07597B, 36-07682, AND 36-08276 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.28 CFS.

PRIORITY DATE: 06/06/1985

POINT OF DIVERSION: T08S R14E S36 SESW Within GOODING County
SWSE

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|----------------|-------------------|----------------------|
| | IRRIGATION | Irrigation Season | 0.14 CFS
28.0 AFY |

| PLACE OF USE: | IRRIGATION | Within GOODING County | | | |
|---------------|-----------------|-----------------------|--------|---------|---------|
| | T08S R14E S36 | NESW 37 | NWSW 7 | SWSW 38 | SESW 39 |
| | 121 ACRES TOTAL | | | | |

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 7 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

USE OF RIGHTS 36-02228A, 36-07597A AND 36-08276 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 121 ACRES IN A SINGLE
IRRIGATION SEASON.

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

AJ5856NP

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

DATE: MAR-26-1998

PAGE: A-17

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-08276 (CONT)

OTHER PROVISIONS: (CONT)

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT
SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED
UNDER THIS RIGHT.

THIS RIGHT TO DIVERT GROUNDWATER SHALL NOT BE USED IF THE
SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD,
TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE WITHOUT
THE APPROVAL OF THE DEPARTMENT.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-02228A, 36-02228B, 36-02493B,
36-02493C, 36-07597A, 36-07597B, AND 36-07682.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

April 7, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GRACE V MADALENA
JOHN MADALENA
919 11TH AVE N
BUHL ID 83316

RE: SRBA Claim(s) 36-08276

Dear Claimant:

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

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

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST. E
TWIN FALLS ID 83301
(208) 736-3033 FAX (208) 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 26, 1996

CHUCK CARNAHAN
IDAHO DEPT OF TRANSPORTATION
BOX 2A
SHOSHONE ID 83352

RE: MADALENA CLAIMS - SRBA CLAIM PROOF REPORTS

Dear Chuck,

Enclosed is the proof reports we discussed during our conversation on Nov. 25, 1996. As you will see the reports are color coded; the pink set is the summary of the claim filed and attached to the back of that is the green set which represents the right as reported to the district court. I have stapled each separate claim/right together to help keep the paperwork straight.

I have also sent a copy of my file notes of our discussion from yesterday. It is sent for your information.

If you have further questions feel free to call me at our office. Please note: IDWR will be moving our office, EFFECTIVE DECEMBER 15, 1996 new address is --

1342 Fillmore St Suite 200
Twin Falls ID 83301-3380

Phone numbers will be the same as before.

Sincerely,

STEVE CLELLAND
Water Resource Agent

ENC:

A36-8276

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

November 25, 1996 10:50am

NAME:

CHUCK CARNAHAN IDOT

RE:

QUESTIONS ON PARTIAL DECREE

HE ASKED ABOUT THE PARTIAL DECREE. I SAID IT LISTED GROUNDWATER BUT THE SOURCE IS ACTUALLY A SPRING. I TOLD HIM OF THE ERROR CORRECTION FORMS NEEDED AND NOT YET AVAILABLE; I WILL NOTE HIS ADDRESS AND SEND THEM OUT WHEN RECEIVED. CLAIM: A36-10137

HE THEN ASKED ABOUT USE OF THE OTHER RIGHTS THEY HAVE TO PRESERVE WILDLIFE PONDS AND HABITAT AT THE CLEAR LAKE GRADE AREA (NEW). I EXPLAINED THE FORFEITURE ISSUES, EXTENSIONS OF TIME, AND POSSIBLE TRANSFERS IN NATURE OF USE. I OFFERED TO MAIL OUT PROOFS ON THE RIGHTS I COULD FIND FROM THE MADALENA FARM FOR HIM TO REVIEW AND WHEN HE DECIDES WHAT HE NEEDS TO DO HE CAN CONTACT OUR OFFICE FOR FURTHER ASSISTANCE.

MAILED OUT PROOFS ON CLAIMS: A36-02493B, A36-02228A, A36-07682, A36-08276, A36-07597A, A36-04076, A36-10137 & A36-10212. ALSO SENT THE CURRENT DIRECTOR'S REPORT PROOFS.

TO: IDAHO DEPT. OF TRANSPORTATION
BOX 2A, SHOSHONE, ID 83352

PHONE: 886-7823

November 25, 1996 11:10am

NAME:

GRACE MADALENA

CALLIN W/ MSG.

RE:

DECREE CHANGE OF OWNER

SHE CALLED FOLLOWING THIS ABOVE CALL FROM IDOT... I DID NOT SPEAK TO HER BUT SHE LEFT THE MSG. OF A CHANGE OF OWNER ON THE PARTIAL DECREE. PHONE: 543-6775. RETURNED CALL BUT NO ANSWER.

R PROOF
CVR
MAPS
PHOTOS
MISC

✓

✓

✓

✓

✓

MICROFILMED
FEB 05 1993

VERIFIED BY

Audit: 00/00/00

MICROFILMED
FEB 05 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:40:04
07/03/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-08276

| 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 | | | | |
| CONSUMPTIVE USE | - | | | Y | | | | |
| PURPOSES | | | | Y | | | | |
| PERIOD OF USE | | | | N | | | | |
| BASIS OF CLAIM | | | | N | | | | |
| REMARKS | Y | | | Y | | | | |

MICROFILMED
FEB 0 5 1993

KE-q2
7-15

"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.

This right was recommended
as ~~permitted~~ as the licensing
procedure has not been completed
as of review date
and apparently will not be
licensed by the time Basin 36
Director's report is submitted to the
court. Kelly K. Christensen 7-15-92

Analysis completed as
recommended as permitted.
No OTHER PAGES OF
CVR RETAINED.

Description (continued)

LICENSING FLD EXAM For 36-8276

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well, motor, pump, mainline to solid-set handlines. Also runs pivot on adjacent land.

☐ See Remarks on page 4 for continuation

4.

| Well or Diversion Identification No.* | Motor Make | Hp | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-----|------------------|-----------|-----------------------------------|
| | GE | 100 | KJJ1024193 | ? | no tag |
| | | | | | |
| | | | | | |
| | | | | | |

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

5. 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 | SW | 36 | 85 | 14E | Gooding | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

6. Place(s) of Use:

Indicate Method of Determination

| 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 | |
| 85 | 14E | 36 | | | | | | | | | 7 | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

MICROFILMED
FEB 05 1993

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

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

2. Measurements:

Not measured. See Groundwater Measurement Requirement Analysis.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

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) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 7 \times 4 = 28$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$

2. Volume Calculations for Other Uses:

MICROFILMED
FEB 05 1993

REMARKS AND OVERLAP REVIEW ANALYSIS

NE/SW & SW/SW Sec. 36 (The other 40's cut off by the canal) appear to be over licensed (more acres licensed than are actually farmed), so only the 7 farmed but unlicensed acres in the NW/SW Sec. 36 can be recommended for licensing under this permit.

Not to exceed system capacity when combined with other rights on this well.

I. RECOMMENDATIONS

1. Recommended Amounts

| Beneficial Use | Period of Use | | Rate of Diversion
Q (cfs) | Annual Volume
V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
| | From | To | | |
| Irrigation | 3-15 | 11-15 | 0.14 | 28 |
| | | | | |
| | | | | |
| | | | | |
| Totals: | | | 0.14 | 28 |

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 J. E. Stanton

Signature J. E. Stanton

Certification Date _____

Field Report Preparation Date 8-10-90

CONSULTANT SEAL

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

MICROFILMED
FEB 05 1993

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 26-8276
DATE: 8-7-90
BY: J.E. Stanton

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

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])

$$Q = \frac{(8.8) \times (100) \times (0.70)}{[(70) + (60 \times 2.31)]} = 2.95$$

| | | |
|-------------------|-----------------|---------------------------------|
| LIFT FROM: | PSI FROM: | NOTES ON PUMP: |
| measurement () | measurement () | Motor Make, Serial or ID |
| owner () | owner () | |
| area estimate (X) | estimate () | Pump Make, Serial or ID, rating |
| well logs () | owner gage (X) | |
| | Booster (Y) (N) | |

REMARKS System also supplies 36-2228A & 36-7597A & B. Well is SE/SW 1/4, 36

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 | (...246...) x (1.98) x (...0.14...) |
| 4/1 - 11/1 | 215 | |
| 4/15 - 10/15 | 184 | |
| 3/1 - 12/1 | 276 | (...7...) |

POTENTIAL = 9.74

REQUIRED Acre Feet/Acre/Annum = 4.0
(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 (X)

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

MICROFILMED
FEB 05 1993

APPLICATION FOR TRANSFER OF WATER RIGHT

To Characterize the Point of Diversion and/or the Place of Use

Name of applicant John Madalena 536-2356
Post Office address Rt. 1 Box 290, Wendell, Idaho, 83355

A. DESCRIPTION OF RIGHT AS RECORDED

1 Right evidenced by

- a. Decree No. _____ Decreed to _____
in case of _____
dated in _____ in _____ county of _____
b. License No. B. 36-2228 issued by the Idaho Department of Water Resources
c. Claim No. B. 36-7587 on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired Original Owner

3 Source of water Groundwater tributary to _____

3 Source of water:
4 Date of priority: A. 7/13/1953

5. Water used for the following purposes

5 Water is used for the following purposes:

- A. amount 2.00 cfs for Irrig. & Stock purposes from _____ to _____
 B. amount 2.00 cfs for Irrig. purposes from April 1 to Nov. 1
 amount _____ for _____ purposes from _____ (month/day — both dates inclusive) to _____

6 Total amount of water under right a. _____ cubic feet per second
 &/or
 b. _____ acre feet per annum

7. Location of original point of diversion is _____' of _____' of Section _____

Township _____ Range _____ B.M. in _____ County _____

Additional points of diversion, if any A. SE 1/4 SW 1/4 Sec. 36 T. 1. N. R. 17. E.

B. SW 1/4 SE 1/4 Sec. 36 T8S, R14E.

8. Lands irrigated or place of use

| TOP | RANGE | SEC | NE . | | | | NW . | | | | SW . | | | | SE . | | | | TOTALS | |
|--|-------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|-----|
| | | | NE . | NW . | SW . | SE . | NE . | NW . | SW . | SE . | NE . | NW . | SW . | SE . | NE . | NW . | SW . | SE . | | |
| A. | 8S. | 14E. | 36 | | | | | | | | | | 3 | | 37 | 40 | | 20 | | 100 |
| B. | 8S. | 14E. | 36 | | | | | | | | | | 37 | | 3 | | 40 | 20 | | 100 |
| Lands actually irrigated from aerial photo | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | 37 | | 38 | 39 | | 40 | 39 | 193 |

Total estimated cost of work to be performed

7. Do you have any other water rights used for the same purpose as described above? None

To capture water, it is not possible for this water right to undergo a period of five or more consecutive years

No

IF YOU HAVE ANY OTHER REMARKS:

MICROFILMED
 FEB 05 1993

1. Amount of water a. _____ cubic feet per second
or
b. _____ acre feet per annum
2. Point of diversion _____, Section _____, Township _____
Range _____, B.M. _____, County _____
- Additional points _____
3. Place of use: _____

| TWP | RANGE | SEC | NE | | | | NW | | | | SW | | | | SE | | | | TOTALS |
|--------|-------|-----|--|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| | | | Lands allowed to be transferred under rights | | | | | | | | | | | | | | | | |
| A. 85. | 14E. | 36 | | | | | | | | | 3 | 37 | 39 | | | 20 | | | 99 |
| B. 75. | 14E. | 36 | | | | | | | | | 34 | 1 | | | | 40 | 19 | | 94 |

Total number of acres to be irrigated 193

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted
- b. Description of diverting works

| | Tract I. | Tract II | |
|-------|----------|----------|----|
| 1. 79 | 1.58 cfs | 840 cfs | 20 |
| 3. 35 | .70 cfs | 1.18 cfs | 59 |
| | 2.28 | 1.58 | 79 |
| | 114 | | |

- c. Describe the reasons for the proposed changes. To split water rights into two individual parts so that each part is appurtenant to a specific tract with individual well so that these tracts will be irrigated by separate system.

2. Change in point of diversion

Point of diversion

Range

B.M.

County

Additional points

Tract I. — SE 1/4 SW 1/4 Sec. 36 T.8S., R.14E., B.M.
Tract II. — SW 1/4 SE 1/4 Sec. 36 T.8S., R.14E., B.M.

3. Change in place of use

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes ☒ No ☐ If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer.

None

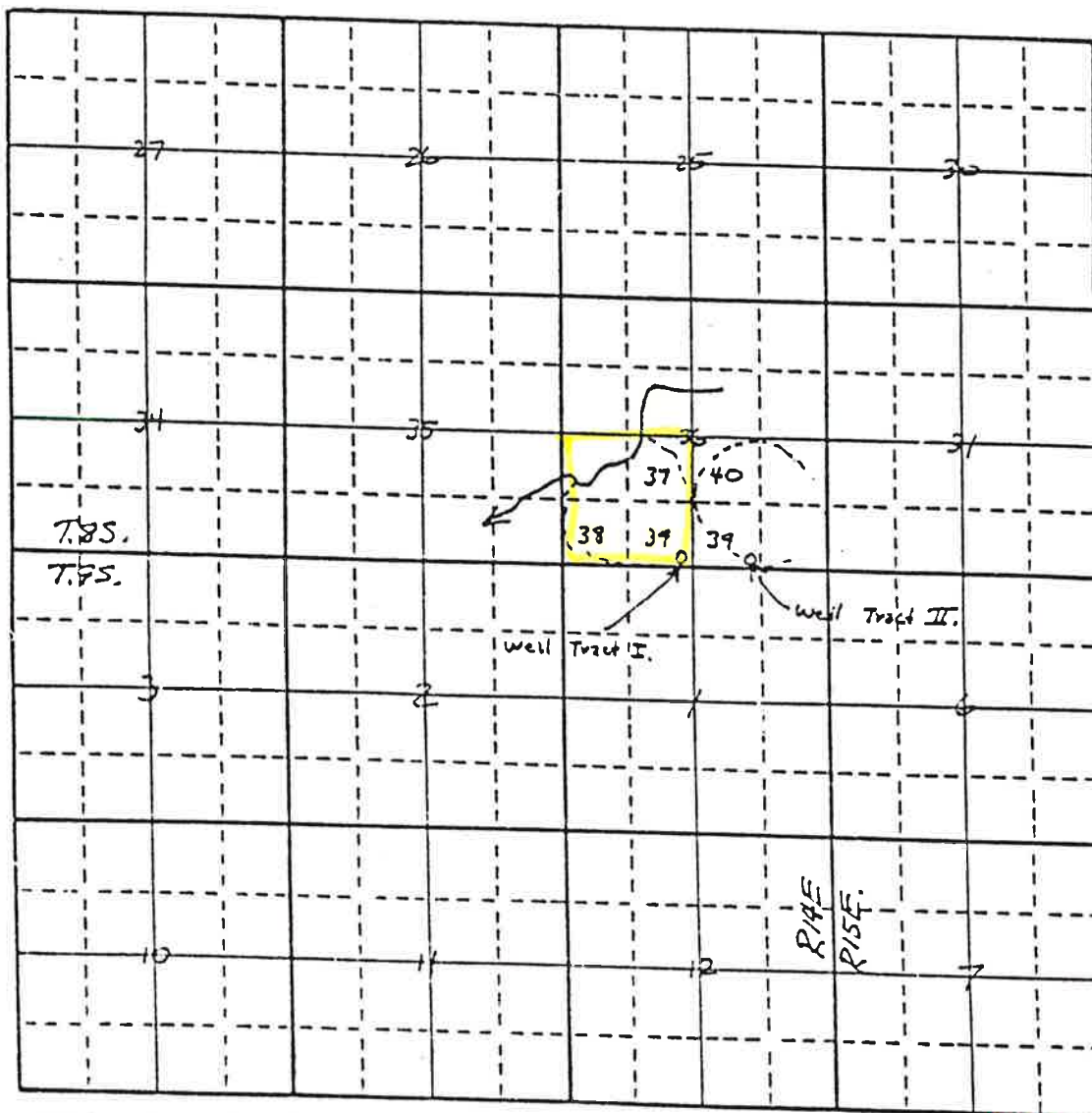
MICROFILMED
FEB 05 1993

c. Describe the lands point of use to which the right will be transferred:

| TWP | RANGE | SEC | NE | | | | NW | | | | SW | | | | SE | | | | Totals | |
|-----|-------|-----|-----------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|-----|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| | | | Tract I. | | | | | | | | | | | | | | | | | |
| 8S. | 14E. | 36 | | | | | | | | | | 37 | | 38 | 39 | | | | | 114 |
| | | | Tract II. | | | | | | | | | | | | | | | | | |
| 8S. | 14E. | 36 | | | | | | | | | | | | | | | | 40 | 39 | 79 |

Total number of acres to be irrigated 193

- Describe any other water rights used for the same purpose as described above None on these lands; wells do provide water for additional lands.
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



MICROFILMED
FEB 05 1993

I hereby assert that no one will be injured by such change and that the change is for the benefit and enlargement
in use of the original right. The information contained in this application is true to the best of my knowledge.
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 6 day of June, 19 85.

John Madalena
(Signature of Applicant)

Loren O'Halloran
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2228/7597
and said application is hereby APPROVED subject to the following limitations and conditions

Witness my hand this 27th day of August, 19 85

J. Glen Saylor
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by ADM Date 6/6/85 Protest filed by _____
Prelim check by J Fee 50.00
Received by ADM Date 5/21/85 # 35358
Published in Coaling County Leader
Pub. dates 7/16 7/23/85
Watermaster recommendation requested on N/A
_____ rec'd _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by JIM

MICROFILMED
FEB 05 1983

T-18

