

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 AUG 28 PM 2 28

**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

Subcase No. 37-407, 37-408, 37-693,
37-947, 37-2573,
37-7014, 37-11932

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

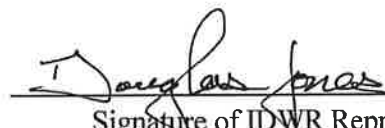
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 8/28/07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/28, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required 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. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

John D Flood
Queens Crown Ranch
19249 Hwy 20
Picabo ID 83348



Signature of person or attorney mailing the form

07/11/2007

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

RIGHT NUMBER: 37-407

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 05/31/1885

POINT OF
DIVERSION:

T01S R20E S35 NENENE Within BLAINE County
T02S R20E S1 NESWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SESW	24.00	T01S R21E S31	NESE	38.00
T01S R21E S31	NWSE	35.00	T01S R21E S31	SWSE	40.00
T01S R21E S31	SESE	38.00	T01S R21E S32	NWSW	16.00
T02S R21E S06 Lot 1	NENE	5.00	T02S R21E S06 Lot 2	NWNE	37.00
T02S R21E S06 Lot 3	NENW	31.00			

300 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 300 acres in a single irrigation season. Combined Right Nos.: 37-407 and 37-408.

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

07/11/2007

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

RIGHT NUMBER: 37-408

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 10/25/1892

POINT OF
DIVERSION:

T01S R20E S35 NENENE Within BLAINE County
T02S R20E S1 NESWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SESW	24.00	T01S R21E S31	NESE	38.00
T01S R21E S31	NWSE	35.00	T01S R21E S31	SWSE	40.00
T01S R21E S31	SESE	38.00	T01S R21E S32	NWSW	16.00
T02S R21E S06 Lot 1	NENE	5.00	T02S R21E S06 Lot 2	NWNE	37.00
T02S R21E S06 Lot 3	NENW	31.00			

300 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

The rights listed below are limited to the irrigation of a combined total of 300 acres in a single irrigation season. Combined Right Nos.: 37-407 and 37-408.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

07/11/2007

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

RIGHT NUMBER: 37-693

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 04/01/1890

POINT OF
DIVERSION:

T01S R20E S35 NENENE Within BLAINE County
T02S R20E S1 NESWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.000 CFS

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>			
T01S R21E S31	SWSW	1.50	T02S R21E S06 Lot 3 NENW 5.50
T02S R21E S06 Lot 4	NWNW	23.00	T02S R21E S06 Lot 5 SWNW 37.00
T02S R21E S06	SENW	23.00	

90 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

07/11/2007

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-947	JOHN D FLOOD QUEENS CROWN RANCH 19249 HWY 20 PICABO ID 83348	Disallowed	Forfeited/abandoned due to non-use from 1982 to 1987.

07/11/2007

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

RIGHT NUMBER: 37-2573

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

Point of injection into Patton Creek. Point of redirection from Silver Creek.

QUANTITY: 1.420 CFS
508.00 AFY

The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 508 AF. Combined Right Nos.: 37-2573 and 37-11932.

PRIORITY DATE: 06/16/1955

POINT OF
DIVERSION:

T01S R19E S17 SESESW Injection Within BLAINE County
T01S R19E S17 SWSWSE Within BLAINE County
T01S R20E S35 NENENE Rediversion Within BLAINE County
T02S R20E S1 NESWNE Rediversion Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Rediversion Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	1.420 CFS 508.00 AFY

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R21E S31	SWSW	1.70	T01S R21E S31	SESW	25.00
T01S R21E S31	NESE	31.00	T01S R21E S31	NWSE	33.00
T01S R21E S31	SWSE	40.00	T01S R21E S31	SESE	38.00
T01S R21E S32	NWSW	16.00	T02S R20E S12	NENE	25.00
T02S R21E S06 Lot 1	NENE	5.30	T02S R21E S06 Lot 2	NWNE	37.00
T02S R21E S06	SWNE	10.00	T02S R21E S06 Lot 3	NENW	36.00
T02S R21E S06 Lot 4	NWNW	23.00	T02S R21E S06 Lot 5	SWNW	37.00
T02S R21E S06	SENW	31.00	T02S R21E S06	NESW	11.00
T02S R21E S06 Lot 6	NWSW	25.00	T02S R21E S06 Lot 7	SWSW	20.00
T02S R21E S07 Lot 1	NWNW	45.00			

490 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 490 acres in a single irrigation season. Combined Right Nos.: 37-2573 and 37-11932.

This right is limited to the irrigation of 400 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right No. 37-11932 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

The portion of Right 37-2573 used for conveyance losses is 0.14 cfs.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Measuring devices of a type approved by this Department shall be permanently installed and maintained at the points of injection into Silver Creek and points of rediversion from Silver Creek.

07/11/2007

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

RIGHT NUMBER: 37-7014

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.000 CFS
1,335.00 AFY

This right when combined with all other water rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre for the lands above.

The rate of diversion at the point of rediversion from Silver Creek shall not exceed 4.3 cfs.

The maximum combined rate of diversion under this right & Right 37-02649 shall not exceed 7.26 cfs.

PRIORITY DATE: 03/11/1968

POINT OF
DIVERSION: T01S R19E S20 NWNWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	5.000 CFS 1,335.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SWSW	1.70	T01S R21E S31	SESW	25.00
T01S R21E S31	NESE	38.00	T01S R21E S31	NWSE	35.00
T01S R21E S31	SWSE	40.00	T01S R21E S31	SESE	38.00
T01S R21E S32	NWSW	16.00	T02S R21E S06 Lot 1	NENE	5.30
T02S R21E S06 Lot 2	NWNE	37.00	T02S R21E S06	SWNE	10.00
T02S R21E S06 Lot 3	NENW	36.00	T02S R21E S06 Lot 4	NWNW	23.00
T02S R21E S06 Lot 5	SWNW	37.00	T02S R21E S06	SENW	31.00
T02S R21E S06	NESW	11.00	T02S R21E S06 Lot 6	NWSW	25.00

445 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

The right holder(s) shall pay such charges for the watermasters service as shall be found to be required due to the additional expense of regulating use of this water.

The well shall be permanently maintained with a valve or other control device to stop flow when the well is not in use. No more water may be diverted from the well than the beneficial requirements to irrigate the lands described in this right and Right 37-02649.

This right is subject to all prior water rights and may be forfeited by five years of non-use.

Water is discharged from the well into Patton Creek, flowing through Stalker Creek and into Silver Creek where it is rediverted from Silver Creek onto the lands identified above. This exchange of groundwater for surface water occurs when surface water rights are not available for diversion.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37-M.

07/11/2007

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

RIGHT NUMBER: 37-11932

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.270 CFS
94.00 AFY

The rights listed below are limited to a total combined diversion rate of 1.42 cfs and to a total combined annual diversion volume of 508 AF. Combined Right Nos.: 37-2573 and 37-11932.

PRIORITY DATE: 04/15/1987

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF
DIVERSION:

T01S R19E S17 SESESW Injection Within BLAINE County
T01S R19E S17 SWSWSE Within BLAINE County
T01S R20E S35 NENENE Rediversion Within BLAINE County
T02S R20E S1 NESWNE Rediversion Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Rediversion Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.270 CFS 94.00 AFY

PLACE OF USE:

<u>IRRIGATION in BLAINE County</u>			
T01S R21E S31	SWSW	1.70	T01S R21E S31 SESE 25.00
T01S R21E S31	NESE	31.00	T01S R21E S31 NWSE 33.00
T01S R21E S31	SWSE	40.00	T01S R21E S31 SESE 38.00
T01S R21E S32	NWSW	16.00	T02S R20E S12 NENE 25.00
T02S R21E S06 Lot 1	NENE	5.30	T02S R21E S06 Lot 2 NWNE 37.00
T02S R21E S06	SWNE	10.00	T02S R21E S06 Lot 3 NENW 36.00
T02S R21E S06 Lot 4	NWNW	23.00	T02S R21E S06 Lot 5 SWNW 37.00
T02S R21E S06	SENE	31.00	T02S R21E S06 NESW 11.00
T02S R21E S06 Lot 6	NWSW	25.00	T02S R21E S06 Lot 7 SWSW 20.00
T02S R21E S07 Lot 1	NWNW	45.00	

490 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

The rights listed below are limited to the irrigation of a combined total of 490 acres in a single irrigation season. Combined Right Nos.: 37-2573 and 37-11932.

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

This right is for an enlargement of 90 acres within the place of use described for this right.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right is based upon an enlargement of Right No. 37-2573 pursuant to Section 42-1426, Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

August 28, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

RE: SRBA Claim(s) 37-407, 37-408, 37-693, 37-947, 37-2573,
37-7014, 37-11932

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

Enclosure

de

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
	37-407	-		37-11732	-
	37-408	-		37-947	-
	37-693	-	37-11670		-
	37-2573	-			
	37-7014	-		RECEIVED	

2. The following **REQUIRED** information must be submitted with this form:

JUN 25 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

John & Katie Flood

PO Box 3750, Hailey, ID 83333

4. New Owner/Claimant(s)

John D. Flood dba Queens Crown Ranch

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

19249 Hwy 20

City, State and ZIP Code

Picabo, ID 83348

New Telephone Number

() 788-2357

5. Date you acquired the property

4-24-1992

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

John D. Hood

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

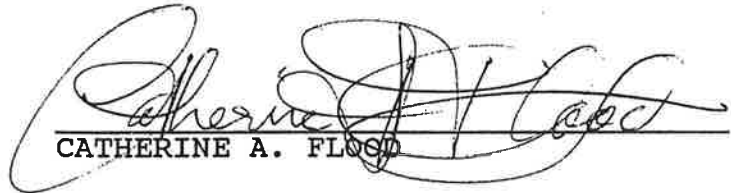
Received by *JP* Date 6-25-07 Fee \$25.
 Received by *JP* Date 6-25-07 Receipt No. 5029556
 Processed by _____ AJ Date _____ WR _____ Date _____

QUEENS CROWN RANCH

QUITCLAIM DEED

FOR VALUE RECEIVED, CATHERINE A. FLOOD does hereby convey, release, remise and forever quit claim unto JOHN D. FLOOD, Queens Crown Ranch, Star Route, Picabo, Idaho 83348, the premises described on Exhibit A attached hereto and by this reference made a part hereof as if set out in full herein, together with their appurtenances.

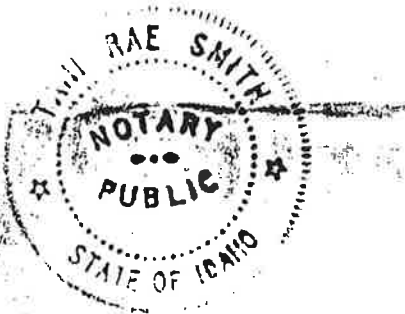
Date: April 24, 1992

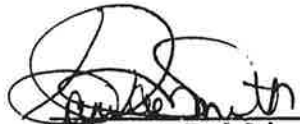

CATHERINE A. FLOOD

STATE OF IDAHO)
 : ss.
County of Ada)

On this 24th day of April, 1992, before me, the undersigned, a notary public for said State, personally appeared CATHERINE A. FLOOD, known or identified to me to be the person who executed the instrument, and acknowledged to me that she executed the same.

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





Notary Public
Residing at: Boise ID
My Commission Expires: 3/4/93

19549

BLAINE CO. REQUEST

Holland & Hart

1992 APR 28 P 12:07

340312

CLERK
FEE \$

9.00

MP

Deed

"EXHIBIT A"

LEGAL DESCRIPTION

ALL SITUATED IN THE COUNTY OF BLAINE, STATE OF IDAHO, TO-WIT:

TRACT 1

Section 31, Township 1 South, Range 21 East, B.M.:

The Southwest Quarter of the Southeast Quarter;

All of the Southeast Quarter of the Southwest Quarter

EXCEPT highway right-of-way designated as Tax Lots

2605 and 2606 on Blaine County Tax Assessor's Roll; and

All of Lot 4 (or SW $\frac{1}{4}$ SW $\frac{1}{4}$) EXCEPT highway right-of-way
designated as Tax Lots 2603 and 2604 on Blaine County
Tax Assessor's Roll.

Section 6, Township 2 South, Range 21 East, B.M.:

The Southwest Quarter of the Northeast Quarter;

The Southeast Quarter of the Northwest Quarter; and

Lots 2, 3, 4, and 5.

TRACT 2

Section 6, Township 2 South, Range 21 East, B.M.:

Lots 6 and 7; and

The East half of the Southwest Quarter.

Section 7, Township 2 South, Range 21 East, B.M.:

Lot 1.

Section 12, Township 2 South, Range 20 East, B.M.:

All of the Northeast Quarter of the Northeast Quarter
lying East of the County Road.

TRACT 3

Section 17, Township 1 South, Range 19 East, B.M.:

A parcel of land 20 feet square in the Southwest
Quarter of the Southeast Quarter, center of which is
a well and point of diversion, which bears
N.3°30'E. 175 feet distant from the South Quarter
Corner of said Section 17.

TRACT 4

Section 31, Township 1 South, Range 21 East, B.M.:

The Southeast Quarter of the Southeast Quarter;

All of the Northwest Quarter of the Southeast Quarter

EXCEPT highway right-of-way designated as Tax Lots

2608 and 2609 on Blaine County Tax Assessor's Roll; and

All of the Northeast Quarter of the Southeast Quarter

EXCEPT highway right-of-way designated as tax lots

2610 and 2611 on Blaine County Tax Assessor's Roll.

TRACT 5

Section 31, Township 1 South, Range 21 East, B.M.:

All of the South Half of the Northeast Quarter

EXCEPT highway right-of-way.

Section 32, Township 1 South, Range 21 East, B.M.:

The West Half of the Northwest Quarter of the
Southwest Quarter.

Section 6, Township 2 South, Range 21 East, B.M.:

Lot 1.

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: A37-00407

Date Received:

Receipt No: 5003280

Received By: AD-

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN FLOOD 208-788-2357
Address: QUEEN'S CROWN RANCH
STAR ROUTE
PICABO, ID 83348-0000

AND/OR

Name: KATIE FLOOD 208-788-2357
Address: QUEEN'S CROWN RANCH
STAR ROUTE
PICABO, ID 83348

2. Date of Priority: MAY 31, 1885

3. Source: SILVER CREEK Trib. to: LITTLE WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	20E	35	NE	NE	NE		BLAINE
02S	20E	1	NE	SE	NE		BLAINE
	21E	6	SW	NE	NW	3	BLAINE
			NE	SW	SW	7	BLAINE

5. Description of diverting works:
HEADGATES IN CREEK AS WELL AS TWO PUMP DIVERSIONS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

8. Total consumptive use is 1567.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A37-00407

Page 1

Date: 10/17/88

COPY

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres			
01S	21E	31	SW		NE		IRR	16.0			
			SE		NE		IRR	16.0			
			SE		SW		IRR	30.0			
			NE		SE		IRR	37.0			
			NW		SE		IRR	37.0			
			SW		SE		IRR	40.0			
			SE		SE		IRR	40.0			
			Section Acres							216.0	
		32	SW		NW		IRR	2.0			
			NW		SW		IRR	20.0			
			SW		SW		IRR	2.0			
Section Acres							24.0				
02S	20E	12	NE		NE		IRR	22.0			
	Section Acres							22.0			
	21E	6	NE		NE	1	IRR	10.0			
			NW		NE	2	IRR	36.0			
			SW		NE		IRR	18.0			
			NE		NW	3	IRR	39.0			
			NW		NW	4	IRR	35.0			
			SW		NW	5	IRR	45.0			
			SE		NW		IRR	40.0			
			NE		SW		IRR	20.0			
			NW		SW	6	IRR	45.0			
			SW		SW	7	IRR	34.0			
			NW		SE		IRR	1.0			
			Section Acres							323.0	
					7	NW		NW	4	IRR	42.0
			Section Acres							42.0	
Total Acres							627.0				

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

37-00693, 00408, 00407, 00947, 02573, 07014

A37-00407

Page

2

Date: 10/17/88

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FEB 22 1993

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

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: 1

For Individuals:

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

Signature of Claimant(s):

John D. Frost

Date:

Oct 25, 1988

Date:

State of Idaho

County of

Twin Falls

)
) SS.
)

Subscribed and sworn (or affirmed) before me this

25th day

of

Oct.

19

88

Notary Public

Seal

Residing at

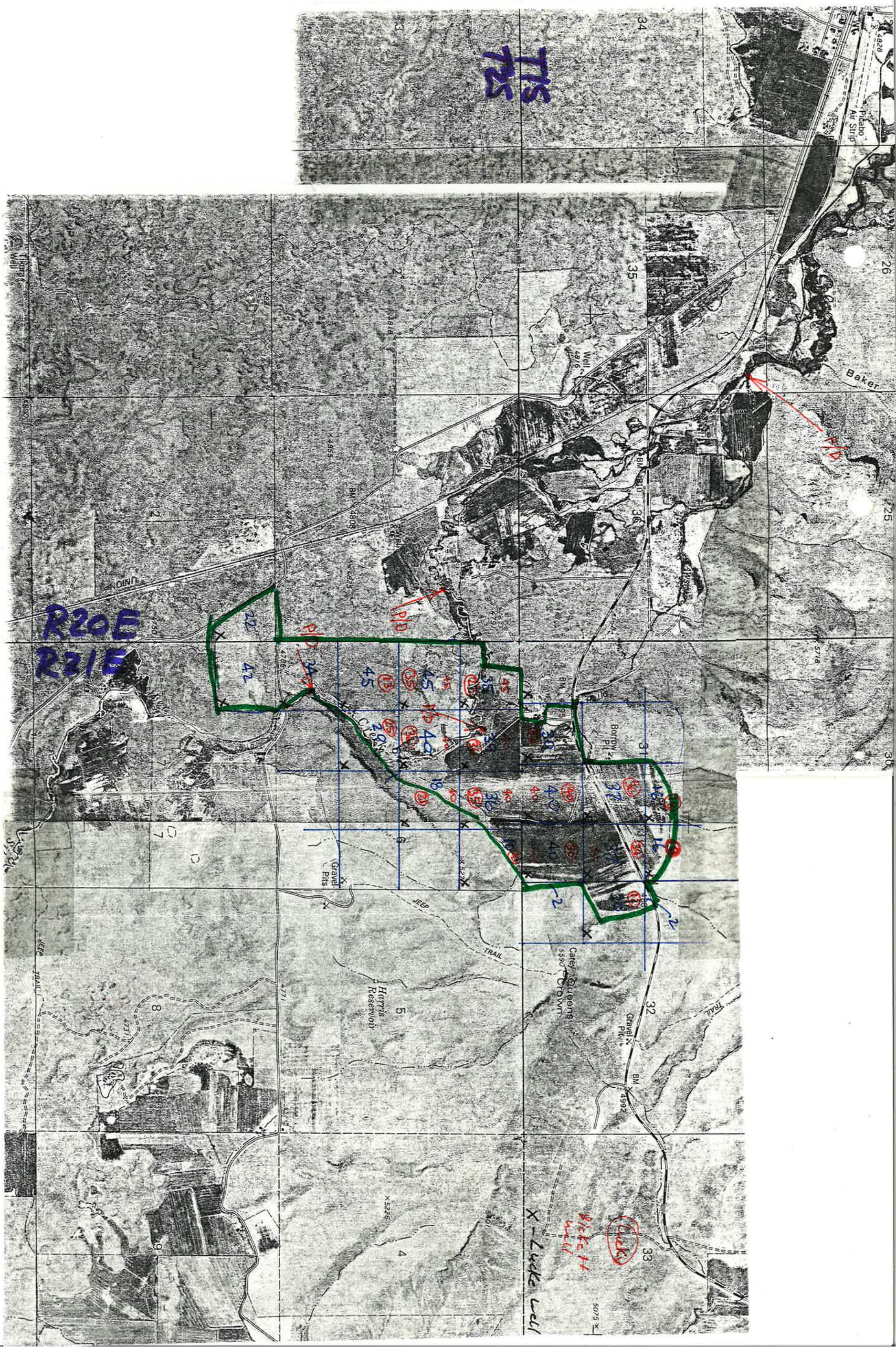
Kimberly, Id.

My Commission Expires

6/30/94

COPY

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FEB 22 1995



Water Right Number - 37-00407 Adj. Flag Translation: Standard Water Right Number Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***

JOHN FLOOD DBA QUEEN'S CROWN RANCH

1 - P. O. BOX 317

2 -

3 -

City- PICABO

State- ID Zip- 83348

Phone -

1 -

2 -

3 -

City-

State- Zip-

Phone -

1 -

2 -

3 -

City-

State- Zip-

Phone -

FLOOD

JOHN

DBA QUEEN'S CROWN RANCH

*** O - ORIGINAL OWNER ***

LAWSON

M. S.

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - +
05/31/1885

+ - - Region - - - +
17

+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +
SILVER CREEK

+ - - Tributary - - - - - +
LITTLE WOOD RIVER

Point of Diversion							Stream Index (Blank if no Index Code)
Twn	Rng	Sec	Tract	Lot	RFlg	County	
01S	20E	35	NE NE		(13)	BLAINE	
02S	20E	1	SE NE		(13)	BLAINE	
02S	21E	6	SE NW		(13)	BLAINE	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01	IRRIGATION				2.000	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.000

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
01S	21E	31	SW NE		40.0	01	IRRIGATION	(13) BLAINE
01S	21E	31	SE NE		40.0	01	IRRIGATION	(13) BLAINE
01S	21E	31	SE SW		40.0	01	IRRIGATION	(13) BLAINE
01S	21E	31	NE SE			01	IRRIGATION	(13) BLAINE

MICROFILMED
FEB 22 1993

Water right number - 37-00407

Adj. flag translation: Standard Water Right Number

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
01S	21E	31	NW SE			01	IRRIGATION	(13) BLAINE
01S	21E	31	SW SE		40.0	01	IRRIGATION	(13) BLAINE
01S	21E	31	SE SE			01	IRRIGATION	(13) BLAINE
01S	21E	32	NW SW		20.0	01	IRRIGATION	(13) BLAINE
02S	21E	6	NE NE	1	40.0	01	IRRIGATION	(13) BLAINE
02S	21E	6	NW NE	2	40.0	01	IRRIGATION	(13) BLAINE
02S	21E	6	NE NW	3	40.0	01	IRRIGATION	(13) BLAINE
02S	21E	6	SE NW		40.0	01	IRRIGATION	(13) BLAINE

Total Acres: 340.0

+ - - Diversion Means - LAWSON #24-P PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
 TRANS. 1023 & 2336.
 P/U INCLUDES 80 AC. IN UNSURVEYED NESE, NWSE, SESE S31 T1S R21E.
 P/U IS INCORRECT IN EITHER DECREE OR IN TRANS. 2336.
 ONLY P/D IN S6 IS PRESENTLY USED ACCORDING TO WATERMASTER.

+ - - - - - Conditions of Approval - - - - -
 R01 - A measuring device of a type approved by this Department shall be
 - maintained as a part of the diverting works.
 R04 - Use of water under this water right is subject to control by the
 - watermaster of State Water District No. 37M

+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - +
S. C. FROST, ET. AL.	ALTURAS WATER COMPANY, ET. AL.	12/13/1909

+ - - Microfilm Rolls -

+ - - Audit Fields - 07/01/85 05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - -			
Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000
Start Work Date	- 00/00/0000	Verified Date	- 07/01/1985
Order Show Cause	- 00/00/0000	Receipt Number	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000
Decree Date	- 12/13/1909	Field Exam Fee	-
		Swan Falls	-
		Temporary Right	- P
		DLE/Carey Act	-
		Water District	- 37M
		Transfer/Amended	- T

MICROFILMED
FEB 22 1993

07/25/2008

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-407

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 05/31/1885

POINT OF DIVERSION:

T01S R20E S35 NENENE Within BLAINE County

T02S R20E S1 NESWNE Within BLAINE County

T02S R21E S6 SWNENW Lot 3 Within BLAINE County

T02S R21E S6 NESWSW Lot 7 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SESW	24-28.00	T01S R21E S31	NESE	38.00
T01S R21E S31	NWSE	35.00	T01S R21E S31	SWSE	40.00
T01S R21E S31	SESE	38.00	T01S R21E S32	NWSW	16.00
T02S R21E S06 Lot 1	NENE	5.00	T02S R21E S06 Lot 2	NWNE	37.00
T02S R21E S06 Lot 3	NENW	31.00			

300-304 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 300-304 acres in a single irrigation season. Combined Right Nos.: 37-407 and 37-408.

The rights listed below are limited to the irrigation of a combined total of 534 539 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

Place of use does not include federal public lands.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

D:\Data\b37\objection resolution area 3\John Flood\37-407 FLOOD recom v-2 clerical error corr .doc

Christensen, Kelly

From: Christensen, Kelly
Sent: Friday, August 07, 2009 12:39 PM
To: Kelly, Vicki; 'Travis Thompson'; Bromley, Chris
Subject: 37-407 Flood error correction project

Attachments: 37-2573 FLOOD recom v-2 clerical error corr .doc; 37-407 FLOOD recom v-2 clerical error corr .doc; 37-408 FLOOD recom v-2 clerical error corr .doc; 37-693 FLOOD recom v-2 clerical error corr .doc; 37-7014 FLOOD recom v-2 clerical error corr .doc; 37-11932 FLOOD recom v-2 clerical error corr .doc



37-2573 FLOOD



37-407 FLOOD



37-408 FLOOD



37-693 FLOOD



37-7014 FLOOD



37-11932 FLOOD

recom v-2 cleric... recom v-2 clerica... recom v-2 clerica... recom v-2 clerica... recom v-2 cleric... recom v-2 cleri...

Attached are the modified recommendations in crosshatch strike out format based upon the latest court documents. They should be going through as a clerical error correction rather than an SF-5 unless other opinions prevail.

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

408 → 2573, 11932 et al Flood

ed SF-5

Hold the Phone Msg.
Signed SF-5 to S.O.

add lcc to Comb. use Rmk fm 538 to 539 (407, 408 693
same as above (2573 4014 1193

3046

304a

same as above

900

Change comb. right-volume from 604.5 to 562.3
Chg comb right rate fm 7.26 c/s to 7.44 per WR update

494ac

445ac

494ac

**Idaho Dept of Water Resources
Permit review notes and narrative**

Date: 4-22-2008

File: 37-2573 et al Flood Recom analysis

Prepared by Kelly K Christensen

Rights 37-407, 37-408, 37-693, 37-2573, 37-7014, 37-11932

The BLM has objected to **37-407, 37-408, 37-2573, 37-7014, and 37-11932** and filed a response to **37-407, 37-408, 37-693, and 37-11932**. Both the objections and responses seek the inclusion of language that the recommended POU does not include federal land.

John Flood objected to the season of use and POU for rights **37-407, 37-408, 37-693, and 37-11932**. John objected to the POU only for rights **37-2573 and 37-7014**. John also filed an objection to the recommendation for **37-947** indicating that that right should have been recommended as a valid right; however, that right was partially decreed as disallowed on 9-22-2006. As of this date I do not believe that John has petitioned the court to have the partial decree set-aside.

There appear to be several problems with the recommendation of rights 37-2573 and 37-11932 aside of the place of use objection.

CHANGE IN PPU RECOMMENDATION

I agree with the assertion of John Flood that a portion of the historically irrigated POU was missed in the recommendation. I find that approximately 4 additional acres historically irrigated should be included within the PPU for **37-407, 37-408 and 37-11932**.

Add the 4 acres to 37-407 and 37-408 bringing the combined limit to ≈ 304 acres for those rights.

The 4 acres should not be added to 37-693 or 37-7014, but the entire combined system PPU condition in those rights should reflect ≈ 538 acres.

ERROR IN POU LIMIT FOR 37-2573

In the remarks for 37-2573 the POU remark limits that right to 400 acres within the 490 PPU. The latest transfer associated with this right (T-2334) identified the 'new pou' as being associated with a 370 acre parcel. Therefore the acre limit for 37-2573 should be 370 acres. The 4 acres should not be added to the total acre limit for this right.

The additional 4 acres identified as historically irrigated should be added to 37-11932 bringing the PPU up to ≈ 494 ac for 37-2573 and 37-11932. As there was an error made to the acre limitation for 37-2573 the acre limitation for 37-11932 goes from 90 ac to 124 ac (including the additional 4 ac).

ERROR IN SEASON OF USE

The only right with a season of use historically set by the department was 37-7014. That right was licensed for a season of use of 4-1 thru 11-1 which was recommended.

37-2573 was licensed without a season of use. Transfer 2334 set the season of use as 4-01 thru 11-01 which was recommended however the season of use was not an issue for the transfer therefore the right should be recommended with the current season of use which is 4-15 thru 10-31.

The previously decreed rights and 37-11932 should be recommended with the current season of use, 4-15 thru 10-31.

ERROR IN ANNUAL VOLUME CALCULATION

Transfer 939 established 0.14 cfs of 37-2573, to be left in Silver Creek for conveyance loss mitigation with 1.28 cfs to be available at the field headgate. The annual volume was not identified through either the license or transfers but was calculated for the recommendation. The field headgate limit for the transferred 370 acres @ 3.5 af/ac would be 1295 Afy. The licensed rate is not capable of providing that volume. The recommended volume calculation for irrigation was based upon 1.28 cfs and 200 days which is 506.9 afy. The total diversion volume should be based upon 1.42 cfs. The total volume calculation thus becomes 562.3 af.

The diversion rate should reflect the mitigation use as follows,

Irrigation 4-15 thru 10-31	1.28 cfs	506.9 af
Mitigation 4-15 thru 10-31	<u>0.14 cfs</u>	<u>55.4 af</u>
Total	1.42 cfs	562.3 af



**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	)	Subcase No.: 37-407
	)	
Case No. 39576	)	
	)	STANDARD FORM 5
	)	
	)	STIPULATED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

John D. Flood
Queens Crown Ranch

OBJECTOR/RESPONDENT:

United States on behalf of the
Bureau of Land Management

Travis L. Thompson Date
Attorney for John D. Flood
Queens Crown Ranch

David L. Negri Date
Attorney, U.S. Department of Justice
Environment and Natural Resources

IDWR CONCURRENCE:

Kelly K. Christensen 3-12-09

Kelly K. Christensen
Sr. Water Resource Agent

Date

IDWR CONCURRENCE:

Garrick L. Baxter
Deputy Attorney General
Attorney for IDWR

Date

07/29/2008

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

RIGHT NUMBER: 37-407

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 05/31/1885

POINT OF
DIVERSION:

T01S R20E S35 NENENE Within BLAINE County
T02S R20E S1 NESWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SESW	24 28.00	T01S R21E S31	NESE	38.00
T01S R21E S31	NWSE	35.00	T01S R21E S31	SWSE	40.00
T01S R21E S31	SESE	38.00	T01S R21E S32	NWSW	16.00
T02S R21E S06 Lot 1 NENE		5.00	T02S R21E S06 Lot 2 NWNE		37.00
T02S R21E S06 Lot 3 NENW		31.00			

300 304 ACRES TOTAL

Place of use does not include federal public lands.

The rights listed below are limited to the irrigation of a combined total of ~~300~~
304 acres in a single irrigation season. Combined Right Nos.: 37-407 and
37-408.

The rights listed below are limited to the irrigation of a combined total of ~~534~~
538 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408,
37-693, 37-2573, 37-7014, and 37-11932.

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

This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

CERTIFICATE OF SERVICE

I certify that on _____, 2009, I caused to be served true and correct copies of this Standard Form 5, to the following persons, in the manner indicated 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, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

IDWR Document Repository
P.O. Box 83720
Boise, ID 83720-0098

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Travis L. Thompson
Barker, Rosholt & Simpson LLP
P.O. Box 485
Twin Falls, ID 83303-0485

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

U.S. Department of Justice
Environment & Nat'l Resources Div.
550 W. Fort St., MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☐ Facsimile

Signature of person or attorney mailing the form

John Flood

37-407 } SF-5s generated & sent to Travis
-408 } Thompson
-693 }

37-7014 SF-5 generated but allocations has indicated that there is some combined right language in error that needs to be corrected

37-2573 ^{Primary} issue is what the acre limit for
-11932 37-2573 should be eg 240, 370, 400 ac
etc. acres ided for 2573 will affect the
acre limit for 11932.

Secondary issue is whether to shift the identification of the 10% seepage loss as it currently exists as a conveyance loss of 0.14 cfs remark or move it to the face of the right showing 1.28 cfs for in and 0.14 cfs mitigation.

37-2573 (Flood)

P Doc Pg

T-939 4 transferred to Sec 31 S $\frac{1}{2}$ SE, W $\frac{1}{2}$ SW

Sec 6 & 2745 SWNE & SE NW

irr reduced to 1.28 cfs w balance .24 cfs left in
silou Cr for conveyance loss. PoD 15, 19E Sec 17, SWSE

T-2334 (Pg 19)

PoD - 15, 19E Sec 17, SWSE

Pg 20 New POU land list 370 ac

License Pg 30

POU = 240 ac

Lic F.E. map Pg 6

= 240 ac

Ap for Permit Pg 33

POU = 220 ac

Amend to Permit Pg 36

POU = 240 ac

* Obj ^{Protest} _{memorandum} Pg 52

RE Duty of water Sept 14 - 1977

Pou Discrepancy Pg 60 Re T-939

Pgs 92 to End all are associated
with T-939

Pg 67 → 91 deal w/ app and a Permit

FE Pg 67 thru 66

Pg 61-62 RE Permit

Pg 56 → 58 T-939

Pg 49 → 55 RE T-2334 Prohibit etc

Pg 45 withdrawal of Protest.

07/25/2008

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-407

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

VERIFIED BY

KKC
7-23-08

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 05/31/1885

POINT OF DIVERSION:

T01S R20E S35 NENENE Within BLAINE County

T02S R20E S1 NESWNE Within BLAINE County

T02S R21E S6 SWNENW Lot 3 Within BLAINE County

T02S R21E S6 NESWSW Lot 7 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SESW	28.00	T01S R21E S31	NESE	38.00
T01S R21E S31	NWSE	35.00	T01S R21E S31	SWSE	40.00
T01S R21E S31	SESE	38.00	T01S R21E S32	NWSW	16.00
T02S R21E S06 Lot 1	NENE	5.00	T02S R21E S06 Lot 2	NWNE	37.00
T02S R21E S06 Lot 3	NENW	31.00			

304 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 300 acres in a single irrigation season. Combined Right Nos.: 37-407 and 37-408.

The rights listed below are limited to the irrigation of a combined total of 538 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

Place of use does not include federal public lands.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, August 20, 2008 12:17 PM
To: 'Travis Thompson'
Subject: RE: Flood Claims

If you haven't received them SF-5s have been generated by the S.O. and should be on the way for 37-407, 37-408, 37-693, and 37-7014.

Regarding 37-2573 and the related enlargement claim 37-11932. I have bounced this through legal and Doug and everybody agrees that the right was originally licensed for 240 acres and was transferred to larger PPU parcels over time but to avoid enlarging the right it should be limited to the historical 240 acres with the balance of the PPU reflected in 37-11932. Please let me know if we can proceed on this set.

Kelly

From: Travis Thompson [mailto:tlth@idahowaters.com]
Sent: Friday, August 15, 2008 10:35 AM
To: Christensen, Kelly
Subject: Flood Claims

Kelly,

Do we have the SF5s ready for John Floods' claims? I see initial hearings have been set for mid-September and I'd rather not have to drive to Hailey if we can get the SF5s filed before then.

Thanks,

Travis

Travis L. Thompson
Barker Rosholt & Simpson LLP
113 Main Ave. West, Suite 303
P.O. Box 485
Twin Falls, Idaho 83303-0485
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

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8/20/2008

Christensen, Kelly

From: Christensen, Kelly
Sent: Tuesday, July 29, 2008 9:31 AM
To: Jones, Doug; Bromley, Chris
Subject: RE: Flood - SRBA

I have drafted SF-5s for 37-407, 37-408, 37-693, and 37-7014. Primarily the changes to this group was to add the Fed language regarding co-ownership of a 40-acre tract and to change a combined right limit remark to include the additional 4 acres.

The issue regarding the acre limit for 37-2573 does not impact the recommendations for that group of 4. I am still holding 37-2573 and 37-11932 pending direction regarding the pou acre limits.

Do we want to try moving forward with the group of 4 independent of the other 2 or should we wait?

Kelly

From: Jones, Doug
Sent: Friday, July 25, 2008 4:56 PM
To: Christensen, Kelly; Bromley, Chris
Subject: RE: Flood - SRBA

Whew! Where to start? 37-2573 was licensed for 240 acres. Transfer 939 (1959) moved POU to new lands, but didn't specify the number of acres, only a general description of the tracts. IDWR could not enlarge the right by administrative process, while cutting the diversion rate for carriage losses. The 1974 OPQ shows significantly less irrigation than in 1987. Transfer 2334 in 1979 was principally for changes in PODs, though one tract in error from T939 was corrected. In 1979 the form required acres per tract and the application listed the size of the tract regardless of irrigation practices so that 370 acres was totaled. IDWR still could not enlarge the right by administrative process.

Too much info is in the backfile 37-7014 to cross check today.

I believe we must limit the right to the original 240 acres, not 370 in T2334, 320 in the claim, and certainly not 400!

Doug

From: Christensen, Kelly
Sent: Friday, July 25, 2008 11:52 AM
To: Bromley, Chris; Jones, Doug
Subject: FW: Flood - SRBA

37-2573 and 37-11932 Flood potential objection resolution

I am actively working on this one and have hit a glitch. 37-2573 was recommended as limited to 400 acres within a 490 ppu. I do not know where the 400 acres comes from. I want to go with a 370 acre limit. A lot of the rest of the issues hinge around the 400 acre value.

Following is Travis's response to my 4-22-08 correspondence. That correspondence and additional information is attached.

Direction?? Comments??

7/29/2008

From: Travis Thompson [mailto:tlth@idahowaters.com]
Sent: Thursday, July 24, 2008 2:13 PM
To: Christensen, Kelly
Subject: Flood - SRBA

Kelly,

With respect to your 4-22-08 memo re: John's water rights, here are some thoughts:

BLM Issue

John does not object to the remark stating that the water right does not authorize use on federal land.

PPU Recommendation

John agrees with the additional 4 acres to be added to the rights listed.

Error in POU Limit for 37-2573

John disagrees with the error assessment and believes the right should still have 400 acres. 37-11932 should be 94 instead of the 124 as proposed.

Error in Season of Use

With respect to 37-2573 John is fine with the 4-15 to 10-31 season provided the 400 acres remains as recommended.

Error in Annual Volume Calculation

John agrees with the recommendation.

Can we work on SF5s and new water right descriptions?

Travis

Travis L. Thompson
Barker Rosholt & Simpson LLP
113 Main Ave. West, Suite 303
P.O. Box 485
Twin Falls, Idaho 83303-0485
Telephone: (208) 733-0700
Facsimile: (208) 735-2444

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7/29/2008

Christensen, Kelly

From: Travis Thompson [tl@idahowaters.com]
Sent: Tuesday, June 17, 2008 9:42 AM
To: Christensen, Kelly
Subject: RE: 37-20403 Flying Triangle

I sent your memo to Larry Brown at BLM but i think he is retired again i will call his replacemnt.

I need to talk with you about the Flood rights,, maybe in a couple weeks?

-----Original Message-----

From: "Christensen, Kelly" <Kelly.Christensen@idwr.idaho.gov>
To: "Travis Thompson" <tl@idahowaters.com>
Sent: 6/17/2008 9:35 AM
Subject: RE: 37-20403 Flying Triangle

I was sorting through my files and noted that this has not been completed. Where do we stand on this one?

How about the John Flood claims? Have you had a chance to talk to him?

thanks

Kelly

From: Travis Thompson [mailto:tl@idahowaters.com]
Sent: Tuesday, April 22, 2008 10:57 AM
To: Christensen, Kelly
Subject: RE: 37-20403 Flying Triangle

Thanks Kelly, I'll give you a call to follow up if you have time this week.

Travis

From: Christensen, Kelly [mailto:Kelly.Christensen@idwr.idaho.gov]
Sent: Friday, April 18, 2008 4:00 PM
To: Travis Thompson
Subject: RE: 37-20403 Flying Triangle

O.K. I finally looked at the BLM objection and now I understand where you are coming from. I have attached a short summary of the history of the right. I briefly discussed this with Chris Bromley so he has some understanding as to where things stand. I still need to do a little more research before I am through.

Did you ever find out if the scanned claim you sent me was the original or not?

I will try to talk with you the first part of next week.

Kelly

From: Travis Thompson [mailto:tlr@idahowaters.com]
Sent: Thursday, April 17, 2008 3:58 PM
To: Christensen, Kelly
Subject: RE: 37-20403 Flying Triangle

Kelly,

State land and BLM land should be included. Do you what was changed from the original claim if anything regarding the one that was filed last year or in 2006? Also, is there anything in the file to explain why the original claim was not recommended with the others?

Thanks,

Travis

From: Christensen, Kelly [mailto:Kelly.Christensen@idwr.idaho.gov]
Sent: Thursday, April 17, 2008 3:05 PM
To: Travis Thompson
Subject: 37-20403 Flying Triangle

I have generated a shape file for the portion of the right that is on private ground only. I deleted both the stream reach that is on BLM and the State of Idaho (sec 16).

I have not generated a new recommendation but it would not take long assuming that this meets with your needs. If this works let me know and I will generate a recommendation to include in the SF-5.

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

Christensen, Kelly

From: Travis Thompson [tlit@idahowaters.com]
Sent: Monday, May 05, 2008 10:17 AM
To: Christensen, Kelly
Subject: RE: John Flood 37-2573 et al

Yes, thanks. I need to review with John and get back to you.

Travis

From: Christensen, Kelly [mailto:Kelly.Christensen@idwr.idaho.gov]
Sent: Monday, May 05, 2008 8:39 AM
To: Travis Thompson
Subject: John Flood 37-2573 et al

I was going through my stack of incomplete settlements and noted this one. Where do we stand as of today? The last correspondence I have in my file is from Apr 23 where I had sent you a summary of my perspective.

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

Christensen, Kelly

From: Christensen, Kelly
Sent: Wednesday, April 23, 2008 12:01 PM
To: 'Travis Thompson'
Subject: John Flood 37-2573 et al

Attachments: 37-2573 et al Flood Recom analysis.doc

Attached is an analysis of the rights and the problems I found. Hopefully, it is organized enough for you to follow. I haven't made any changes yet.

At the end of the attachment is the shape I created to identify the "acres to be added". Please review the shape to make sure you agree. I used the 2004 aerial photo because it was the clearest image that we have available and I believe that still represents the status as of 1987.



37-2573 et al Flood
Recom anal...

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

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)
) A. Subcase No. 37-407 (Insert water right number)
)
Case No. 39576)
)
) STANDARD FORM 1
) OBJECTION

RECEIVED
NOV 09 2007
DEPARTMENT OF
WATER RESOURCES

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: JOHN FLOOD
QUEENS CROWN RANCH
Address: P.O. BOX 3750
HAILEY, IDAHO 83333
Phone: (208) 788-2357

Daytime Phone:

Name & Address of Attorney, if any:
John A. Rosholt / Travis L. Thompson
Barker Rosholt & Simpson LLP
P.O. Box 485
Twin Falls, Idaho 83303-0485

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: JOHN FLOOD
QUEENS CROWN RANCH
Address: P.O. BOX 3750
HAILEY, IDAHO 83333

OBJECTION

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☒ **Period of Year**
Should be: 4/01 to 11/01
9. ☒ **Place of Use**
Should be: _____
- 10 ☐ **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but Should be recommended as claimed.

E. REASONS SUPPORTING OBJECTIONS(S): The total number of irrigated acres and the place of use needs to be corrected to accurately reflect the water right as claimed.

**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

A. Subcase 37-00407
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: John Flood (DR owner)
Address: Queens Crown Ranch, P.O. Box 3750; Hailey, Idaho 83333
Name: Katie Flood (DR owner)
Address: Queens Crown Ranch, P.O. Box 3750; Hailey, Idaho 83333
Name: John D. Flood (NCAP)
Address: Queens Crown Ranch; 19249 Hwy 20; Picabo, Idaho 83348
Name:
Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

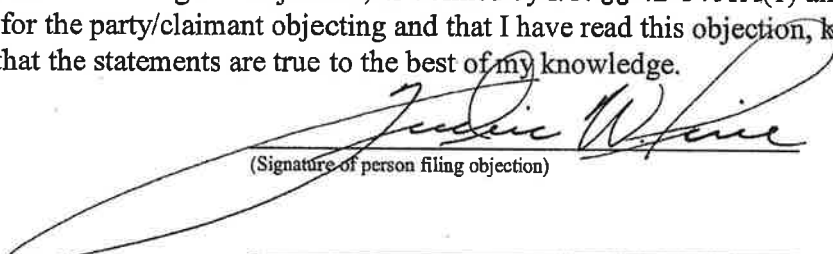
E.

VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of ADA)

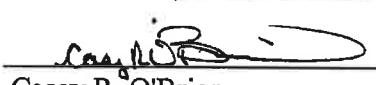
Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 11, 2007


Casey R. O'Brien



Notary Public for State of Idaho
Residing at: Nampa, ID.
My Commission Expires: 10-31-2009

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on Nov. 13, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

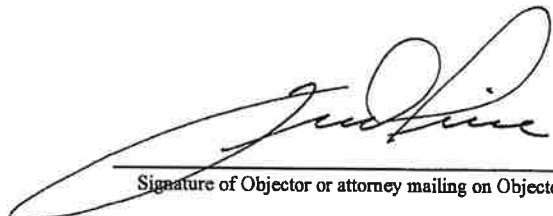
Name: John Flood (DR owner)
Address: Queens Crown Ranch, P.O. Box 3750; Hailey, Idaho 83333
Name: Katie Flood (DR owner)
Address: Queens Crown Ranch, P.O. Box 3750; Hailey, Idaho 83333
Name: John D. Flood (NCAP)
Address: Queens Crown Ranch; 19249 Hwy 20; Picabo, Idaho 83348
Name:
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney mailing on Objector's behalf

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

RIGHT NUMBER: 37-407
NAME AND ADDRESS: JOHN FLOOD
QUEENS CROWN RANCH
PO BOX 3750
HAILEY ID 83333

KATIE FLOOD
QUEENS CROWN RANCH
PO BOX 3750
HAILEY ID 83333

SOURCE: SILVER CREEK TRIBUTARY: LITTLE WOOD RIVER
QUANTITY: 2.000 CFS
PRIORITY DATE: 05/31/1885
POINT OF DIVERSION: T01S R20E S35 NENENE Within BLAINE County
T02S R20E S1 NESWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	2.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SESW	24.00	T01S R21E S31	NESE	38.00
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T01S R21E S31	SESE	38.00	T01S R21E S32	NWSW	16.00
T02S R21E S06 Lot 1 NENE		5.00	T02S R21E S06 Lot 2 NWNE		37.00
T02S R21E S06 Lot 3 NENW		31.00			

Mixed

300 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 300 acres in a single irrigation season. Combined Right Nos.: 37-407 and 37-408.

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

-Mixed POU:

The place of use T01S R21E S32 NWSW contains both private and public land.

-Please clarify such that only private land is intended by inserting the following remark under place of use:

"Place of use does not include federal public lands."

COPY

RECEIVED

AUG 31 2007

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2007 AUG 28 PM 2 28

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

Subcase No. 37-407, 37-408, 37-693,
37-947, 37-2573,
37-7014, 37-11932

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

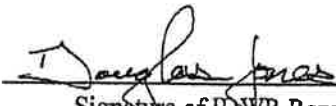
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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: 8/28/07


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/28, 2007, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required 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. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

John D Flood
Queens Crown Ranch
19249 Hwy 20
Picabo ID 83348



Signature of person or attorney mailing the form

07/11/2007

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

RIGHT NUMBER: 37-407

NAME AND ADDRESS: JOHN D FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 05/31/1885

POINT OF

DIVERSION: T01S R20E S35 NENENE Within BLAINE County

T02S R20E S1 NESWNE Within BLAINE County

T02S R21E S6 SWNENW Lot 3 Within BLAINE County

T02S R21E S6 NESWSW Lot 7 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

2.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
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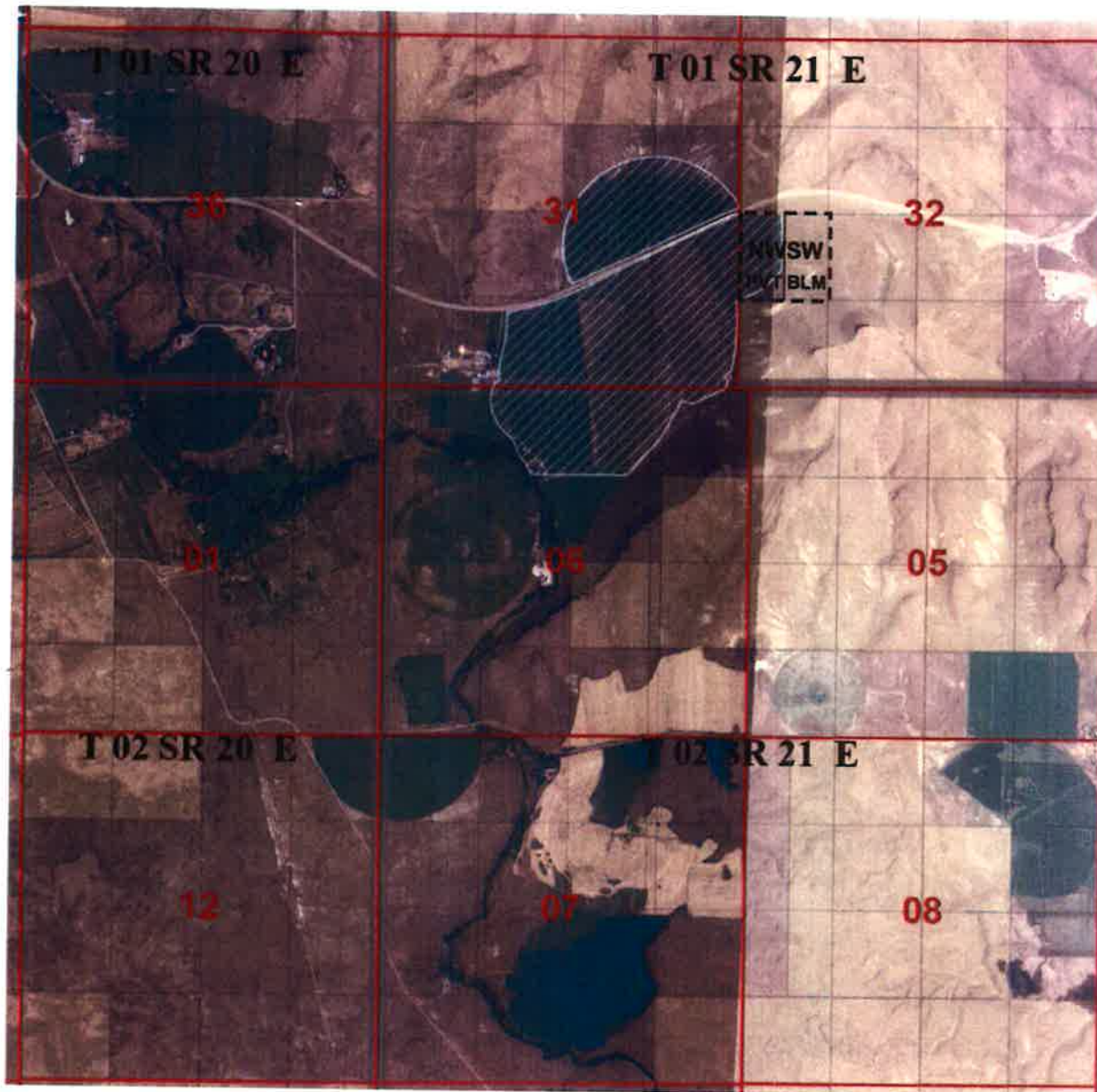
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This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

37-00407, 37-00408
John Flood



-Mixed POU:

The place of use T01S R21E S32 NWSW contains both private and public land.

-Please clarify such that only private land is intended by inserting the following remark under place of use:

"Place of use does not include federal public lands."

01/09/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-407

NAME AND ADDRESS: JOHN FLOOD
QUEENS CROWN RANCH
PO BOX 3750
HAILEY ID 83333

KATIE FLOOD
QUEENS CROWN RANCH
PO BOX 3750
HAILEY ID 83333

SOURCE: SILVER CREEK

TRIBUTARY: LITTLE WOOD RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 05/31/1885

POINT OF DIVERSION:

T01S R20E S35 NENENE Within BLAINE County
T02S R20E S1 NESWNE Within BLAINE County
T02S R21E S6 SWNENW Lot 3 Within BLAINE County
T02S R21E S6 NESWSW Lot 7 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.000 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T01S R21E S31	SWNE	17.00	T01S R21E S31	SENE	19.00
T01S R21E S31	SESW	24.00	T01S R21E S31	NESE	38.00
T01S R21E S31	NWSE	35.00	T01S R21E S31	SWSE	40.00
T01S R21E S31	SESE	38.00	T01S R21E S32	NWSW	16.00
T02S R21E S06 Lot 1	NENE	5.00	T02S R21E S06 Lot 2	NWNE	37.00
T02S R21E S06 Lot 3	NENW	31.00			

300 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 300 acres in a single irrigation season. Combined Right Nos.: 37-407 and 37-408.

The rights listed below are limited to the irrigation of a combined total of 534 acres in a single irrigation season. Combined Right Nos.: 37-407, 37-408, 37-693, 37-2573, 37-7014, and 37-11932.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

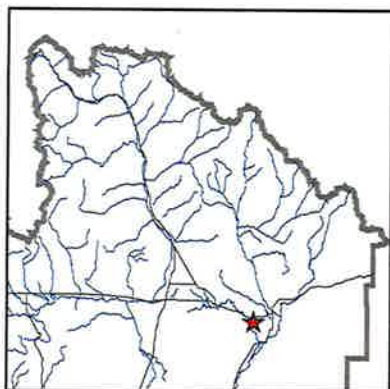
SRBA Recommendation:

37-407

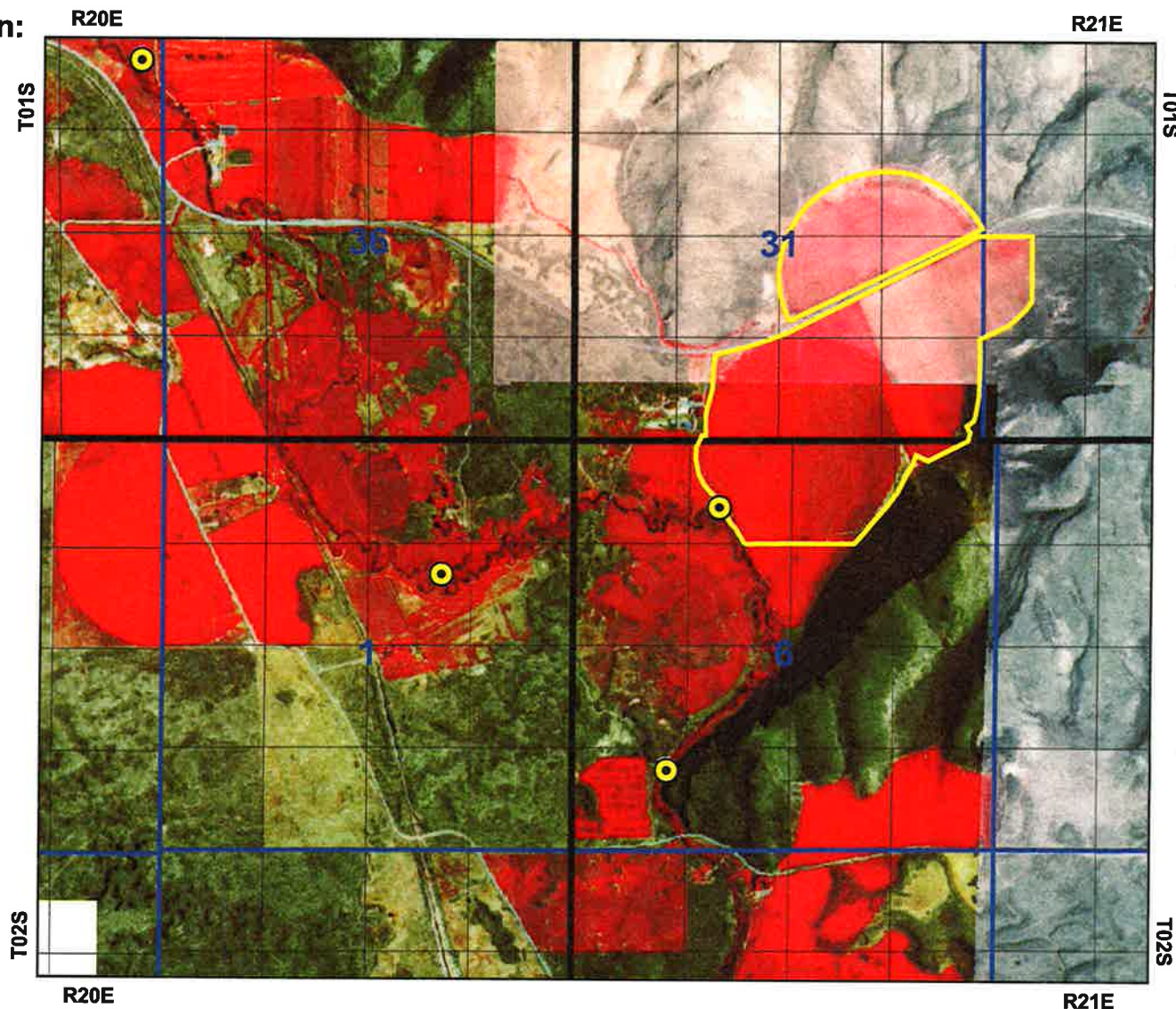
37-408

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.25 0.5 0.75 1 Miles

Prepared by M. Anders
On Tuesday, January 9, 2007
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-407, 37-408, 37-2573, 37-7014, 37-11932

Background Data

37-407

- Source is Silver Creek tributary to Little Wood River
- Decreed for 2.0 cfs for Irrigation of 7.5 QQ
- Claimed 2.0 cfs for Irrigation of 627 acres

wm = 2.0 cfs

37-408

- Source is Silver Creek tributary to Little Wood River
- Decreed for 1.0 cfs for Irrigation of 7.5 QQ
- Claimed 1.0 cfs for Irrigation of 627 acres

wm = 1.0 cfs

37-693

- Source is Silver Creek tributary to Little Wood River
- Decreed for 1.0 cfs for Irrigation of 2 QQ
- Claimed 1.0 cfs for Irrigation of 627 acres

wm = 1.0 cfs

37-2573

- Source is Groundwater
- Decreed for 1.42 cfs for Irrigation of 10 QQ
- Claimed 1.42 cfs for Irrigation of 320 acres

37-2573

- Source is Groundwater
- Decreed for 5.0 cfs and 1335 AF for Irrigation of 445 acres
- Claimed 5.0 cfs and 1335 AF for Irrigation of 445 acres

37-11932

- Beneficial Use claim
- Source is Groundwater
- Claimed 6.42 cfs for Irrigation of 162 acres

Place Of Use Data

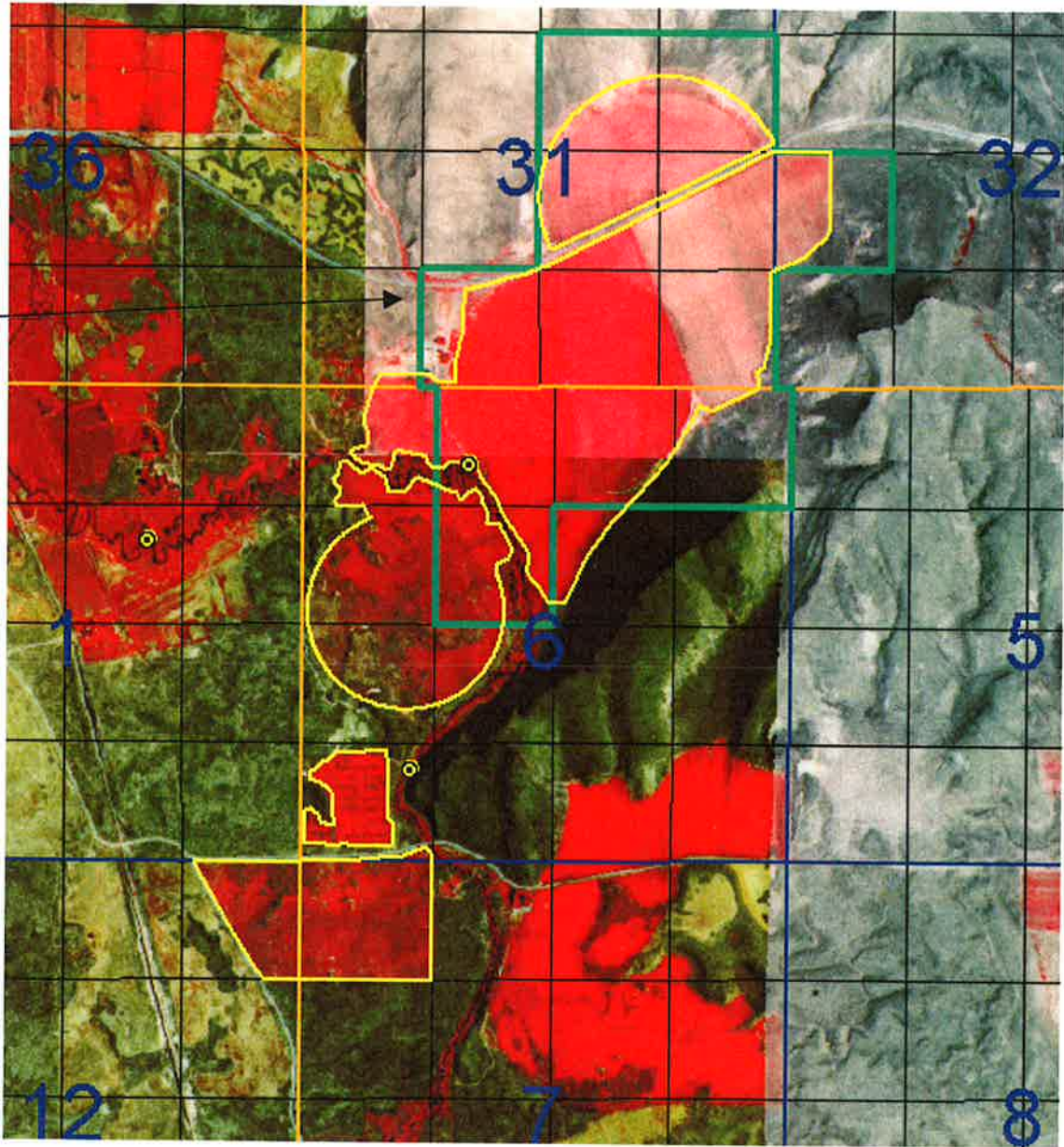
Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

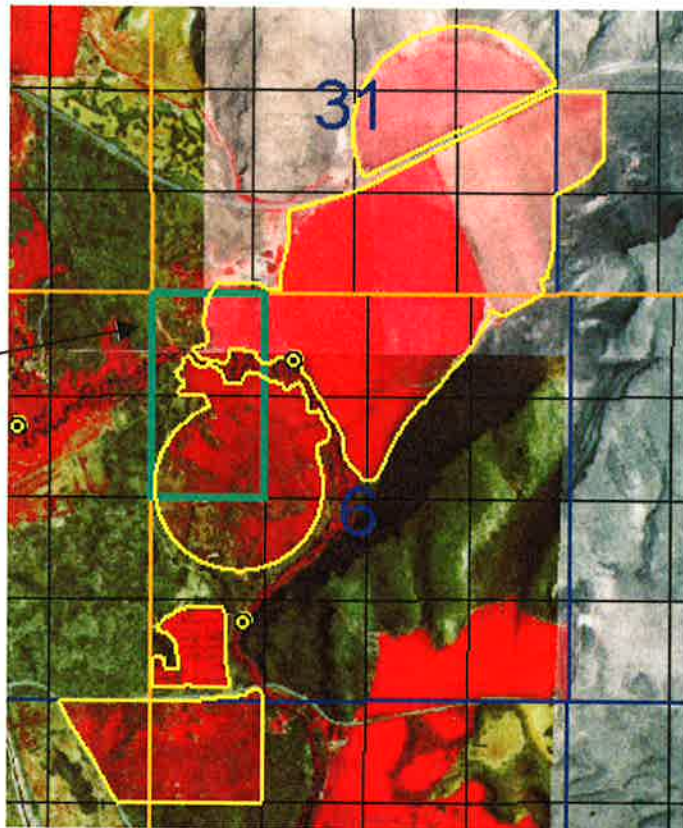
Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo

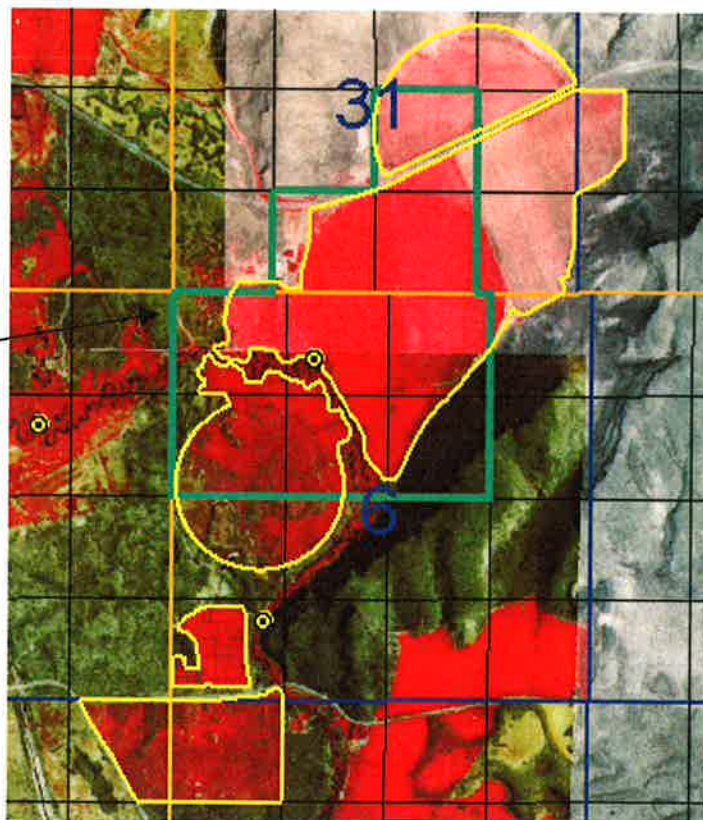
Decreed POU
For 37-407 &
37-408
(Green Line)



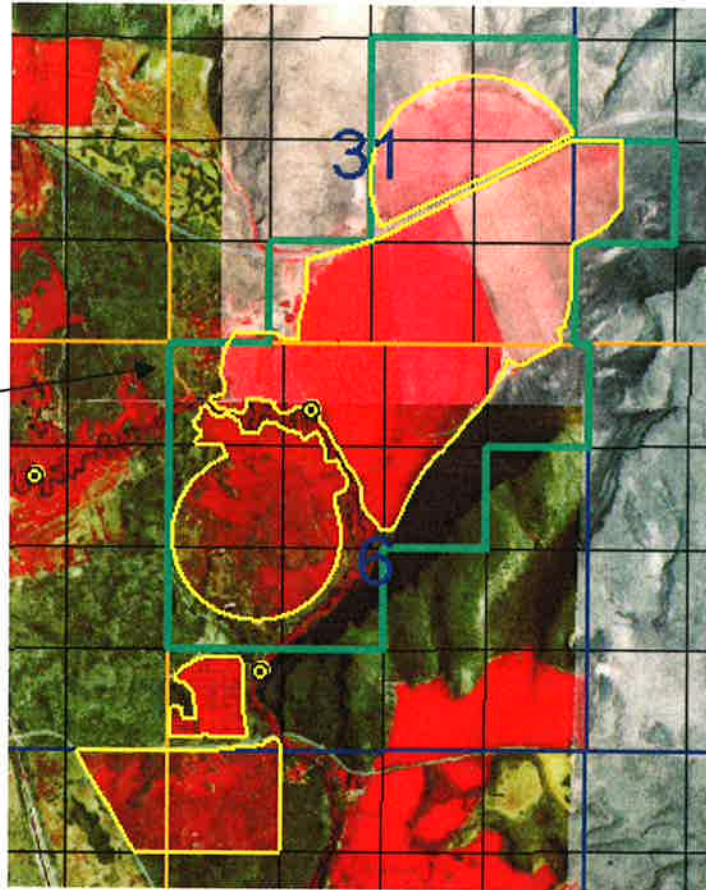
Decreed POU
For 37-693
(Green Line)



Decreed POU
For 37-2573
(Green Line)



Decreed POU
For 37-7014
(Green Line)



Notes

T1S R21E Section 31; T2S R20E Section 12; T2S R21E Sections 6 & 7

- Did not create a PPU because license 37-7014 was issued in 1994 without a PPU. Create a POU for each right that is the decreed/licensed POU plus the number of adjacent acres required to make the POU the maximum number of acres possible for the right.
- 37-407 and 37-408
 - Claimed on 627 acres
 - Decreed on same POU of 7.5 QQ (300 acres)
 - Recommended on the decreed POU
- 37-692
 - POU listed in Transfer No. 131 is 2 QQ. These are correction QQ totaling 90 acres.
- 37-2573
 - This appears to be the only water right diverted from this well
 - Transfer 939
 - 10% conveyance/seepage loss for water injected into Silver Creek
 - 1.42 cfs is overall diversion rate
 - 1.28 is the rediversion limit
 - POU is 10 QQ
 - NWSE included (appears to be error in list on transfer)

- Transfer 2573
 - Focused on changing the PODs
 - The POU is listed as the same as Transfer 939
- 37-947 is an overlapping claim from one of the drains no longer used according to the watermaster. Claim was disallowed and has been partially decreed
- 37-7014
 - Combined use limits inconsistency
 - 37-2649A, 37-2649B, and 37-7644 are all diverted from the same well.
 - License 37-7644 (2/22/2005) has a combined use limit remark that says: 37-7644, 37-2649A, 37-2649B, and 37-7014 when combined shall not exceed a total diversion rate of 5.0 cfs.
 - License 37-7014 (3/24/1994) has a combined use limit that says: 37-7014 and 37-2649 when combined shall not exceed a total diversion rate of 7.26 cfs
 - Memorandum in 37-7014 says that the well measurement was 7.26 cfs.
 - Jeff Peppersack said 37-7014 should be recommended as licensed since the license was issued in 1994.
- 37-11932
 - Claim says its an enlargement for 37-2573 and 37-7014
 - 37-7014 was licensed in 1994, so 37-11932 can only be an enlargement of 37-2573.
 - Duty of water
 - 37-2573 is 1.28 cfs for Irrigation of 400 acres
 - 37-11932 is an enlargement of 90 acres
 - Duty of water with enlargement:
 - $1.28 \text{ cfs} / 490 \text{ acres} = 0.003 \text{ cfs/acre}$
 - $508 \text{ AF} / 490 \text{ acres} = 1.04 \text{ AF/acre}$
 - Recommendation:
 - 0.27 cfs and 94 AF for Irrigation of 490 acres
 - Priority date: 4/15/1987
- Recommendations:
 - 37-407 and 37-408 when combined are limited to 300 acres
 - 37-407, 37-407, 37-693, 37-7014, and 37-11932 when combined are limited to 534 acres
 - 37-407
 - 2.0 cfs for Irrigation of 300 acres
 - 37-408
 - 1.0 cfs for Irrigation of 300 acres
 - 37-693
 - 1.0 cfs for Irrigation of 90 acres
 - 37-2573
 - 1.42 cfs and 508 AF for Irrigation of 400 acres within enlargement PPU
 - 1.28 is the rediversion limit
 - 10% conveyance loss

- 37-7014
 - 5.0 cfs and 1335 AF for Irrigation of 445 acres
 - 37-11932
 - 0.27 cfs and 94 AF for Irrigation of 490 acres
 - Priority date: 4/15/1987
 - Use enlargement conditions
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

See file 37-0407 for Application, Letters, etc.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Decreed Water Right
Transferred Right No. 1023

THIS IS TO CERTIFY, That Donnie D. Baldwin and Wayne Baldwin, of Picabo, Idaho, are the owners of and using a certain water right bearing date of May 11, 1885, for two cubic feet per second, and bearing date of October 25, 1892, for one cubic foot per second, of the waters of Silver Creek, County of Blaine, State of Idaho, decreed to M. S. Lawson, by decree of Judge Alfred Budge of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, in the case of

S. C. FROST, et al

Plaintiffs

vs.

ALTURAS WATER COMPANY, et al

Defendants

said decree bearing date of December 13, 1909, and being appurtenant to the following described lands, to-wit:

E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6,
Township 2 South, Range 21,
E. B. M.;
SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31,
Township 1 South, Range 21,
E. B. M., and 80 acres un-
surveyed land North of above;

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 3 of Decrees at Page 749;

That Donnie D. Baldwin and Wayne Baldwin have become the owners of said water right by purchase;

And that now, upon the application of Donnie D. Baldwin and Wayne Baldwin for a transfer of three cubic feet per second of said water, made before the State Reclamation of the State of Idaho, and said application having been granted, the right to the use of three cubic feet per second of the waters of Silver Creek upon the above described lands is hereby abandoned, and the lands under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation purposes, are described as follows, to-wit:

E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 2 South,
Range 21 E.B.M.; SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31,
Township 1 South, Range 21, E.B.M., and 80
acres unsurveyed land North of above;
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32,
Township 1 South, Range 21 E.B.M., Lot 1 of
Section 6, Township 2 South, Range 21 E.B.M.;

RECORDED

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following, to-wit:

Two cubic feet per second, bearing date of priority of May 31, 1885; and one cubic foot per second, bearing date of priority of October 25, 1892;

That the water right hereby transferred has heretofore been conducted from Silver Creek to the first above described lands through an irrigation ditch, with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 1 South, Range 20 E.R.M.;

That the water right hereby transferred will hereafter be conducted to the last above described lands, with no change in point of diversion;

That the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of December, 1963.

s/ CARL E. TAPPAN

(SCL)

CARL E. TAPPAN
State Reclamation Engineer

MICROFILMED

Transfer No. 2336

Application No. 118

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Southern District Office

Name of applicant John Flood Phone 788-2357
Post office address Queen's Crown Ranch, P.O. Box 317, Picabo, Idaho, 83348

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (SEE ATTACHED SUPPLEMENTAL SHEETS)
in case of _____ (Name)
vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
THRU PURCHASE OF LAND _____
3. Source of water Silver Creek & Trib. tributary to Little Wood River
4. Date of priority _____
5. Water is used for the following purposes:
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day – both dates inclusive)
6. Total amount of water under right: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
Rights A, B, & D
7. Location of original point of diversion is _____ SE _____ % of _____ SE _____ % of Section _____ 35 _____
Township 1S Range 20E, B.M., in Blaine County
Additional points of diversion, if any Right C diverted in E 1/4 NE 1/4 of Sec. 21, T1S, R19E, B.M.
* As described on Transfers
8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated

MICROFILMED

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

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

1. Change in point of diversion A= 2.0
B= 1.0 * Subject to transmission loss
C= 1.0
D= 2.22* c.f.s. &/or _____ acre feet
- a. Amount of water to be diverted _____
- b. Point(s) of diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6 Township 2S
Range 21E, B.M., Blaine County
Additional points Existing diversion at Lawson #24 (NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, T1S, R20E, B.M.)
Existing diversion at Hunter #30 (SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 1, T2S, R20E, B.M.)
- c. Description of diverting works Old head gates in stream with the addition of a
pump at the new point of diversion delivering to a sprinkler system.
- d. Describe the reasons for applying for a change in the point(s) of diversion
Allow for use of pump in stream to divert to proposed sprinkler system.

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

(NO CHANGE)

Total number of acres to be irrigated _____

-
- A hand-drawn map on a grid background, showing a winding path or creek labeled "Silver Creek" at the top left and bottom right. The map includes several labels and markings:
- Top left: "Silver Creek" written along the path.
 - Top center: A small rectangular area with diagonal hatching, labeled "37-0407 & 37-0408" above it, "37-0693" to its right, and "37-0947" below it.
 - Top right: A north arrow pointing upwards, labeled "N".
 - Middle left: A point labeled "Lawson #24" with a small circle next to it.
 - Middle center: A winding path or creek labeled "Silver Creek" at the bottom right.
 - Middle right: A vertical line labeled "New Diversion" with a small circle next to it.
 - Bottom center: A point labeled "Hunter #30" with a small circle next to it.
 - Bottom left: A point labeled "T.15." and "T.25." with a small circle next to it.
 - Bottom center: A vertical line labeled "R.20E." and "R.21E." with a small circle next to it.
 - Bottom right: A point labeled "T.15." and "T.25." with a small circle next to it.
 - Grid lines: The map is overlaid with a grid of dashed lines. Numbers are written along the grid lines: "26", "25", "30", "29" along the top; "35", "36", "31", "32" along the middle; "2", "5", "8" along the right; "11", "12", "7" along the bottom.
 - Other markings: A small rectangular area with diagonal hatching is located near the center, labeled "Lt.1" through "Lt.7" along its right side. Another small rectangular area with diagonal hatching is located near the bottom center, labeled "Lt.1" through "Lt.4" along its right side.

SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks

These rights are presently being delivered to the Lawson #24 and Hunter #30 headgates and have been for several years.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

John D. Hoot
(Signature of applicant)

Subscribed and sworn to before me this 24th day of July, 19 79.

Charles J. Linn
(Notary public)
Sioux Falls, S.D.

My commission expires Sept

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0407/0408/0693 and said application is hereby approved, subject to the following limitations and conditions:

(1) Use of water under this Right is subject to control by the watermaster of State Water District No. 37-M, Little Wood River. (2) A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 2nd day of December, 19 79.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by W. W. W. Date 8/2/79

Prelim. check by (P) Fee 35⁰⁰

Receipted by W. W. W. Date 8/2/79 # 13281

Published in Wood River Journal

Pub. dates 9/31 & 10/6/79

Watermaster recommendation requested on 8/22/79

rec'd. 8/28/79

Protest filed by Shirley Knapp (Robert Allen)

W. W. W. - W. W. W.

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by W. W. W.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-407

WATER RIGHT NUMBER: 37-407

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	M S LAWSON
	, ID
Current Owner	QUEENS CROWN RANCH INC PO BOX 317 PICABO, ID 83348
Current Owner	JOHN FLOOD QUEENS CROWN RANCH PO BOX 3750 HAILEY, ID 83333 (208)788-6399

Priority Date: 05/31/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SILVER CREEK	LITTLE WOOD RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

SILVER CREEK	NE1/4NE1/4	Sec. 35, Twp 01S, Rge 20E, B.M.
BLAINE County		
SILVER CREEK	SE1/4NW1/4	Sec. 6, Twp 02S, Rge 21E, B.M.
BLAINE County		
SILVER CREEK	SE1/4NE1/4	Sec. 1, Twp 02S, Rge 20E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01S	21E	31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
					40.0	40.0								40.0	X	X	40.0	X	160.0
01S	21E	32																	
											20.0								20.0
02S	21E	6	40.0	40.0			40.0			40.0									
			L1	L2			L3												160.0

Total Acres: 340

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-407

Conditions of Approval:

1. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. TRANS. 1023 & 2336.
P/U INCLUDES 80 AC. IN UNSURVEYED NESE, NWSE, SESE S31 T1S R21E. P/U IS INCORRECT IN EITHER DECREE OR IN TRANS. 2336.
ONLY P/D IN S6 IS PRESENTLY USED ACCORDING TO WATERMASTER.
3. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:Comments:Dates and Other Information:

Licensed Date:
 Decreed Date: 12/13/1909
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number: 37M
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant: Alturas Water Co, et al
 Decree Plaintiff: S C Frost, et al
 Civil Case Number:
 Judicial District: Fourth District
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:



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

SOUTHERN REGION

January 9, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN FLOOD
QUEENS CROWN RANCH
19249 HWY 20
PICABO ID 83348

RE: OWNERSHIP CHANGE - A37-00407, A37-00408, A37-00693, A37-00947, A37-02573,
A37-07014, A37-11932, & 37-11670

Dear Claimant,

Enclosed is an ownership change form, which must be completed in order to remove your ex-wife from your adjudication claims. We will also require a copy of the divorce decree showing you retained the property, along with a map, as per the instructions. If you wish your current wife's name to be on the claims, please enclose a copy of your marriage license.

A \$25.00 fee will also be required to change 37-11670 only, as the Partial Decree has already been issued by the court.

I have also enclosed a copy of one of your **Original Signed and Notarized Claim**, showing how you originally filed them.

If you have any questions, feel free to call the office.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie".

Jeanie Robertson
Sr. Water Resource Agent