

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 **37-2592F**
Date Received: 3/26/2002
Receipt No:
Received By:

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

1. Name of Claimant(s)

DOUBLE A DAIRY

Phone: (208) 536-2033

2105 E 3600 S
WENDELL ID USA 83355

2. Date of Priority: 12/21/1956

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	17E	32	SW SW	LINCOLN	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.04	14.1
COMMERCIAL	1/01	12/31	0.04	14.1

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 14.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
06S	17E	31	NE	SE		COMMERCIAL	
			SE	SE	7	COMMERCIAL	
06S	17E	32	NE	SW		STOCKWATER	
			NW	SW		STOCKWATER	
			SW	SW		STOCKWATER	
			SE	SW		STOCKWATER	
			SW	SW		COMMERCIAL	
			NW	NE		COMMERCIAL	
			SW	NE		COMMERCIAL	
			NE	NW		COMMERCIAL	
			SW	NW		COMMERCIAL	
			SE	NW		COMMERCIAL	
			NE	SW		COMMERCIAL	
			NW	SW		COMMERCIAL	
			SE	SW		COMMERCIAL	
			NW	SE		COMMERCIAL	
			SW	SE		COMMERCIAL	
			SE	SE		COMMERCIAL	
			NW	NW		COMMERCIAL	
07S	17E	3	SW	NW		COMMERCIAL	
			SE	NW		COMMERCIAL	
			NE	SW		COMMERCIAL	
			NW	SW		COMMERCIAL	
			SW	SW		COMMERCIAL	
07S	17E	4	SE	SW		COMMERCIAL	
			SW	NE		COMMERCIAL	
			SE	NE		COMMERCIAL	
			SW	NW		COMMERCIAL	
			SE	NW		COMMERCIAL	
			NE	SW		COMMERCIAL	
			NW	SW		COMMERCIAL	
			SW	SW		COMMERCIAL	
			NE	SE		COMMERCIAL	
			NW	SE		COMMERCIAL	
			SW	SE		COMMERCIAL	
			SE	SE		COMMERCIAL	
07S	17E	5	SE	NE		COMMERCIAL	
			SW	NW		COMMERCIAL	
			SE	NW		COMMERCIAL	
			NE	SW		COMMERCIAL	
			NW	SW		COMMERCIAL	
			SW	SW		COMMERCIAL	

			SE	SW	COMMERCIAL
			NE	SE	COMMERCIAL
			NW	SE	COMMERCIAL
			SE	SE	COMMERCIAL
			SW	SE	COMMERCIAL
			SW	NE	COMMERCIAL
07S	17E	8	NE	NE	COMMERCIAL
			NW	NE	COMMERCIAL
			SE	NE	COMMERCIAL
			NE	NW	COMMERCIAL
			NW	NW	COMMERCIAL
07S	17E	9	NW	NE	COMMERCIAL
			SW	NE	COMMERCIAL
			NE	NW	COMMERCIAL
			NW	NW	COMMERCIAL
			SW	NW	COMMERCIAL
			SE	NW	COMMERCIAL
			NE	NE	COMMERCIAL

11. Place of use in counties: LINCOLN, JEROME

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

13. Other Water Rights Used:

14. Remarks:

Rights 37-02527B, 37-02592D, 37-02592F and 37-07533B when combined shall not exceed a total diversion rate of 1.42 cfs from all authorized points of diversion under Transfer 5576, nor a total combined annual volume of 306.0 af.

Four (4) points of diversion are located within the SWSW, S32, T06S, R17E.

The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.

Commercial use is for a dairy barn located within the SWSW, S32, T06S, R17E.

Use of water under this right may be affected by an agreement between the protestant and the right holder.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

15. Basis of Claim: License

03/27/2002

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

RIGHT NUMBER: **37-2592F**

NAME AND ADDRESS: DOUBLE A DAIRY
2105 E 3600 S
WENDELL ID 83355

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS
14.1 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 1.42 CFS. COMBINED RIGHT NOS.: 37-2592D,
37-2527B & 37-7533B.

PRIORITY DATE: 12/21/1956

POINT OF DIVERSION:

T06S R17E S32 SWSW Within LINCOLN County

T06S R17E S32 SWSW Within LINCOLN County

T06S R17E S32 SWSW Within LINCOLN County

T06S R17E S32 SWSW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.040 CFS 14.10 AFY
COMMERCIAL	1/01 12/31	0.040 CFS 14.10 AFY

PLACE OF USE: STOCKWATER Within LINCOLN County

T06S R17E S32	NESW	T06S R17E S32	NWSW
T06S R17E S32	SWSW	T06S R17E S32	SESW

COMMERCIAL Within LINCOLN County

T06S R17E S31	NESE	T06S R17E S31 Lot 7	SESE
T06S R17E S32	NWNE	T06S R17E S32	SWNE
T06S R17E S32	NENW	T06S R17E S32	NWNW
T06S R17E S32	SWNW	T06S R17E S32	SENW
T06S R17E S32	NESW	T06S R17E S32	NWSW
T06S R17E S32	SWSW	T06S R17E S32	SESW
T06S R17E S32	NWSE	T06S R17E S32	SWSE
T06S R17E S32	SESE	T07S R17E S03	SWNW
T07S R17E S03	SENW	T07S R17E S03	NESW
T07S R17E S03	NWSW	T07S R17E S03	SWSW
T07S R17E S04	SWNE	T07S R17E S04	SENE
T07S R17E S04	SWNW	T07S R17E S04	SENW
T07S R17E S04	NESW	T07S R17E S04	NWSW
T07S R17E S04	SWSW	T07S R17E S04	SESW
T07S R17E S04	NESE	T07S R17E S04	NWSE
T07S R17E S04	SWSE	T07S R17E S04	SESE
T07S R17E S05	SWNE	T07S R17E S05	SENE
T07S R17E S05	SWNW	T07S R17E S05	SENW
T07S R17E S05	NESW	T07S R17E S05	NWSW
T07S R17E S05	SWSW	T07S R17E S05	SESW
T07S R17E S05	NESE	T07S R17E S05	NWSE
T07S R17E S05	SWSE	T07S R17E S05	SESE
T07S R17E S08	NWNE	T07S R17E S08	NWNE

03/27/2002

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

T07S R17E S08	SENE	T07S R17E S08	NENW
T07S R17E S08	NWNW	T07S R17E S09	NENE
T07S R17E S08	NWNW	T07S R17E S09	NENE
T07S R17E S09	NWNE	T07S R17E S09	SWNE
T07S R17E S09	NENW	T07S R17E S09	NWNW
T07S R17E S09	SWNW	T07S R17E S09	SENW

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.

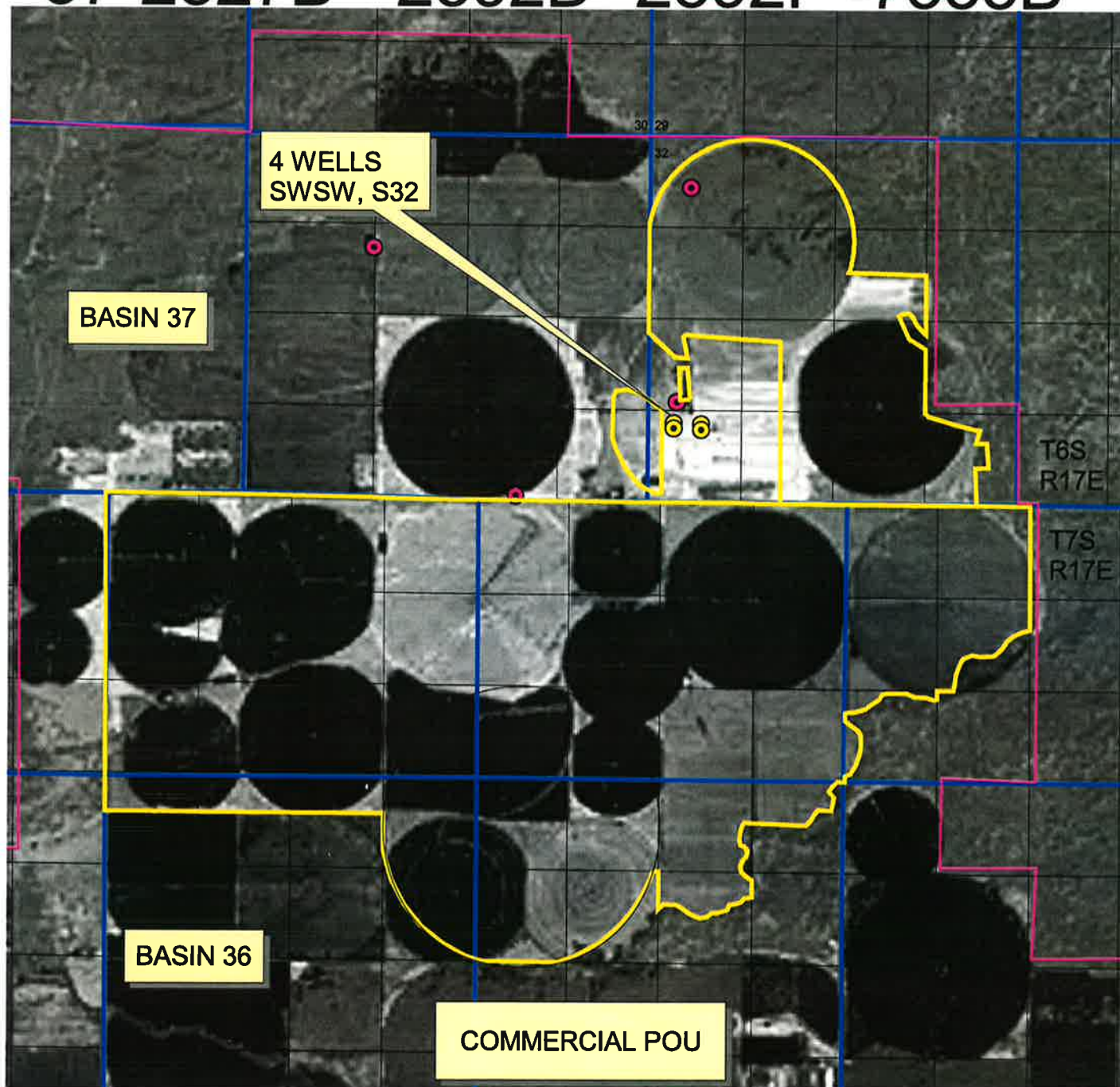
EXPLANATORY MATERIAL: License

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 37-2592D, 37-2527B & 37-7533B.

Water Right 37-2592F

IDAHO DEPT OF WATER RESOURCES

37-2527B -2592D -2592F -7533B



1320 0 1320 Feet



- Basin 37 part 1-POU
- Basin 37 part 1-POD
- Ownership FED-Private
- Streams
- Section Lines
- Quarter - Quarter lines

TWN: 6S & 7S
 RNG: 17E
 SEC: 31 & 32,
 3, 4, 5, 8 & 9



GIS Place of Use Presentation
 NAPP Aerial Photo 1987/1988
 By Steve Clelland
 PHOTO IS IDAHOSPOT1998
 Date: MARCH 26, 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5576
WATER RIGHT NO(S) . 37-02527B/37-02592D/37-02592F/37-07533B

This is to certify that: **DOUBLE A DAIRY**
2105 E 3600 S
WENDELL ID 83355

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 37-02527B :			
Priority: 12/04/1951			
STOCKWATER	01/01 to 12/31	1.06 CFS	198.0 AF
COMMERCIAL	01/01 to 12/31	1.06 CFS	198.0 AF
		1.06 CFS	198.0 AF
Right No. 37-02592D :			
Priority: 12/21/1956			
STOCKWATER	01/01 to 12/31	0.29 CFS	48.0 AF
COMMERCIAL	01/01 to 12/31	0.29 CFS	48.0 AF
		0.29 CFS	48.0 AF
Right No. 37-02592F :			
Priority: 12/21/1956			
STOCKWATER	01/01 to 12/31	0.04 CFS	14.1 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	14.1 AF
		0.04 CFS	14.1 AF
Right No. 37-07533B :			
Priority: 09/29/1976			
STOCKWATER	01/01 to 12/31	0.12 CFS	45.9 AF
COMMERCIAL	01/01 to 12/31	0.12 CFS	45.9 AF
		0.12 CFS	45.9 AF
TOTAL:		* 1.42 CFS	306.0 AF *

SOURCE

GROUNDWATER

MICROFILMED
NOV 08 2000

TRANSFER NO. 5576
WATER RIGHT NO(S) . 37-02527B/37-02592D/37-02592F/37-07533B

LOCATION OF POINT(S) OF DIVERSION:

SSW , Sec. 32, Township 06S, Range 17E
LINCOLN County

PLACE OF USE: STOCKWATERTWN RGE SEC

06S 17E 32	NESW	NWSW	SSW
	SESW		

PLACE OF USE: COMMERCIALTWN RGE SEC

06S 17E 31	NESE	Lot 7 (SESE)	
32	NWNE	SWNE	NENW
	NWNW	SWNW	SESW
	NESW	NWSW	SSW
	SESW	NWSE	SWSE
	SESE		
07S 17E 3	SWNW	SESW	NESW
	NWSW	SSW	
4	SWNE	SENE	SWNW
	SESW	NESW	NWSW
	SSW	SESE	NESE
	NWSE	SWSE	SESE
5	SWNE	SENE	SWNW
	SESW	NESW	NWSW
	SSW	SESE	NESE
	NWSE	SWSE	SESE
8	NENE	NWNE	SENE
	NENW	NWNW	
9	NENE	NWNE	SSW
	NENW	NWNW	SWNW
	SESW		

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Use of water under this right may be affected by an agreement between the protestant and the right holder.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
5. Use of water under this approval shall comply with applicable water quality standards of the Department of Environmental Quality.

MICROFILMED

NOV 08 2000

TRANSFER NO. 5576
WATER RIGHT NO(S). 37-02527B/37-02592D/37-02592F/37-07533B

CONDITIONS OF APPROVAL AND REMARKS

6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 9. Rights 37-02527B, 37-02592D, 37-02592F and 37-07533B when combined shall not exceed a total diversion rate of 1.42 cfs from all authorized points of diversion under Transfer 5576, nor a total combined annual volume of 306.0 af.
10. Four (4) points of diversion are located within the SWSW, S32, T06S, R17E.
11. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
12. Commercial use is for a dairy barn located within the SWSW, S32, T06S, R17E.

Dated this 11th day of October, 2000.


Chief, Water Allocation Bureau

MICROFILMED

NOV 08 2000