

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 37-7014
Date Received: 10/26/1988
Receipt No: S003280
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KATIE FLOOD Phone: (208) 788-6399
QUEENS CROWN RANCH
PO BOX 3750
HAILEY ID 83333

JOHN FLOOD Phone: (208) 788-6399
QUEENS CROWN RANCH
PO BOX 3750
HAILEY ID 83333

2. Date of Priority: 03/11/1968

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	19E	20	NW NE	BLAINE	
02S	21E	6	SW NE NW 3	BLAINE	R

5. Description of diverting works:

WELL FLOWS INTO SIVER CREEK THEN REDIVERTED VIA RE DIVERSIONS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	5	1335

7. Total Quantity Appropriated is:

5 C.F.S. and/or 1335 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	
01S	21E	31	SW	NE	IRRIGATION	18	
			SE	NE	IRRIGATION	10	
			SE	SW	IRRIGATION	32	
			NE	SE	IRRIGATION	34	
			NW	SE	IRRIGATION	36	
			SW	SE	IRRIGATION	40	
			SE	SE	IRRIGATION	30	
Section Acres						200	
01S	21E	32	NW	SW	IRRIGATION	12	
						Section Acres	12
02S	21E	6	SE	NW	IRRIGATION	36	
			NW	SW	IRRIGATION	13	
			NE	NE	1	IRRIGATION	10
			NW	NE	2	IRRIGATION	35
			SW	NE		IRRIGATION	21
			NE	NW	3	IRRIGATION	36
			NW	NW	4	IRRIGATION	22
			SW	NW		IRRIGATION	35
			NE	SW		IRRIGATION	25
Section Acres						233	
Total Acres						445	

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:

14. Remarks:

PT. OF INJECTION INTO SILVER CK: NWNW, S7, T2S, R21E, SENW, S20, T1S, R19E. THE WELL SHALL BE PERMANENTLY EQUIPPED WITH A VALVE OR OTHER CONTROL DEVICE SUCH THAT THE FLOW MAY BE STOPPED WHEN THE WELL IS NOT IN USE. NO MORE WATER MAY BE DIVERTED FROM THE WELL THAN THE BENEFICIAL REQUIREMENTS TO IRRIGATE THE LAND DESCRIBED IN PERMIT 37-7014 AND LIC. G-29372. THE WATER FROM THE WELL IS TO BE USED ONLY ON THE LANDS TO WHICH IT IS APPURTENANT. APPLICANT SHALL INSTALL & MAINTAIN MEASURING DEVICES SO THAT THE WATER FROM THE WELL MAY BE MEASURED AT THE PT. WHERE IT IS CO-MINGLED WITH THE WATERS OF SILVER CR.

& AN EQUAL AMT. MINUS SUCH AMT. AS SHALL BE DETERMINED BY THE BIT & LITTLE WOOD RIVER WATERMASTER FOR LOSS BY SEEPAGE & EVAPORATION MAY BE REDIVERTED AT THE APPLICANTS HEADGATE.

THE APPLICANTS 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.

CLAIM AMENDED VIA PERMIT AMENDMENT 4-1-1990.

15. Basis of Claim: Permit

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 12 2004
Department of Water Resources
Southern Region

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): 37-7014

[] Name(s): _____

[] Old Mailing Address: Queen's Crown Ranch

P.O. Box 317

Picabo, ID 83348

[] New Mailing Address: Queen's Crown Ranch

P.O. Box 3750

Hailey, ID 83333

Telephone Number: (208) 788 - 10399

[] Signature(s) of Owner(s) John D Hood

Owner

(Include your title if on behalf of company or organization)

Date: 10-5-04

SCANNED

OCT 14 2004



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 13, 2004

JOHN FLOOD
KATIE FLOOD
QUEENS CROWN RANCH
PO BOX 3750
HAILEY ID 83333

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 37-7014
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in address on the water right claim(s) referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

SCANNED

OCT 14 2004

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

AMENDED

Ident. Number **37-7014**
Date Received: 10/26/1988
Receipt No: S003280
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KATIE FLOOD

Phone: (208) 788-2357

QUEENS CROWN RANCH
STAR RT
PICABO ID USA 83348

JOHN FLOOD

Phone: (208) 788-2357

QUEENS CROWN RANCH
STAR RT
PICABO ID USA 83348

2. Date of Priority: 03/11/1968

3. Source: GROUND WATER

Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot				County	Type
01S	19E	20		NW	NE	BLAINE		
02S	21E	6	SW	NE	NW	3	BLAINE R	

5. Description of diverting works:

WELL FLOWS INTO SIVER CREEK THEN REDIVERTED VIA RE DIVERSIONS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	5	1335

7. Total Quantity Appropriated is:
5 C.F.S. and/or 1335 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	
01S	21E	31	SW	NE	IRRIGATION	18	
			SE	NE	IRRIGATION	10	
			SE	SW	IRRIGATION	32	
			NE	SE	IRRIGATION	34	
			NW	SE	IRRIGATION	36	
			SW	SE	IRRIGATION	40	
			SE	SE	IRRIGATION	30	
01S	21E	32	NW	SW	IRRIGATION	12	
02S	21E	6	SE	NW	IRRIGATION	36	
			NW	SW	IRRIGATION	13	
			NE	NE	1	IRRIGATION	10
			NW	NE	2	IRRIGATION	35
			SW	NE		IRRIGATION	21
			NE	NW	3	IRRIGATION	36
			NW	NW	4	IRRIGATION	22
			SW	NW		IRRIGATION	35
			NE	SW		IRRIGATION	25
					Section Acres	233	
					Total Acres	445	

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:

14. Remarks:

PT. OF INJECTION INTO SILVER CK: NWNW, S7, T2S, R21E, SENW, S20, T1S, R19E.
THE WELL SHALL BE PERMANENTLY EQUIPPED WITH A VALVE OR OTHER CONTROL DEVICE SUCH THAT THE FLOW MAY BE STOPPED WHEN THE WELL IS NOT IN USE. NO MORE WATER MAY BE DIVERTED FROM THE WELL THAN THE BENEFICIAL REQUIREMENTS TO IRRIGATE THE LAND DESCRIBED IN PERMIT 37-7014 AND LIC. G-29372. THE WATER FROM THE WELL IS TO BE USED ONLY ON THE LANDS TO WHICH IT IS APPURTENANT. APPLICANT SHALL INSTALL & MAINTAIN MEASURING DEVICES SO THAT THE WATER FROM THE WELL MAY BE MEASURED AT THE PT. WHERE IT IS CO-MINGLED WITH THE WATERS OF SILVER CR.

& AN EQUAL AMT. MINUS SUCH AMT. AS SHALL BE DETERMINED BY THE BIT & LITTLE WOOD RIVER WATERMASTER FOR LOSS BY SEEPAGE & EVAPORATION MAY BE REDIVERTED AT THE APPLICANTS HEADGATE.

THE APPLICANTS 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.

CLAIM AMENDED VIA PERMIT AMENDMENT 4-1-1990.

15. Basis of Claim: Permit

37-7014

Claim based on Permit.

Amended Permit Results in

Amendment to Claim.

Amendment filed 4/1/1990

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: A37-07014
Date Received: 10/17/1988
Receipt No: 5003280
Received By: ADL

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

2. Date of Priority: MAR 11, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	19E	20		NW	NW		BLAINE
	20E	35	NE	NE	NE	R	BLAINE
02S	20E	1	NE	SE	NE	R	BLAINE
	21E	6	SW	NE	NW	3 R	BLAINE
			NE	SW	SW	7 R	BLAINE

5. Description of diverting works:

WELL FLOWS INTO SIVER CREEK THEN REDIVERTED VIA 4 DIVERSIONS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.000		

7. Total Quantity Appropriated is:

5.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1082.5 Acre Feet Per Annum.

A37-07014

Page 1

Date: 10/18/88

COPY

MICROFILMED
FEB 24 1993

9. Non-irrigation uses:

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	10.0
			SE	SW		IRR	30.0
			NE	SE		IRR	34.0
			NW	SE		IRR	36.0
			SW	SE		IRR	40.0
			SE	SE		IRR	30.0
						Section Acres	196.0
		32	NW	SW		IRR	12.0
						Section Acres	12.0
02S	21E	6	NE	NE		IRR	10.0
			NW	NE		IRR	35.0
			SW	NE		IRR	18.0
			NE	NW		IRR	36.0
			NW	NW		IRR	22.0
			SW	NW		IRR	35.0
			SE	NW		IRR	36.0
			NE	SW		IRR	20.0
			NW	SW		IRR	13.0
						Section Acres	225.0
						Total Acres	433.0

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

14. Remarks:

PT. OF INJECTION INTO SILVER CK: NWNW, S7, T2S, R21E, SENW, S20, T1S, R19E.

THE WELL SHALL BE PERMANENTLY EQUIPPED WITH A VALVE OR OTHER CONTROL DEVICE SUCH THAT THE FLOW MAY BE STOPPED WHEN THE WELL IS NOT IN USE. NO MORE WATER MAY BE DIVERTED FROM THE WELL THAN THE BENEFICIAL REQUIREMENTS TO IRRIGATE THE LAND DESCRIBED IN PERMIT 37-7014 & LIC. G-29372. THE WATER FROM THE WELL IS TO BE USED ONLY ON THE LANDS TO WHICH IT IS APPURTENANT. APPLICANT SHALL INSTALL & MAINTAIN MEASURING DEVICES SO THAT THE WATER FROM THE WELL MAY BE MEASURED AT THE PT. WHERE IT IS CO-MINGLED WITH THE WATERS OF SILVER CK.

COPY

RECORDED
FEB 24 1993

& AN EQUAL AMT. MINUS SUCH AMT. AS SHALL BE DETERMINED BY THE BIT & LITTLE AND RIVER WATERMASTER FOR LOSSES BY SEEPAGE & EVAPORATION MAY BE REDIVERTED AT THE APPLICANT'S HEADGATE. THE APPLICANTS SHALL PAY SUCH CHARGES FOR THE WATERMASTER'S SERVICE AS SHALL BE FOUND TO BE REQUIRED DUE TO THE ADDITIONAL EXPENSE OF REGULATING USE OF THIS WATER.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Map A37-00407

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. Florez Date: Oct 25, 1988

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 25 day
of Oct. 19 88 Joe D. Menti
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/94

COPY

MICROFILMED
FEB 24 1993



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

07/29/2008

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF 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

Updated 7-28-2009

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.000 CFS
1,335.000 AFY

The maximum combined rate of diversion under this right & Right 37-02649 shall not exceed 7.26 44 cfs.

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

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.

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:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
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

Place of use does not include federal public lands.

The rights listed below are limited to the irrigation of a combined total of 534 9 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.

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.

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.

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

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

Christensen, Kelly

From: Christensen, Kelly
Sent: Tuesday, December 30, 2008 9:37 AM
To: Kelly, Vicki; Bromley, Chris
Cc: Jones, Doug
Subject: RE: Prelim Order Correcting Licenses 37-7014

Vicki, you stirred this up by getting me to review this one more time. I have found the following appurtenant remarks in the following rights. Problems galore.

37-7644 needs at least the combined rate remark updated. I do not know if additional work is needed on this right.

37-2649A and 2649B need to be updated but no objections have been filed. In this circumstance, can we submit an amended director's report without having the claimant file an objection?

I updated 37-7014 based upon the changes made in the allocations database. That was a mistake on my part.

Copied from the order:

Water rights remarks update for 37-7644 Based upon latest order issued by allocations

1. X35 Rights 37-7644, 37-2649A, 37-2649B and 37-7014 when combined shall not exceed a total diversion rate of 7.44 cfs.

Remarks in the latest version of adjudication recommendations;
37-7644 version 2 ---- Status; objection filed

6. X35 Rights 37-7644, 37-2649A, 37-2649B and 37-7014 when combined shall not exceed a total diversion rate of 5.0 cfs.

I do not know much about this right. Apparently Jeanie updated the acreage limit in remarks but I do not know if additional things need to be changed other than this new rate correction.

Remarks in the latest version of adjudication recommendations;
37-2649A version 1 ---- Status; un-objected to right

6. X35 Rights 37-7644, 37-2649A, 37-2649B and 37-7014 when combined shall not exceed a total diversion rate of 5.0 cfs.

Remarks in the latest version of adjudication recommendations;
37-2649B version 1 ---- Status; un-objected to right

5. X35 Rights 37-7644, 37-2649A, 37-2649B and 37-7014 when combined shall not exceed a total diversion rate of 5.0 cfs.

Remarks in the latest version of adjudication recommendations;
37-7014 version 2 ---- Status; objection filed

4. E51 The maximum combined rate of diversion under this right & Right 37-02649 shall not exceed 7.44 cfs. I had updated this remark based upon the allocations database entry which is not consistent with the order. (should have been 2649A and 2649B) Alternatively couldn't I just use the combination of all four rights so that they would be consistent in this one small area?

From: Kelly, Vicki
Sent: Tuesday, December 30, 2008 8:31 AM
To: Christensen, Kelly
Subject: Prelim Order Correcting Licenses 37-7014

<< File: Prelim Order Correcting Licenses.pdf >>

Hi ya Kelly

FYI.....

Thanks - V

12/29/2008

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
QUANTITY: 5.000 CFS
1,335.00 AFY

TRIBUTARY:

02649A

The maximum combined rate of diversion under this right & Rights ~~37-02649-37-~~
and ~~37-02649B~~ shall not exceed ~~7.26~~ 7.44 cfs.

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

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.

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:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
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			

Place of use does not include federal public lands.

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 - 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.

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.

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.

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

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

Christensen, Kelly

From: Jones, Doug
Sent: Thursday, August 21, 2008 11:23 AM
To: Christensen, Kelly
Cc: Weaver, Mathew
Subject: FW: Basin 37 Water Rights

FYI, Kelly. You are working on the Flood part of this issue.

How, pray tell, can the same flow rate be delivered to two different owners?!!!! Stevenson has the senior right for all the flow and the junior right. Are there actually two wells at the location? There could be lots more going on than meets the eye.

DJ

From: Weaver, Mathew
Sent: Thursday, August 21, 2008 8:32 AM
To: Jones, Doug
Cc: Keen, Shelley; Luke, Tim; Merritt, Allen
Subject: Basin 37 Water Rights

Doug,

As you know we have been reviewing all water rights and recommendations in Basin 37 that have conditions requiring Watermaster regulation of groundwater rights. We are doing this in an attempt to understand the reasoning behind the conditioning and to prepare a master guidance document for the Watermaster that can be used to carry out the regulation of the water rights. In carrying out this task I have recently review a group of water rights that share a common point of diversion. The POD is the Lucke Well, which diverts groundwater for injection into Patton Creek, so the water may be re-diverted downstream on Silver Creek for irrigational purposes. The WRs that use the Lucke Well include **37-2649A, 37-2649B, 37-7014, 37-7644**. The Lucke Well is an artesian well whose flow rates have varied greatly over time. This has lead to inconsistencies in the conditional language of the WRs, which has further lead to inconsistencies in the conditional language of the Recommendations.

Of primary concern is the condition which limits the combined flow rate of groundwater diverted from the Well. Initially WR 37-2649 was licensed for the diversion of 7.44 cfs. Following the split of this water right the combined flow rate of the — T-2657 children rights, A and B, was still 7.44 cfs. During the field exam for 37-7014 a flow rate of 7.26 was observed at the Lucke Well (less than historical flows), as such this license was incorrectly issued with a condition that limited the combined flow rate of diverted water for WRs 37-2649[A & B] and 37-7014 to 7.26 cfs. During the field exam for 37-7644 a flow rate from the well of 4.35 cfs was witnessed, the Field Examiner's narration goes on to state that the measurement was taken in a drought year and that historical flow rates as high as 7.96 have been witnessed at the well. Apparently due to the lower observed flow rates, license 37-7644 was incorrectly issued with a condition that limited the combined flow rate of diverted water for WRs 37-2649A, 37-2649B, 37-7014, and 37-7644 to 5.00 cfs. The preparation of the SRBA recommendations for these WRs was handled by two different agents. One agent prepared the recommendations for WRs 37-2649A, 37-2649B, and 37-7644 and limited the combined flow rate at the well to 5.00 cfs. WR 37-7014 was prepared by a different agent and contains a condition limiting the combined diversion of groundwater at the well to 7.26 cfs. As you know the flow rate of a WR license can not be injured (in this case limited) by the conditions of subsequent water rights. Due to this fact, Shelley, Tim, and myself feel that the right holders associated with these water rights should be contacted, debriefed on our findings, and given the opportunity to request that their licenses be modified to reflect a combined use limitation on all of the WRs of 7.44 cfs. At the conclusion of our meeting yesterday we identified the following items that would need to be carried out to correct this matter.

- 1) Bring D. Jones up to speed (M. Weaver)
- 2) Prepare a NAP (D. Jones)
- 3) Communicate with right holders in an effort to have them request the changes. (M. Weaver)
- 4) Prepare an order correcting the licenses. (M. Weaver/S. Keen)
- 5) Update the SRBA recommendations. (D. Jones?)

licenses be modified

- a) Update combined use flow rate limitation to 7.44 cfs.
- b) Update recommendation for 37-7014 to match its conditional language to that of WRs 38-2649B and 37-7644.

6) Prepare an NCAP. (D. Jones)

7) Instruct the Watermaster accordingly. (M. Weaver/T. Luke)

This email represents the first step in the list above. I hope to have a letter prepared and sent out to the right holders by the end of the week and will follow up with preparing the draft order once I have received return correspondence. Please give me a call or email if you have any questions. I also regularly attend our State Office/Southern Office coordination conference calls on Wednesday mornings.

Thank you,

Mat Weaver, PE
Staff Engineer
Idaho Department of Water Resource
(208) 287-4914

T- 2057
Approved 7-15-77
unobjected to ←

1 { 37-2649A John Stevenson
(2649 lic @ 7.44cfs

37-2649B John Stevenson unobjected to

3. 37- ⁷⁶⁴⁴ ~~2644~~ John Stevenson
~~John Stevenson~~
~~Robert Dreyer~~ obj filed
licins ddt. 2-22-05

2 37- 7014 (V-2) John Flood
Obj filed
licins ddt 3-24-94

12/29/2008

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:

VERIFIED BY KKC
12-29-08

QUANTITY: 5.000 CFS
1,335.00 AFY

The maximum combined rate of diversion under this right & Right 37-02649 shall not exceed ~~7.26~~ 7.44 cfs.

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

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.

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	SNNW	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					

Place of use does not include federal public lands.

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 - 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.

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.

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.

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

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

07/29/2008

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF 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

VERIFIED BY KKC

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.000 CFS
1,335.000 AFY

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

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

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.

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

Place of use does not include federal public lands.

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.

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.

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.

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.

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

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

**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 37-07014
(insert water right number)

Case No. 39576)

**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.

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. 37-7014 (Insert water right number)

Case No. 39576)

STANDARD FORM 1 RECEIVED
OBJECTION

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: _____
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 place of use needs to be
corrected to accurately reflect the water right as claimed.

01/09/2007

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

RIGHT NUMBER: 37-7014
NAME AND ADDRESS: KATIE FLOOD
QUEENS CROWN RANCH
PO BOX 3750
HAILEY ID 83333

JOHN FLOOD
QUEENS CROWN RANCH
PO BOX 3750
HAILEY ID 83333

SOURCE: GROUND WATER
QUANTITY: 5.000 CFS
1,335.000 AFY

TRIBUTARY:

The rate of diversion at the point of redirection 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.

01/09/2007

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

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.

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.

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.

The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

This water right is appurtenant to the described place of use.

Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.



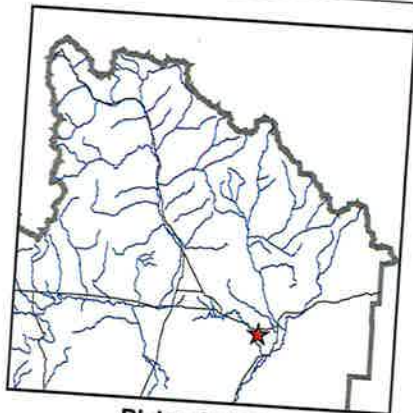
Idaho Department of Water Resources

SRBA Recommendation:

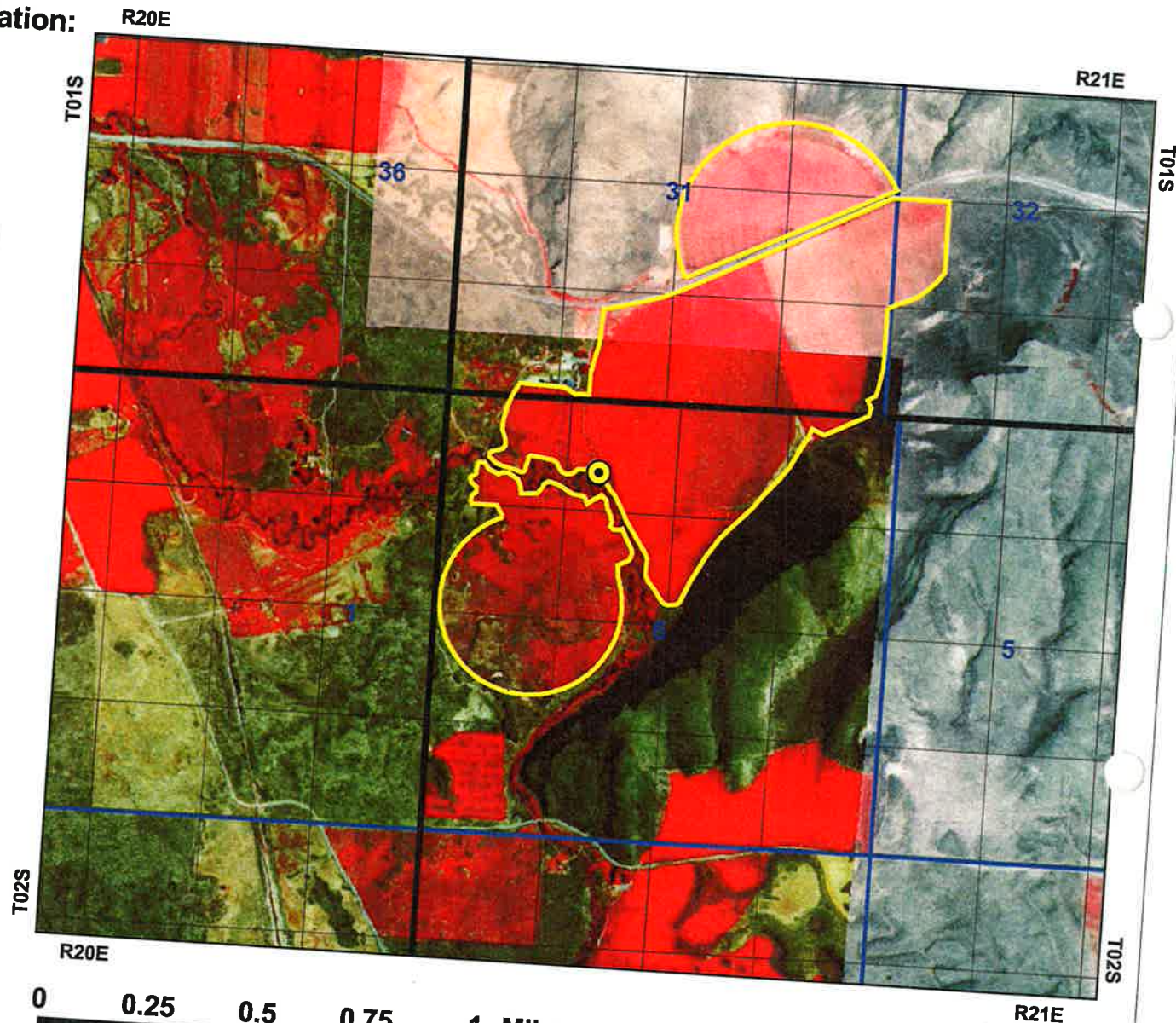
37-7014

Legend

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



Blaine County
IDWR Basin 37



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

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**
)

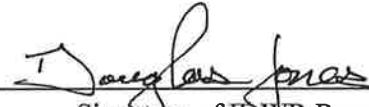
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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:

<u>IRRIGATION in BLAINE County</u>			
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	NWNW	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:

IRRIGATION in BLAINE County

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:

<u>IRRIGATION in BLAINE County</u>			
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	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 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	

JUN 25 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

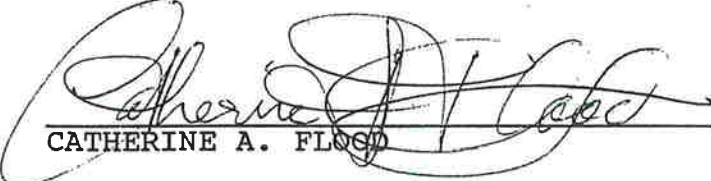
Received by _____	Date <u>6-25-07</u>	Fee <u>\$25.</u>
Received by <i>JP</i>	Date <u>6-25-07</u>	Receipt No. <u>5029556</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

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.

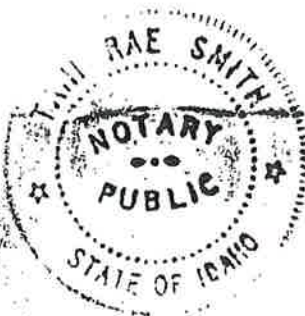
Date: April 24, 1992


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

ELAINE CO. REQUEST

OF Holland & Hart

1992 APR 28 P 12:07

340312

DAVE GREEN, CLERK
FEES \$

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.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07014

Priority: March 11, 1968

Maximum Diversion Rate: 5.00 CFS

Maximum Diversion Volume: 1335.0 AF

This is to certify, that JOHN FLOOD
QUEENS CROWN RANCH
STAR RT.

PICABO ID 83348

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 11, 1968; and has submitted Proof of Beneficial Use on October 1, 1969. An examination indicates that the works have a diversion capacity of 7.260 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	5.00 CFS	1335.0 AF

LOCATION OF POINT(S) OF DIVERSION:
Rediversion

NWNE , Sec. 20, Township 01S, Range 19E
Lot 3(NENW), Sec. 6, Township 02S, Range 21E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	21E	31	SWNE 18	SENE 10	SESW 32	
			NESE 34	NWSE 36	SWSE 40	
			SESE 30			200
		32	NWSW 12			12
02S	21E	6	Lot 1(NENE) 10	Lot 2(NWNE) 35	SWNE 21	
			Lot 3(NENW) 36	Lot 4(NWNW) 22	SWNW 35	
			SENE 36	NESW 25	NWSW 13	233

Total number of acres irrigated: 445

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 37M.

APR 11 1994

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 37-07014

CONDITIONS/REMARKS:

6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
7. The maximum combined rate of diversion under this right & Right 37-02649 shall not exceed 7.26 cfs.
8. 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.
9. The rate of diversion at the point of rediversion from Silver Creek shall not exceed 4.3 cfs.
10. The right holder(s) shall pay such charges for the watermaster's service as shall be found to be required due to the additional expense of regulating use of this water.
11. 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.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24TH day of MARCH, 1994.

Acting for

R. Keith Higginson, Director

MICROFILMED

APR 11 1994

MEMORANDUM

TO: File 37-07014

FROM: Sharla

DATE: March 9, 1994

RE: License Issuance

Below is a summary of actions leading to the issuance of a final license on this right.

1. The application for permit was filed in March of 1968 for irrigation of 520 acres from an artesian well. The application proposed diversion from the well into a ditch to Silver Creek, and rediverted from Silver Creek approximately 10 miles away from the original diversion.
2. Proof of beneficial use was filed in October of 1969.
3. An inspection of this system was originally conducted in 1977. At that time, the report of the examiner indicates that water was diverted in to Patton Creek, which runs into Silver Creek. Approximately 10 miles below the point of diversion, the permit holder took water from Silver Creek (not only under this right, but from several other surface water rights). When his rights on Silver Creek were depleted, then he turned on the artesian well to supplement his Silver Creek rights.
4. Because this right was in litigation for a time period and because compliance with the measuring device condition was of concern, the right was re-examined in April of 1981. The results of this examination proposed license issuance for 3.05 cfs for the irrigation of 352 acres. The permit holder disagreed with the amount of water and the right was examined one more time.
5. The final examination under this system occurred in September of 1984. The results of this examination proposed license issuance for the permitted amount of 5.0 cfs. The measurements taken warranted issuance for this amount. The well measurement taken was 7.26 cfs, pump rediversions were measured at 6.05 cfs. The examiner found a total of 445 acres irrigated and proposed that the license contain a condition limiting the rate of rediversion from Silver Creek to 4.3 cfs (14% loss). The examiner also indicated in his report that water is diverted from the well into Patton Creek, which flows into Stalker Creek, which then flows into Silver Creek, where water is later rediverted onto the lands irrigated.

RECORDED

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6. Pre-license correspondence reflecting the examination listed in item 5 above was sent to the permit holder in March of 1990. The amendment was returned and a final license was prepared and sent to Norm for signature.

7. Norm returned the license with several concerns. First, he wished to have the permit conditions carried forward to the license and to have the condition regarding loss included. He also wanted the details of the exchange described. The appropriate conditions have been added and a remark outlining the exchange has also been included. The license is again ready to signature.

RECEIVED
APR 11 1994

RECEIVED
APR 19 1990

APPROVED

RECEIVED

APR 10 1990

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07014

Department of Water Resources
Southern Region Office

Date of Priority: March 11, 1968

Maximum Diversion Rate: 5.00 CFS
Maximum Diversion Volume:¹ 1335.0 AF

Comes now JOHN FLOOD
QUEENS CROWN RANCH
Star Route
PICABO, ID 83348

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-07014, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	5.00 CFS	1335.0 AF

LOCATION OF POINT(S) OF DIVERSION:
Rediversion LOT 3(NWNE , Sec. 20, Township 01S, Range 19E
NENW), Sec. 6, Township 02S, Range 21E
BLAINE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	21E	31	SWNE 18	SENE 10	SESW 32	
			NESE 34	NWSE 36	SWSE 40	
			SESE 30			200
		32	NWSW 12			12
02S	21E	6	LOT 1(NENE) 10	LOT 2 NWNE 35	SWNE 21	
			LOT 3(NENW) 36	LOT 4 NWNW 22	SWNW 35	
			SENE 36	NESW 25	NWSW 13	233

Total number of acres irrigated: 445

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

Signed at Queens Crown Ranch, this 1 day of April, 1990.
John Flood
(Signature)

APR 11 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07014

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 Received by JS Date 4-10-90 5011948

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-07014 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
- ✓5. Use of water under this water right is subject to control by the watermaster of State Water District No. 37M
- ✓6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
- ✓7. The maximum combined rate of diversion under this right & Right 37-2649 shall not exceed 7.26 cfs.

Witness my hand this 24TH day of MARCH, 1994.


Acting for R. Keith Higginson, Director

RECORDED

APR 11 1994