

Amended

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 37-21478
Date Received: 6/21/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

RUTH M DEHLMAR Phone: (801)745-0096
GEORGE A DEHLMAR
DENZEL R ROWLAND
MARY S ROWLAND
5195 E YACHT CLUB DR
EDEN UT USA 84310

RECEIVED

SEP 06 2005

Department of Water Resources
Southern Region

2. Date of Priority: 4/1/1911

3. Source: ELK CREEK Trib. to: CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	17E	34	NE NE SW	BLAINE	

5. Description of diverting works:

POND IN ELK CREEK WITH PUMP AND SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.58	

7. Total Quantity Appropriated is:
0.58 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
02N	17E	34	NE SW	IRRIGATION	27
Section Acres					27
Total Acres					27

COPY

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:

This right is renumbered from former right 37-2495 .

This claim was renumbered to allow an amendment to recognize a beneficial use right with an earlier priority date. The beneficial use includes and supercedes the original license.

15. Basis of Claim: Beneficial use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s):

Date:

09/01/05

Mary Bealand

Date:

9-1-05

State of ~~Idaho~~ Utah

)

) SS.

County of Weber

)

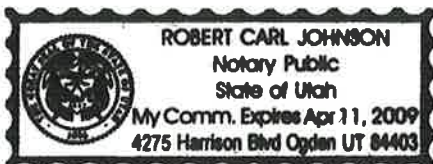
Subscribed and sworn (or affirmed) before me this 1 day of September 2005

[Signature]
Notary Public

Notary Public

Residing at 4275 Harrison Blvd

My commission Expires April 11, 2009



COPY



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

DEPT INTERNET WEB SITE: www.idwr.idaho.gov

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 21, 2005

DENZEL R ROWLAND
5195 E YACHT CLUB DR
EDEN UT USA 84310

RE: SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM 37-2495 renumbered to 37-21478

Dear Denzel

Enclosed are two copies of the pending amendment to the renumbered claim. One is your copy and the other needs to be signed and notarized and returned to this office.

I have updated the priority date and the Basis of claim. I have also added 0.2 acres to the place of use. When this claimed place of use and the claimed place of use for 37-208 are combined they will total to the found acreage I showed you during your office visit. Please carefully review the claim entries to make sure that they agree with your understanding of your use. If you note an item that you want to change, please cross out the item, enter your change, and then initial the change before you have the claim notarized.

Please return the notarized claim to this office attn Kelly and I will then complete the recommendations for your property.

I will also need a copy of the warranty deed we discussed during the office visit to be used for evidence of priority.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kelly.christensen@idwr.idaho.gov

Enclosures

WARRANTY DEED

For Value Received

W. V. McATEE and MARY GLADYS McATEE, husband and wife,

Hereinafter called the grantor, hereby grants, bargains, sells and conveys unto

GEORGE A. DEHLMAR, SR. and RUTH M. DEHLMAR, husband and wife, and
DENZEL R. ROWLAND and MARY S. ROWLAND, husband and wife,
whose address is: P. O. Box 1176, Hailey, Idaho 83333Hereinafter called the grantees, the following described premises, in Blaine County, Idaho,
to-wit:That fractional part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 34, Twp. 2 North, Range 17 E.B.M., known as Tax
Lot No. 744, and more particularly described as follows:Starting at a point from which the SW corner of Sec.
34 bears S 39° 03' W 2100 feet (which point is also South
1009 ft. from the NW corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ aforesaid), as
true point of beginning,

thence N 83° 32' E 711 ft.,

thence N 51° 59' E 475 ft.,

thence N 63° 55' E 455 ft.,

thence N 30° 45' W 50 ft.,

thence N 72° 41' W 162 ft.,

thence N 59° 35' W 400 ft.,

thence N 55° 23' W 280 ft.,

thence West 738 feet to the Northwest Corner of the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ aforesaid,

thence South 1009 feet, to point of beginning,

TOGETHER with all water and water rights, including Water
License No. 20765 in the amount of 0.58 cfs, with date of
priority of November 24, 1948, to the waters of Elk Creek,
a tributary of Croy Creek, thence Wood River, and together
with all range rights, including Taylor Grazing rights for
13 head of cattle.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
and to the Grantee's heirs and assigns forever. And the said Grantor does hereby
covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises;
that they are free from all incumbrances except as described above and that Grantor will warrant
and defend the same from all lawful claims whatsoever.

Dated: July 7, 1976

W. V. McATEE

Mary Gladys McATEE

STATE OF IDAHO COUNTY OF BLAINE

On this 7th day of July 1976,
before me, a Notary Public in and for said State, personally appeared W. V. McATEE and MARY
GLADYS McATEE, husband and wife,

known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Notary Public
Hailey, Idaho
2/10/77

STATE OF IDAHO COUNTY OF

NOTARY PUBLIC
CLERK

JUL 27 1976

CLERK

274945

Form 1860-8
(July 1975)

I-20201

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREASDenzel R. Rowland, Mary S. Rowland,
George A. Dehlmar, Sr., and Ruth M. Dehlmarare entitled to a Land Patent pursuant to the Act of October 21, 1976
(Section 203, 90 Stat. 2750; 43 U.S.C. 1713), for the following-described
lands:

Boise Meridian, Idaho

T. 2 N., R. 17 E.,
sec. 34, ~~SE 1/4 SW 1/4~~,
~~SW 1/4 SW 1/4~~.

Containing 12.50 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES,
unto the above-named claimants the land above described; TO HAVE AND TO HOLD
the said land with all the rights, privileges, immunities and appurtenances,
of whatsoever nature, thereunto belonging, unto the said claimants, their
successors and assigns, forever;

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States. Act of August 30, 1890, 26 Stat. 391; 43 U.S.C. 945.
2. All mineral deposits in the lands so patented pursuant to the Act of October 21, 1976 (90 Stat. 2757; 43 U.S.C. 1719), and to it, or persons authorized by it, the right to prospect, mine and remove such deposits from the same under applicable law and such regulations as the Secretary of the Interior may prescribe.
3. A right-of-way for road purposes as granted under Right-of-Way No. I-20202, pursuant to Title V of the Act of October 21, 1976 (43 U.S.C. 1761-1771).

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho
the TWENTY-EIGHTH day of NOVEMBER in the year
of our Lord one thousand nine hundred and EIGHTY-THREE
and of the Independence of the United States the two hundred
and EIGHTH.

By Louis B. Bellini
Deputy State Director for Operations

Patent Number **11-84-0015**

No. 200055

QUIT CLAIM DEED

-TO-

STATE OF IDAHO, } ss.
County of Blaine,I hereby certify that this instrument was
filed for record at the request ofMary Rowland
at 9:45 o'clock A-M,Oct 21 A.D., 1989,in my office, and duly recorded in Book _____
of Deeds at page _____

MADEIRA

Ex-Officio Recorder.

By Mary Rowland DeputyFor W. J. J. J.Mail to: ☒ ENTERED ON MASON'S
INDEXED ☒ INDEXED IN PARTY'S
CONDALE & DODSON 2nd FLOOR

BLAINE COUNTY FORM—This form furnished by Blaine County Recorder to facilitate recording—10-9-82

QUIT CLAIM DEED

FAULKNER LAND AND LIVESTOCK CO., INC. an Idaho

The grantor.....
corporation

for and in consideration of the sum of \$1.00 and other valuable consideration

DOLLARS

In hand paid, do.....remise, release and quit claim unto Denzel Rowland and

George Dehmer, P.O. Box 1176 Hailey, Idaho

grantee

the following described real estate situated in Blaine County, Idaho:

A parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 34, T. 2N, Range 17 East, B.M., Blaine County, Idaho more particularly described as follows:

Commencing at the northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence along the northerly boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ S 89° 28' 49" E 1070.66 feet to the REAL POINT OF BEGINNING;
THENCE S 89° 28' 49" E 260.88 feet to the northeast corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;
THENCE along the easterly boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ S 0° 02' 12" W 1000.78 feet;
THENCE S 83° 32' 00" W 10.86 feet;
THENCE along an old fence N 18° 43' 04" W 482.09 feet;
THENCE along an old fence N 5° 50' 48" W 353.99 feet;
THENCE along an old fence N 16° 41' 38" W 204.22 feet to the REAL POINT OF BEGINNING, containing 3.44 acres, more or less.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

IN WITNESS WHEREOF the said grantor.....has.....hereunto set.....its.....hand.....and seal.....this 13th.....day of.....October.....A.D. 19.....80.....

Signed in the Presence of

Ralph Faulkner
President

Edith Faulkner (SEAL)
Secretary

STATE OF IDAHO,
County of.....GOODING.....

On this 13th.....day of.....October.....19.....80.....before me,

Notary Public in and for
said State, personally appeared Ralph Faulkner and Edith Faulkner, President and Secretary of Faulkner Land and Livestock Co., Inc. and

known to me to be the persons whose names are..... subscribed to the within instrument, and acknowledged to me that they..... executed the same on behalf of the corporation.

GIVEN UNDER MY HAND and official seal the day and year last above written.

[Signature]
Residing at.....

RECEIVED
JUN 20 2005
Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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- 208B
37- 7912
37- 2495

[] Name(s): Denzel Rowland
Mary Rowland
George Dehlman
Ruth Dehlman

[] Old Mailing Address: P.O. Box 1176 - Hailu
P.O. Box 366 Hailu

[] New Mailing Address: 5195 east yacht Clubdr.
Eden Utah 84310

Telephone Number: (801) 245 - 0096
801 710 - 3264 (Denzel Rowland)

[] Signature(s) of Owner(s) [Signature]

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

Date: 06/20/05

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: A37-02495
Date Received: 8/24/1988
Receipt No: S001689
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE A. DEHLMAR 208-788-4758
Address: P.O. BOX 366
HAILEY, ID 83333
OR
Name: RUTH M. DEHLMAR 208-788-4758
Address: P.O. BOX 366
HAILEY, ID 83333
OR
Name: DENZEL R. ROWLAND
Address: P.O. BOX 1176
HAILEY, ID 83333
OR
Name: MARY S. ROWLAND
Address: HAILEY, ID 83333

2. Date of Priority: NOV 24, 1948

3. Source: ELK CREEK Trib. to: CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	17E	34	NE	NE	SW		BLAINE

5. Description of diverting works:
POND IN ELK CREEK WITH PUMP AND SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.580		

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

A37-02495

Page 1

Date: 08/24/88

MICROFILMED
FEB 23 1993

8. Total consumptive use is 68.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	17E	34	NE SW		IRR	27.0

Section Acres 27.0

Total Acres 27.0

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:
A37-00208B, A37-07912,

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20765

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: 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): Ruth M. Dehman Date: Aug 27 88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of August 19 88

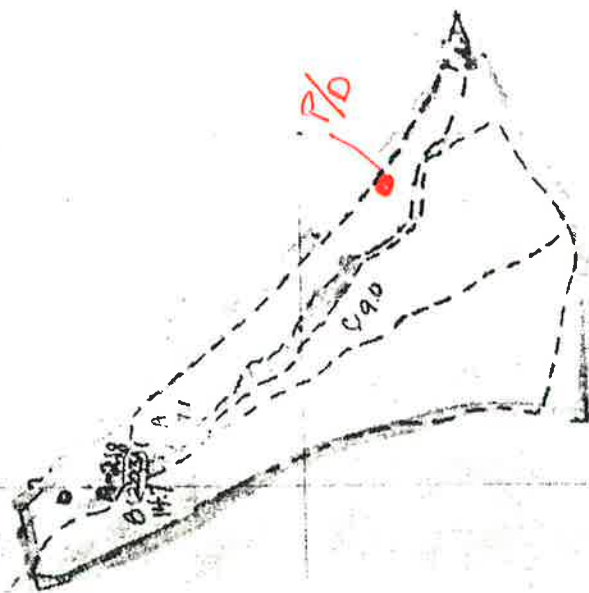
Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

28	27
35	34

33	34
4	5



A 37-02495

NOT TO SCALE

NOT TO SCALE

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-21478

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

DEC 30 2009

By

NAME AND ADDRESS:

DENZEL R ROWLAND
GEORGE A DEHLMAR
MARY S ROWLAND
RUTH M DEHLMAR
5195 E YACHT CLUB DR
EDEN, UT 84310

SOURCE:

ELK CREEK TRIBUTARY: CROY CREEK

QUANTITY:

0.54 CFS

PRIORITY DATE:

04/15/1911

POINT OF DIVERSION:

T02N R17E S34

SWSENW Within Blaine County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
0.54 CFS

PLACE OF USE:

Irrigation

T02N R17E S34

SWNW 7.9
NESW 19.0

Within Blaine County
SESW 5.5
NWSW 1.3

33.7 Acres Total

This right is limited to the irrigation of 27 acres within the
place of use described above in a single irrigation season.
Use of the rights listed below is limited to the irrigation of a
combined total of 33.7 acres in a single irrigation season.
Combined right nos.: 37-208B and 37-21478.
Place of use does not include Federal 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

09/10/2008

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

RIGHT NUMBER: 37-21478

NAME AND ADDRESS: RUTH M DEHLMAR
5195 E YACHT CLUB DR *RMD*
EDEN UT 84310

GEORGE A DEHLMAR
5195 E YACHT CLUB DR *GAD*
EDEN UT 84340

DENZEL R ROWLAND
5195 E YACHT CLUB DR *DR*
EDEN UT 84310

MARY S ROWLAND
5195 E YACHT CLUB DR *MSR*
EDEN UT 84310 *PN*

SOURCE: ELK CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 0.540 CFS

PRIORITY DATE: 04/15/1911

POINT OF
DIVERSION:

T02N R17E S34 SWSEW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.540 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R17E S34	SWNW	7.90	T02N R17E S34	SESW	5.50
T02N R17E S34	NESW	19.00	T02N R17E S34	NWSW	1.30

33.7 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 33.7 acres in a single irrigation season. Combined right nos.: 37-2088 and 37-21478.

This right is limited to the irrigation of 27 acres within the place of use described above in a single irrigation season.

Place of use does not include Federal 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 - Beneficial Use

This right is renumbered from former right 37-2495.

09/10/2008

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

RIGHT NUMBER: 37-21478

NAME AND ADDRESS: RUTH M DEHLMAR
5195 E YACHT CLUB DR
EDEN UT 84310

GEORGE A DEHLMAR
5195 E YACHT CLUB DR
EDEN UT 84340

DENZEL R ROWLAND
5195 E YACHT CLUB DR
EDEN UT 84310

MARY S ROWLAND
5195 E YACHT CLUB DR
EDEN UT 84310

SOURCE: ELK CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 0.540 CFS

PRIORITY DATE: 04/15/1911

POINT OF
DIVERSION:

T02N R17E S34 SWSNW 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	0.540 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R17E S34	SWNW	7.90	T02N R17E S34	SENW	5.50
T02N R17E S34	NESW	19.00	T02N R17E S34	NWSW	1.30

33.7 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 33.7 acres in a single irrigation season. Combined right nos.: 37-208B and 37-21478.

This right is limited to the irrigation of 27 acres within the place of use described above in a single irrigation season.

Place of use does not include Federal 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 - Beneficial Use

This right is renumbered from former right 37-2495 .

02/08/2007

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

RIGHT NUMBER: 37-21478

NAME AND ADDRESS: RUTH M DEHLMAR
5195 E YACHT CLUB DR
EDEN UT 84310

GEORGE A DEHLMAR
5195 E YACHT CLUB DR
EDEN UT 84340

DENZEL R ROWLAND
5195 E YACHT CLUB DR
EDEN UT 84310

MARY S ROWLAND
5195 E YACHT CLUB DR
EDEN UT 84310

VERIFIED BY KKC

SOURCE: ELK CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 0.540 CFS

PRIORITY DATE: 04/15/1911

POINT OF DIVERSION:

T02N R17E S34 SWSENE 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	0.540 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R17E S34	SWNW	7.90	T02N R17E S34	SENE	5.50
T02N R17E S34	NESW	19.00	T02N R17E S34	NWSW	1.30

33.7 ACRES TOTAL

Use of the rights listed below is limited to the irrigation of a combined total of 33.7 acres in a single irrigation season. Combined right nos.: 37-208B and 37-21478.

This right is limited to the irrigation of 27 acres within the place of use described above in a single irrigation season.

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

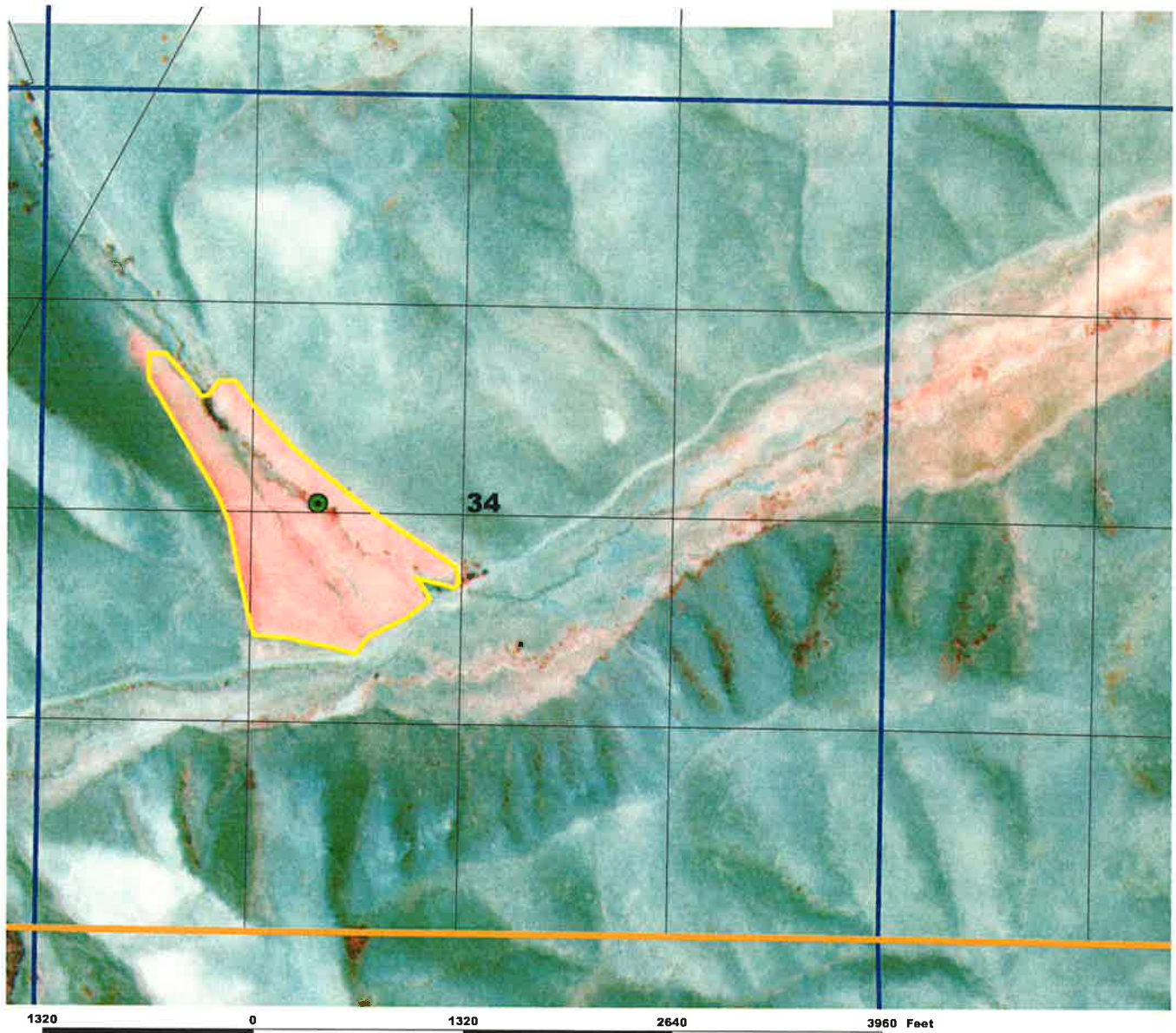
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is renumbered from former right 37-2495 .

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
37-208D and 37-21478**



PLACE OF USE
TWP 2N, RNG 17E, SEC 34
Data entry on Sept 13, 2005

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- TOWNSHIP LINES
- SECTION LINES
- QUARTER/QUARTER LINES

LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



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

Date: 9-12-2005

File: 37-208B 21478 Dehlmar

Prepared by Kelly K Christensen

Three claims were filed for irrigation on the claimed place of use. 37-2495 was renumbered to 37-21478 and claimed for 27 acres. 37-7912 was claimed for the licensed 18 acres and 37-208B for 8 acres was transferred to the same parcel in 1986.

37-2495 was licensed for irrigation of 29 acres with a 1948 priority date but claimed for 27 acres. The licensing field exam noted that ground outside of the permitted place of use was also being irrigated. Based upon the topography of the area and the ground found irrigated, the current place of use was likely being irrigated since the first day of irrigation. The licensed point of diversion and delivery ditch runs past the ground not covered by the license. After discussing this with Dehlmar, I accept that the current place of use represents the historical place of use, therefore 37-2495 was renumbered and amended to recognize a beneficial use that was developed in 1911 when the land patent was granted.

37-208B ,for 8 acres, was transferred to the property through T-3231 and has a 6-1-1880 priority date.

37-7912 was licensed for 18 acres part of which overlaps with some of 37-2495. 37-7912 has a 5-26-1981 priority date.

BASIS FOR RECOMMENDATION

I am recognizing 37-208B for the transferred 8 acres and 0.20 cfs within the found place of use.

Next I am recognizing 37-21478 for the balance of the place of use (27 ac) and one inch per acre or 0.54 cfs).

I am recommending 37-7912 for disallowal as the entire found place of use is being recognized through the two previous rights and they have earlier priority dates.

File No.
37-208B-2495-7912

37-2495
Renumbered to
37-21478

Owner
George A Delmar [Father] P.O. Box 366

Date

Denzel R. Rowland [Son-in-law] P.O.Box 1176

6/9/05

Hailey,

After stopping at the Hailey Assessor and inquiring about location of these two people's property on 636 Croy Creek Road I went out to see if I could possibly find someone home to talk to about these three Water rights I proceed West and sure enough there was a man in the road in front of the barn Kevin [renter] and he said that he could help. While reviewing the files I suggested that he advise Denzel to Go into the IDWR and visit with Kelly about B/U which should include storage and he said Denzel was planning to come up next week and he would recommend that he see Kelly and update these three rights Then he looked at the acreage photo and he said the area marked in yellow is a good representation of Their land with as he thinks the upper portion is Denzel property and the southern George. With The pump marked by pond and delivered for irrig. By underground pipe and watered by Hand line sprinkler systems, From the pond marked on photo with a Marathon pump , model FE215TTDR7909B3WFI, Type-TDR-BCZ-PH-3 Code-H RPM 3445, SN 118855U , Max AMB 40- Volt 230/460, HZ-60 HP 1-5. See GPS

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Photo look SE	Denzl 1	2466004	1362572	A0016194	1060606

Lee R. Peterson

Place Of Use Data

02N 17E Aerial Photo



under ground
pipe