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Documents  
In File

| WATER RIGHT NO. | NAME                       | OWNER | PRIORITY DATE | STG/STS | SOURCE      | USE DESC | SYSTEM |
|-----------------|----------------------------|-------|---------------|---------|-------------|----------|--------|
| 36-14860        | AGUEDA, JOE E              | C     | 12/31/1942    | D/      | GROUNDWATER | P DECR   | WR     |
|                 | AGUEDA, SANDRA             | C     |               |         |             |          |        |
| *36-14860       | POSEY LIFETIME ESTATE, B R | C     | 12/31/1942    | D/      | GROUNDWATER | P DECR   | AJ     |
|                 | POSEY, ALAN                | C     |               |         |             |          |        |
| A36-14860       | POSEY LIFETIME ESTATE, B R | C     | 12/31/1942    | J/      | GROUNDWATER | DOMEST   | AJ     |
|                 | POSEY, ALAN                | C     |               |         |             | STOCK    |        |

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JUL 17 2000

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5716  
WATER RIGHT NO(S). 36-04157D/36-14860

This is to certify that: JOE E AGUEDA  
SANDRA AGUEDA  
326 E 400 N  
JEROME ID 83338

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| Right No. 36-04157D : |                      |                       |                      |
| Priority: 06/01/1956  |                      |                       |                      |
| STOCKWATER            | 01/01 to 12/31       | 0.30 CFS              | 45.0 AF              |
| COMMERCIAL            | 01/01 to 12/31       | 0.30 CFS              | 45.0 AF              |
|                       |                      | <u>0.30 CFS</u>       | <u>45.0 AF</u>       |
| Right No. 36-14860 :  |                      |                       |                      |
| Priority: 12/31/1942  |                      |                       |                      |
| DOMESTIC              | 01/01 to 12/31       | 0.04 CFS              | 1.2 AF               |
| STOCKWATER            | 01/01 to 12/31       | 0.09 CFS              | 2.6 AF               |
|                       |                      | <u>0.09 CFS</u>       | <u>3.8 AF</u>        |
| TOTAL:                |                      | * 0.39 CFS            | 48.8 AF *            |

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 27, Township 07S, Range 17E  
JEROME County

PLACE OF USE: STOCKWATER & DOMESTIC

TWN RGE SEC

07S 17E 27                      SESW

PLACE OF USE: COMMERCIAL

TWN RGE SEC

07S 17E 27                      SESW  
34                                  NENE

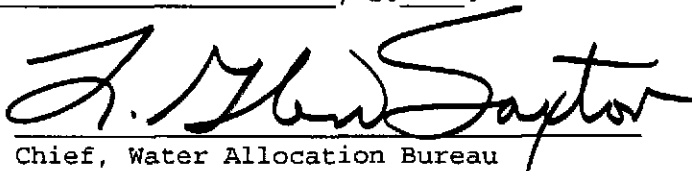
SWSE  
NWNE

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JUL 17 2000

TRANSFER NO. 5716  
WATER RIGHT NO(S). 36-04157D/36-14860CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- \* 8. The total instantaneous diversion of water from all points of diversion under Transfer 5716 shall not exceed 0.39 cfs, nor a total combined annual volume of 48.8 af.
9. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by Right 36-04157D.
10. Commercial use under Right 36-04157D is for a dairy in the SESW, S27, T07S, R17E.
11. The quantity of water decreed for Right 36-14860 for stockwater and domestic uses is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
12. Domestic use under Right 36-14860 is for 5 homes.
13. Two points of diversion are located within SESW, S27, T07S, R17E.

Dated this 28<sup>th</sup> day of June, 2000  
Chief, Water Allocation Bureau

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JUL 17 2000

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 36-14860

1996 DEC 13 AM 8:14  
DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO

FILED \_\_\_\_\_

NAME & ADDRESS: ALAN POSEY  
327B E 400 N  
JEROME ID 83338  
  
B R POSEY LIFETIME ESTATE  
366B E 350 N  
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 12/31/1942

POINT OF DIVERSION: T07S R17E S27 SESESW Within JEROME County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE  | PERIOD OF USE         | QUANTITY |
|-------------------------------|-----------------|-----------------------|----------|
|                               | DOMESTIC 1 HOME | 01-01 12-31           | 0.04 CFS |
|                               | STOCKWATER      | Non-Irrigation Season | 0.09 CFS |

|               |               |                      |
|---------------|---------------|----------------------|
| PLACE OF USE: | DOMESTIC      | Within JEROME County |
|               | T07S R17E S27 | SESW                 |
|               | STOCKWATER    | Within JEROME County |
|               | T07S R17E S27 | SESW                 |

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: DEC 13 1996

  
DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication

JUN 04 1997

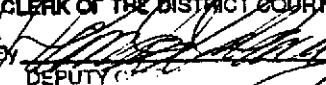
RULE 54(b) CERTIFICATE

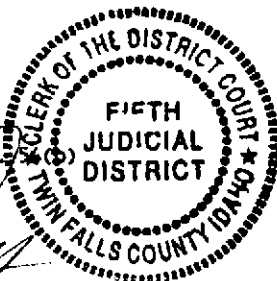
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

  
DANIEL C. HURLBUTT, JR.  
PRESIDING JUDGE  
Snake River Basin Adjudication

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PAGE 1  
NOV-26-1996

DATED: \_\_\_\_\_  
County of Twin Falls ss.  
I hereby certify the foregoing to be a  
full, true and correct copy of the  
original on file in the above entitled  
cause.  
PARTIAL DECREE PURSUANT TO I.R.C.P.  
Water Right 36-14860  
CLERK OF THE DISTRICT COURT  
By   
DEPUTY CLERK



JUL 17 2000

MEMORANDUM

TO: FILE 36-14860

FROM: PAM SKAGGS *PS*

RE: TRANSFER # 5716

DATE: 01-17-2000

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Original Transfer Application, Form and correspondence  
regarding the above referenced Transfer is located within  
file # 36-04157A.

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JUN 17 2000