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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-13489

WATER RIGHT NUMBER: 35-13489

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RONALD R BARTHOLOMA 2893 W 2200 S ABERDEEN, ID 83210-1850 (208)226-7730
Original Owner	THOMAS R BARTHOLOMA 2891 W 2200 S ABERDEEN, ID 83210-1850 (208)226-7277
Current Owner	SUPERIOR L & L LLC 3100 W 1000 S ABERDEEN, ID 83210

Priority Date: 06/09/1977

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.070 CFS	20.00 AF
	<u>Total Diversion:</u>	0.070 CFS	20.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 29, Twp 04S, Rge 31E, B.M.
BINGHAM County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 31E 29					5.0												5.0

Total Acres: 5

Conditions of Approval:

1. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-13489

Comments:

Dates and Other Information:

Licensed Date:
Decreed Date: 1/31/2002
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-7677

WATER RIGHT NUMBER: 35-7677

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RONALD R BARTHOLOMA 2893 W 2200 S ABERDEEN, ID 83210-1850 (208)226-7730
Original Owner	THOMAS R BARTHOLOMA 2891 W 2200 S ABERDEEN, ID 83210-1850 (208)226-7277
Current Owner	SUPERIOR L & L LLC 3100 W 1000 S ABERDEEN, ID 83210

Priority Date: 06/09/1977

Basis: Decreed

Status: PARENT

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	5/01 to 12/15	0.050 CFS	1.30 AF
IRRIGATION	4/01 to 11/01	3.070 CFS	792.00 AF
	<u>Total Diversion:</u>	3.070 CFS	793.30 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NW1/4	Sec. 29, Twp 04S, Rge 31E, B.M.
BINGHAM County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	29						X											

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	31E	29					39.0	39.0	40.0										118.0
04S	31E	30				40.0								40.0					80.0

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-7677

Total Acres: 198

Conditions of Approval:

1. C18 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.
2. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory STOCKWATER 150 CATTLE

Comments:

1. DCARLSON 6/16/1992 COPIED FROM REMARKS
Comment: REINSTATED 8-5-1982. FIELD EXAM COMPLETE IN 7-10-1984
2. AJU10-EC 11/19/1998 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C12 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
3. CFRITSCH 11/16/1999 REDUCTIONS
Comment: 2 ACRES REMOVED TO RESOLVE BLM OBJECTION. DIVERSION VOLUME REDUCED TO MAINTAIN 4 AFY/ACRE.
4. csaxton 12/15/2000 OWNERSHIP CHANGE
Comment: CHANGED OWNERSHIP PER REQUEST - NCAP TO COURT (JEN)
5. Ownership Change 2/5/2004 1:15:29 PM Split Right
Comment: Split into 35-13488 and 35-13489. and 35-13490. and 35-13491.

Dates and Other Information:

Licensed Date:
Decreed Date: 1/31/2002
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 35-7677

SubCase:

SubCase Number: 35-7677
Class: 1
SF5 Filed Date: 10/1/1999
Special Master Recom Signed Date: 11/13/2001
Attorney Assigned: SARA C DENISTON
Adjudication Agent:
Basis of Claim:
Date Filed: 6/2/1999 Objection Status: Withdrawn or Dismissed
Date Filed: 6/2/1999 Objection Status: Active
Date Filed: 6/2/1999 Objection Status: Active

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 35-07677

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho JAN 31 2002 By _____ Clerk _____ Deputy Clerk
--

NAME AND ADDRESS: RONALD R BARTHOLOMA
2891 W 2200 S
ABERDEEN, ID 83210

SOURCE: GROUNDWATER

QUANTITY: 3.07 CFS
793.30 AFY

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

PRIORITY DATE: 06/09/1977

POINT OF DIVERSION: T04S R31E S29 SWNW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	3.07 CFS 792.00 AFY
	Stockwater	05-01 TO 12-15	0.05 CFS 1.30 AFY

PLACE OF USE:	Irrigation		Within Bingham County
	T04S R31E S29	NENW 39.0	NWNW 39.0
		SWNW 40.0	
	S30	SENE 40.0	NESE 40.0
	198.0 Acres Total		
	Stockwater		Within Bingham County
	T04S R31E S29	NWNW	

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

TRANSFER REVIEW SHEET

Trans # 71043

Date Reviewed 2/11/04

Right No(s). * 35-13489

Split?

Y N

Y N

Y N

Y N

Y N

Y N

Y N

AREA OF CONCERN: No/Yes ESPA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d

Change use period

Change p/u

Add p/d

Change nature of use

RightID's of From & To records correct? Y N (resolve with S.O.)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U Y

Lien Holder Release No

GROUNDWATER:

DRILLING PERMIT

All wells

- 046

DP upgrade req'd Y

- N (contact GW)

WMD

- North/East/West

≤ 0.24 cfs/5 acres

- No MD

> 0.24 cfs/5 acres

- 067

WMD

≤ 0.24 cfs/5 acres

- No MD

> 0.24 cfs/5 acres

- 01M or 01Q

SUPPLEMENTAL

- 065-104 (where irrigation is the only use)

SUPPLEMENTAL

- 100-105 (where there are other uses besides irrigation)

SURFACE WATER:

WD

- R05 (WD# 120) WM comments rec'd

≤ 0.20 cfs/others

- R02, 01P or No MD

> 0.20 cfs

- R43

WB, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres

- No MD

> 0.24 cfs/5 acres

- 01M or 01Q

STANDARD SEASON

4/1 to 11/1 (use X61 if extended season)

STANDARD VOLUME 4.0 af/ac

CONSUMPTIVE USE VOLUME _____ af/ac

WITHIN ESPA

~~113-114-116 (mitigation)~~

~~115 (near Device)~~ 132

USES:

STORAGE

- 18C-R02-01P-18B-NA

IRR ≤ 5 ac

- R66/R67/R68/R69 (0.03 cfs/ac)

> 5 ac

- R62/R63/R64/R65 (0.02 cfs/ac)

Volume only

- R58/R59/R60/R61

STOCKWATER

- R37 (all BLM/USFS)

MINING

- 054-106

FISH PROP

- 029 (70's basins only)-007-122-106

HEAT/COOL

- R07 (injection well)

FIRE PROT.

- 077

DAIRY

- 082 (zoning if a concern)-106-WD8

USES:

POWER

- 17H-17K (+uses)-025-106

MUNICIPAL

Restricted area

- 022-075 RAFN - 007-109-X64

Irr., GW supp to SW

- 102

DOMESTIC

Surface water

- WB5 (Big Wood or Boise above Star Bridge)

> 1 in restricted area

- 27A (Payette River)

Irr use listed separate

- 070-071-075 (no parks/common areas, etc)

- WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop

T08 - comply or rescind

T17 - > 1 pd, measure all (use w/ WB4)

T18 - Special T17 & R43 combined - multiple pds in WD

Protested

- 020-X19

Water Quality

- 106-R07

X27 - Number of acres/season in ppu

X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)

X51 - 2+ yrs to develop

X53 - Use ltd to orig. source availability

X54 - forfeited ac/rate (used rarely)

X55 - (transfer shrinks total water to less ac)

004 - no right-of-way

X58 - pending claim (statutory or AJ b/u claim)

X61 - extended irr season

X62 - replaces N11 and N13

X63 - replaces C12

WB4 - + p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

Apply one to chg'd & unchg'd

rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)

T19 - replaces C18

(if at Recommendation or Partial Decree stage)

T20 - use only on unchg'd rts not subject to SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated _____ Approval form printed Y Shape files created _____

Special Mailing Instructions (cc's, etc) _____

Final database update after approval Y *Comment to WR No(s). NA

5-13-04 Q8

71043

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

71043

INITIAL REVIEW BY: DC

Data Entry
complete

1. Right number 35-13489 Applicant Superior L&L

2. Type of right: ☒ Decree ☐ License ☐ Claim ☐ SRBA Recommendation

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s)
☒ Change place of use ☐ Other _____

4. Check:

a. ☐ Source ☐ Priority ☐ Amount ☐ Purpose ☐ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. Map for remainder of right? ☐ Yes ☒ No

d. ☒ Check description of point(s) of diversion.

e. ☐ Check description of place of use

f. ☐ Check map (shows p.d. and p.u. after transfer).

g. ☐ Check for correct signature, notarization, and fee.

h. ☐ Check proof of ownership of right &/or land from which water is transferred.

i. ☐ Check for expansion in use of right. Comments NONE

j. ☐ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) NONE

k. ☒ Is use within a Watermaster District? ☐ Yes ☐ No P

If yes, what district? 120

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☐ Yes ☐ No

4. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By DC Date 3/5/64