

## TRANSFER REVIEW SHEET

Date Reviewed

11/25/2005

ans #

ght No(s). \* 35-13488

Split? Y N Y N Y N Y N Y N Y NREA OF CONCERN: No/Yes Yes

ESPA

## PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d

Change use period

Change p/u

Add p/d

Change nature of use

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

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

ROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U        Lien Holder Release       

## 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  
SUPPLEMENTAL

- 065-104 (where irrigation is the only use)  
 - 100-105 (where there are other uses besides irrigation)

## WITHIN ESPA

- 113-114-116 (mitigation)  
 - 115 (meas. Device)

## 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

## 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

## SURFACE WATER:

## WD

≤ 0.20 cfs/others  
> 0.20 cfs

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

≤ 0.24 cfs/5 acres - No MD  
> 0.24 cfs/5 acres - 01M or 01Q

## STANDARD SEASON

## STANDARD VOLUME

## CONSUMPTIVE USE VOLUME

- R05 (WD#       ) WM comments rec'd       

- R02, 01P or No MD

- R43

- No MD

- 01M or 01Q

4/1 to 10/31 (use X61 if extended season)

4 af/ac

3 af/ac

## USES:

## POWER

## MUNICIPAL

## Restricted area

## Irr., GW supp to SW

## DOMESTIC

## Surface water

## &gt;1 in restricted area

## Irr use listed separate

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

- 022-075 RAFN - 007-109-X64

- 102

- WB5 (Big Wood or Boise above Star Bridge)

- 27A (Payette River)

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

- WB5

## Apply one to chg'd &amp; 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

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 &amp; afa (used with T17)

WD8 - land application of waste water

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

## OTHER CONDITIONS/REMARKS

## COMMENTS

Database files updated        Approval form printed        Shape files created       Special Mailing Instructions (cc's, etc)       Final database update after approval        \*Comment to WR No(s).       

71736

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 35-13488

Total Acres: 183

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:

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<br>2893 W 2200 S<br>ABERDEEN, ID 83210-1850<br>(208)226-7730 |
| Original Owner    | THOMAS R BARTHOLOMA<br>2891 W 2200 S<br>ABERDEEN, ID 83210-1850<br>(208)226-7277 |
| Current Owner     | SUPERIOR L & L LLC<br>3100 W 1000 S<br>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 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:

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<br>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

Date Reviewed

11/25/2005

ans #

ght No(s).\*

Split?

35-13458

Y N

Y N

Y N

Y N

Y N

Y N

Y N

REA OF CONCERN: No/Yes

Yes  
ESPA

## PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d

Change use period

Change p/u

Add p/d

Change nature of use

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

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

ROOF OF OWNERSHIP COMPLETE FOR OLD &amp; NEW P/U

Lien Holder Release

## 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  
SUPPLEMENTAL

- 065-104 (where irrigation is the only use)
- 100-105 (where there are other uses besides irrigation)

## WITHIN ESPA

- 113-114-116 (mitigation)
- 115 (meas. Device)

## 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 RA FN - 007-109-X64
- Irr., GW supp to SW - 102
- DOMESTIC
- Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
- >1 in restricted area - 070-071-075 (no parks/common areas, etc)
- Irr use listed separate - 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 &amp; 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 Shape files created
- Special Mailing Instructions (cc's, etc)
- Final database update after approval \*Comment to WR No(s).

71736

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: DC

1. Right number 35-13488 Applicant Superior
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 \_\_\_\_\_

- 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

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 ROC

Date 3/23/05

*Cyprival Updates Completed*  
*04-27-2005 CB*

\* All uses within Watermaster District require special conditions

71736