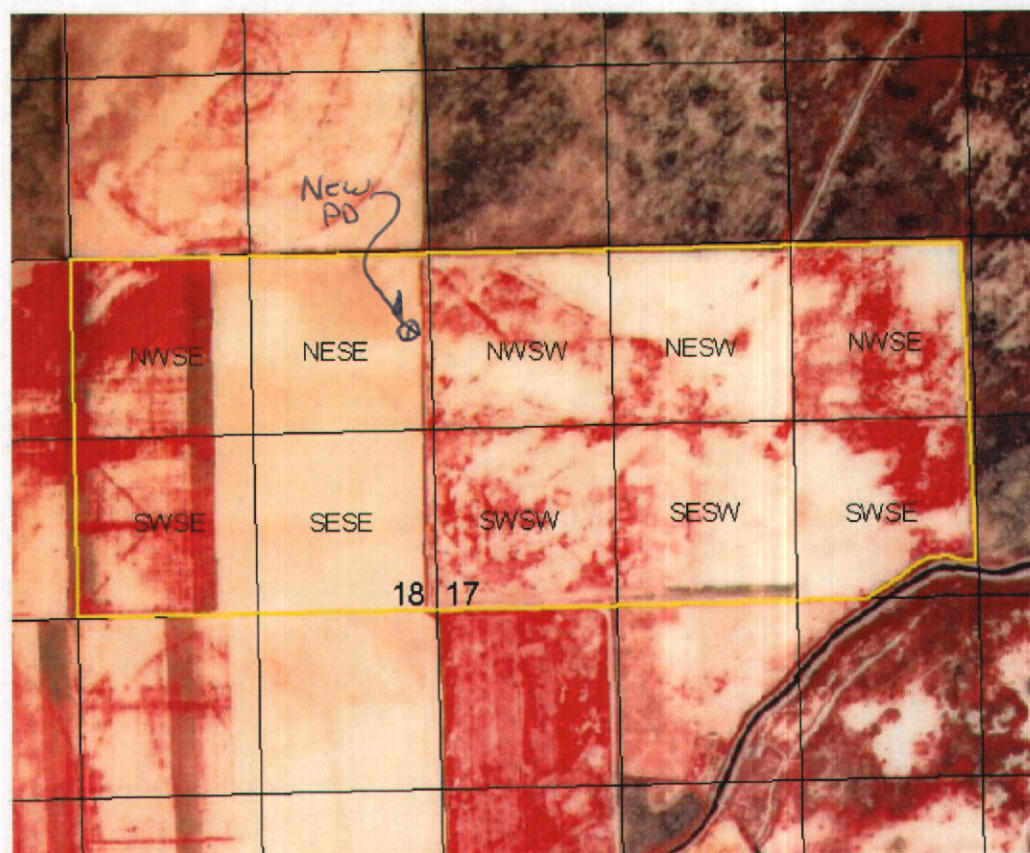


31-00160B 31-00161B 31-04011C & 31-07131



**T07N R34E
S17 & S18**



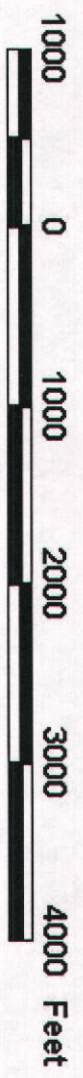
1000 0 1000 2000 3000 4000 Feet

Map prepared by: Carter Fritschle
Date prepared: 11/24/00
1987-1988 NAPP photography
Idaho Department of Water Resources

MICROFILMED
OCT 07 2003

31-00160B 31-00161B 31-04011C & 31-07131

T07N R34E
S17 & S18



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OCT 07 2003

ATTACHMENT T 69414
5 OF 5

Map prepared by: Carter Fritschle
Date prepared: 11/24/00
1987-1988 NAPP photography
Idaho Department of Water Resources

WMIS Database - [Point of Diversion]

File Edit View Insert Format Records Tools Window Help

Point of Diversion

(ALL DISTRICTS)

GPS Site ID Tag

A00005886

Legal Description

07N 33E 13 SWNESE

POD Number

300141

GPS Site ID Tag

A00005886

Legal Description

07N 33E 13 SWNESE

Diversion Name

#59, 60, 65

Data Summary

Typ

07N

Ring

33E

Sect

13

SW

000

1/4 of

NE

1/4 of

SE

0

Lot

Tag Location

PIPE W/KWH METER

Offset

0

Bearing

0

Elevation

0

GPS File

C011622A

POD Number

300141

Description

Source

Ground Water

Latitude

43

55

55.920

Longitude

-112

31

13.152

Altitude

1473.56

Measurement Option

PCC (2)

IDTM-X

618797.06

IDTM-Y

315606.12

District

NMD

Reporter(s)

Owner

SAUER

Last Name

LOREN

First Name

Organization

Network

Use Codes

Access Port

N

Flowmeter

PCC

Timeclock

Alternate

Water Levels

Site Yrsk

System

Crop History

Change Date

dbo

Annual Report

Record: 1

1

of 1

Print Data

Reporters

Water Rights

Menu

Record: 1

3114

1

of 1

Select GPS Site ID Tag

NUM

MICROFILMED
OCT 07 2003

PCC Data

(ALL DISTRICTS)

SAUER, LOREN

GPS Site ID Tag

A0005886

Legal Description

07N 33E 13 SWNESE

Power Usage Records

Year	Total KWH	PCC Acre-Ft	Qualifier	PCC	PCC Date	Utility	Account Number	Servi Num
1997	124208.00	322.7	1	384.9	06/24/1999	UPL	65561476-004-01	664153670-0
Comments:						Tracking: Y	Preferred: ☒	Validated:
							Change Date:	1/31/2001
1998	134160.00	348.6	1	384.9	06/24/1999	UPL	65561476-004-01	664153670-0
Comments:						Tracking: Y	Preferred: ☒	Validated:
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Comments:						Tracking: Y	Preferred: ☒	Validated:
							Change Date:	
2000	206440.00	536.35	1	384.9	06/24/1999	UPL	65561476-004-01	664153670-0
Comments:						Tracking: Y	Preferred: ☒	Validated:
							Change Date:	1/31/2001

New Record

Re-Calculate

Site Visit

POD

MICROFILMED
OCT 07 2003

WMIS Database - [Point of Diversion]

File Edit View Insert Format Records Tools Window Help

Point of Diversion

[ALL DISTRICTS]

GPS Site ID Tag

A0006136

Legal Description

07N 34E 18 SENWSW

Division Name

61 & 66

POD Number

300162

GPS Site ID Tag

A0006136

Legal Description

07N 34E 18 SENWSW

Division Name

61 & 66

POD Number

300162

Data Summary

Tag Location

07N

34E

18

SE

1/4 of

00

NW

1/4 of

0

SW

Lot

0

GPS File

C0116228

POD Number

300162

Description

Source

Ground Water

Latitude

43

55

54.984

Longitude

-112

30

37.8

Altitude

1475.35

Measurement Option

PCC (2)

Distict

NMD

Access Port

Y

Flowmeter

PCC

Timeclock

Alternate

Change Date

Annual Report

Water Levels

Site Visit

System

Crop History

Annual Report

Record: 1 of 1

1 of 1

1 of 1

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Report(s)

Owner

SAUER

Last Name

LOREN

First Name

LOREN

Organization

Use Codes

Access Port

Y

Flowmeter

PCC

Timeclock

Alternate

Change Date

Annual Report

Water Levels

Site Visit

System

Crop History

Annual Report

Record: 1 of 1

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Print Data

Reporters

Water Rights

Menu

Record: 1 of 1

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PCC Data

(ALL DISTRICTS)

SAUER, LOREN

GPS Site ID Tag

A0006136

Legal Description

07N 34E 18 SENWSW

Power Usage Records

Year	Total KWH	PCC Acre-Ft	Qualifier	PCC	PCC Date	Utility	Account Number	Servi Numt
1997	214560.00	425.65	6	504.08	06/24/1999	UPL	65561476-004-00	183748711-0
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							Change Date:	2/9/2000
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Comments:						Tracking: N	Preferred: ☒	Validated:
							Change Date:	
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Comments:						Tracking: N	Preferred: ☒	Validated:
							Change Date:	1/31/2001

New Record

Re-Calculate

Site Visit

POD

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OCT 07 2003

EASTERN SNAKE RIVER PLAIN



AREA

CURRENT
POINTS OF
DIVERSION

34E

33E

35E

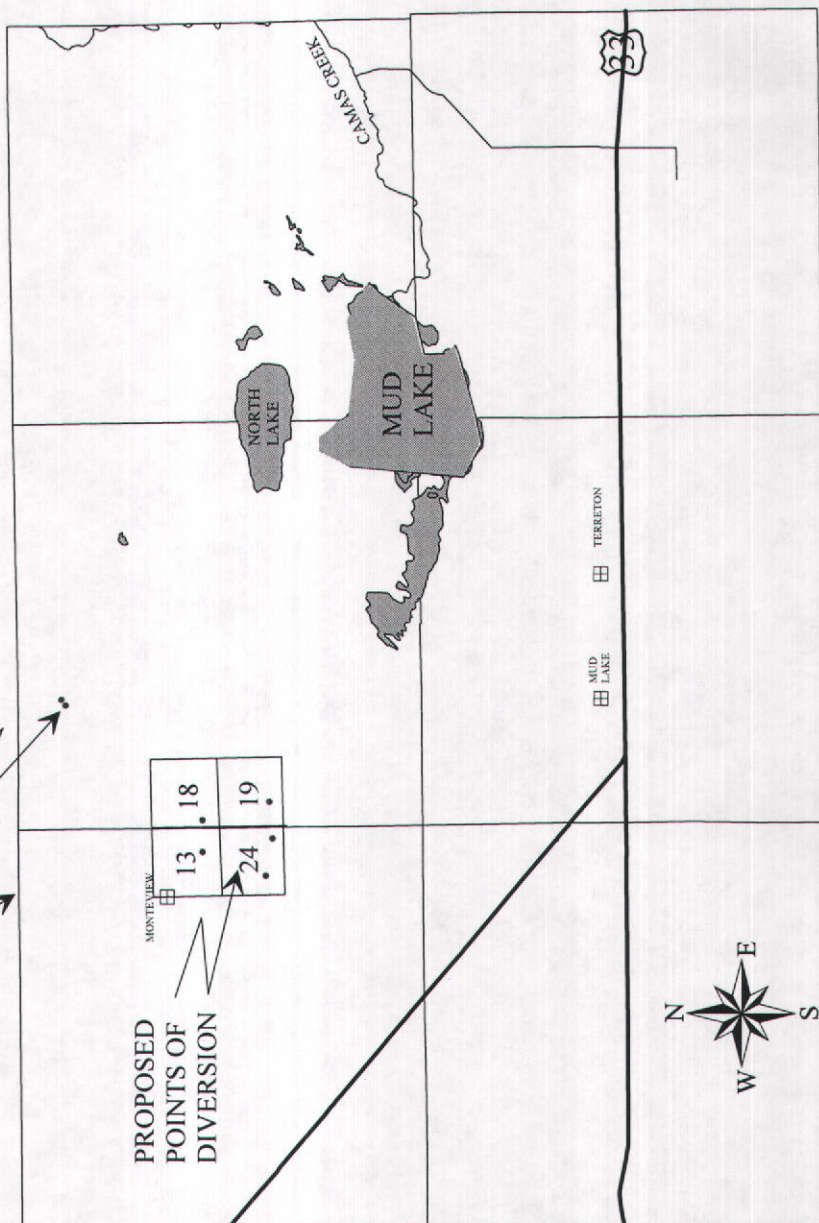
PROPOSED
POINTS OF
DIVERSION



MONTEVIEW

7N

6N

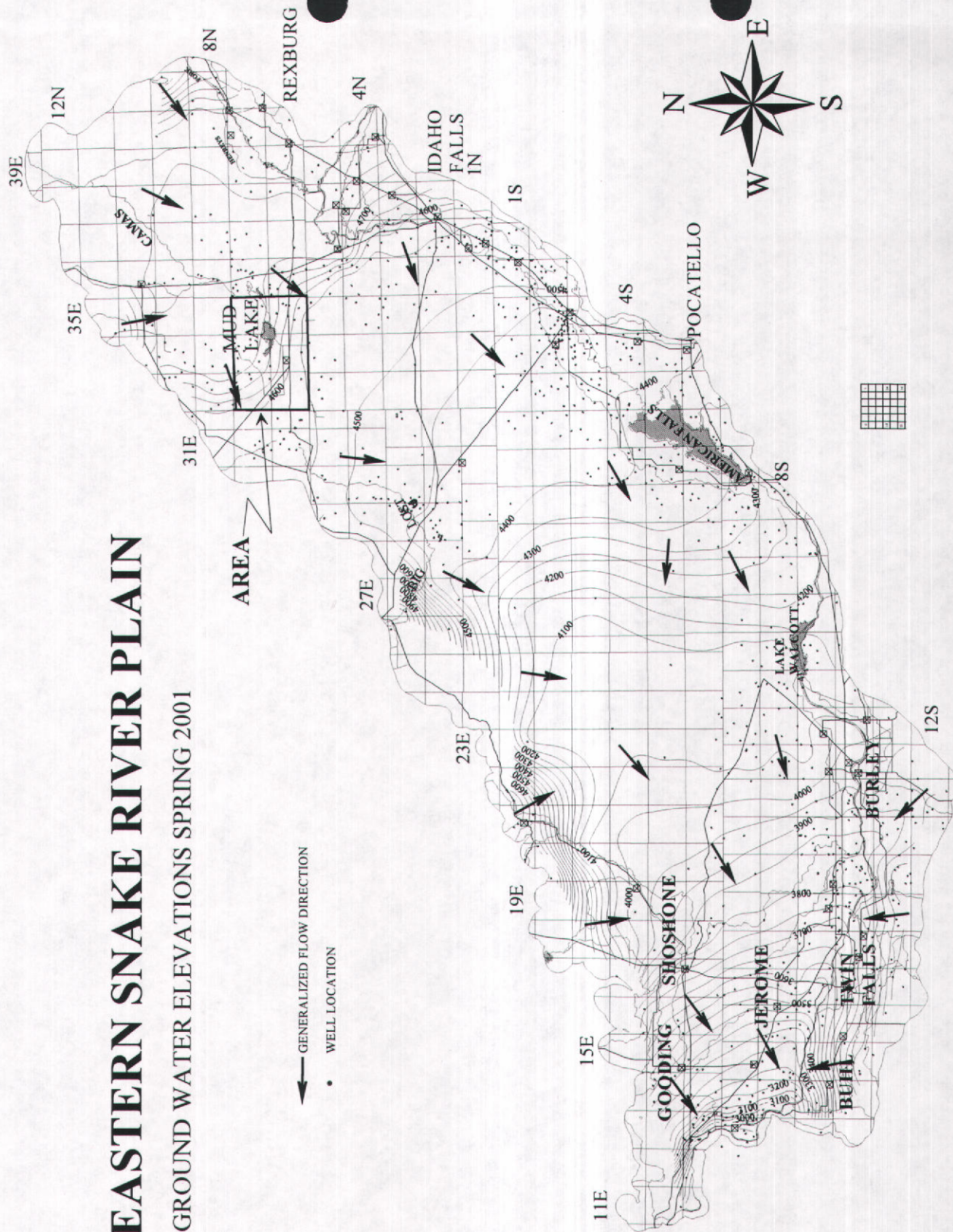


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OCT 07 2003

EASTERN SNAKE RIVER PLAIN

GROUND WATER ELEVATIONS SPRING 2001

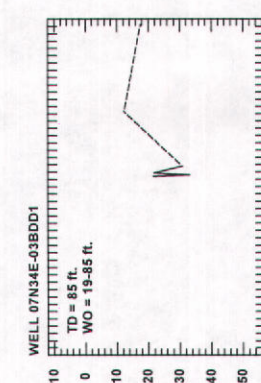
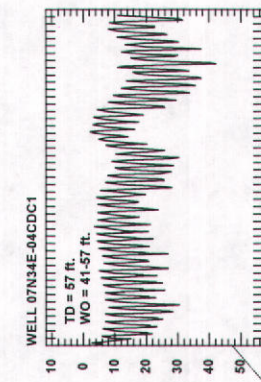
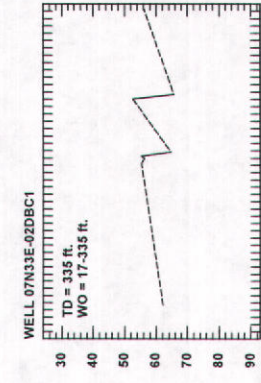
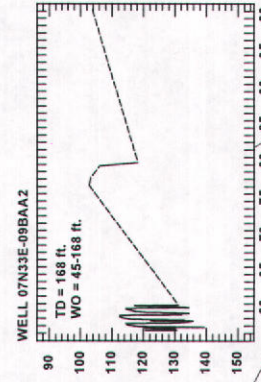
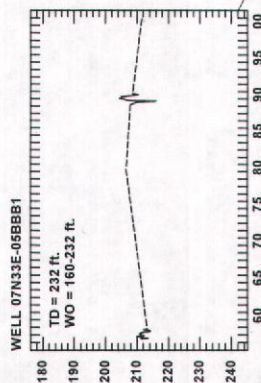


PREPARED BY THE IDAHO DEPARTMENT OF WATER RESOURCES OCT 01 SB

ATTACHMENT #2

MICROFILMED

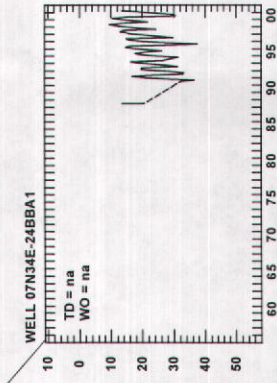
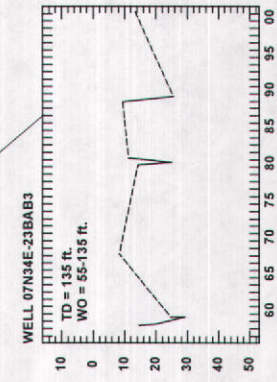
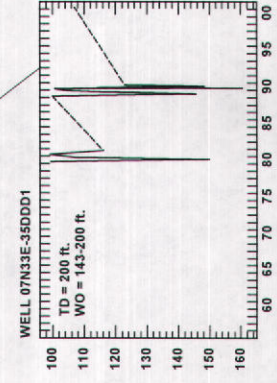
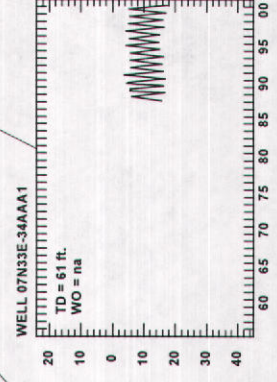
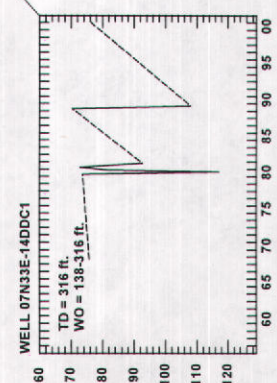
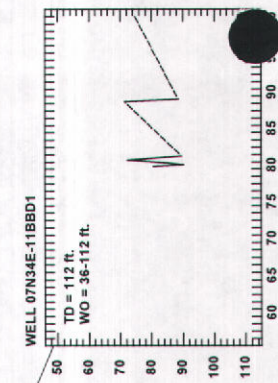
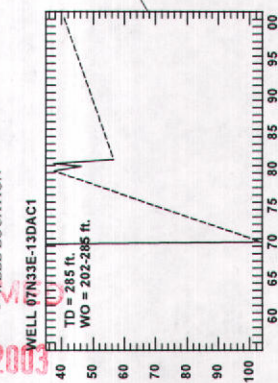
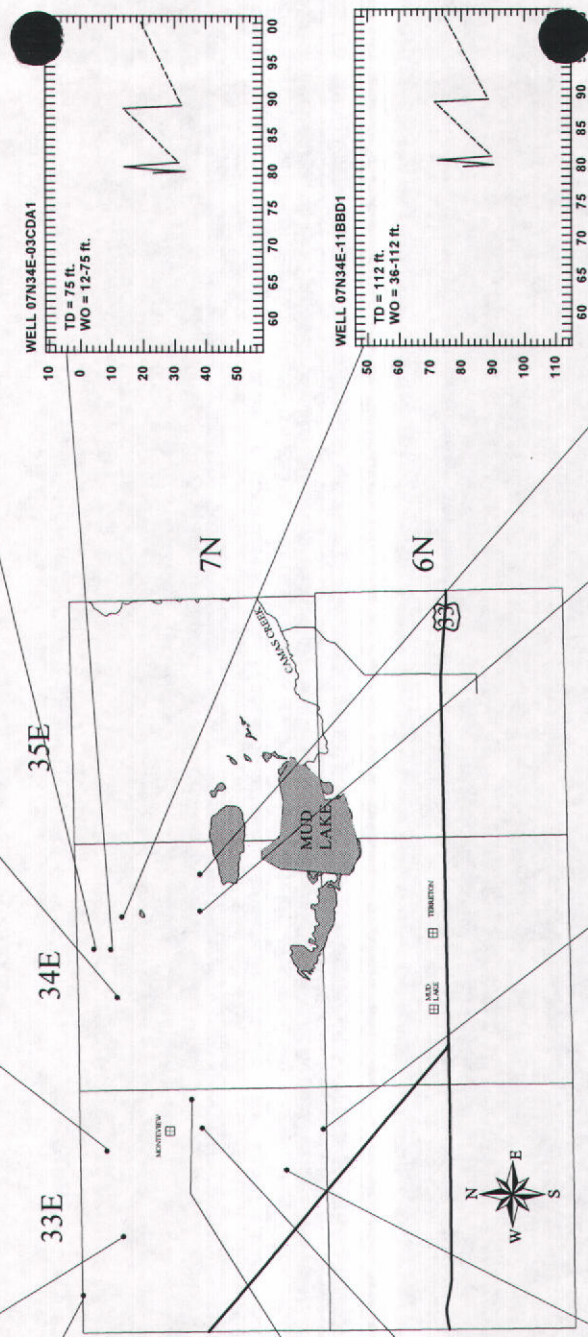
OCT 07 2003



GROUND WATER HYDROGRAPHS

LEGEND

- TD: TOTAL DEPTH
- WO: WELL OPENINGS: INTERVAL AT WHICH THE WELL IS PERFORATED OR OPEN TO THE AQUIFER
- LEFT SIDE: DEPTH TO WATER
- BASE: YEAR
- ALL MEASUREMENTS IN FEET
- CURRENT TO SPRING 2001
- WELL LOCATION



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR TRANSFER)
NO. 69414 IN THE NAME OF)
RAY SAUER)

**ORDER EXTENDING TIME TO PROVIDE
INFORMATION IN SUPPORT OF
PETITION FOR RECONSIDERATION**

This matter having come before the Department of Water Resources (Department) as an application for transfer of water rights, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On April 4, 2002, the Department issued a preliminary order granting approval of application for transfer no. 69414 (transfer) in the name of Ray Sauer (applicant).
2. On April 17, 2002, the Department received a Petition for Reconsideration (petition) in connection with the preliminary order from Jerry R. Rigby on behalf of the applicant.
3. On April 23, 2002 the Department issued an order conditionally granting the petition to allow the applicant 28 days to provide additional evidence to support claims of restrictive combined right limits and maximum pumping conditions of specific wells.
4. On May 17, 2002 the Department received a new petition from Jerry R. Rigby on behalf of the applicant seeking additional time to more fully research water right records and receive technical assistance from a water engineer retained for the matter.
5. On May 23, 2002 the Department issued an order extending the time for the applicant to provide information in support of the petition.
6. On July 2, 2002 the Department received another petition from Jerry R. Rigby on behalf of the applicant seeking additional time to more fully research water right records.

CONCLUSIONS OF LAW

1. The petition seeking additional time to provide information was filed prior to the expiration of the period granted for providing additional information.

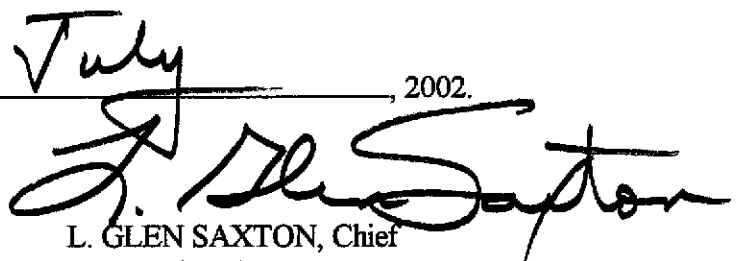
2. The applicant is working diligently to compile the required information.
3. The Department should grant the petition to extend the period available to the applicant for providing evidence to refute the limiting conditions of the transfer approval.

ORDER

IT IS HEREBY ORDERED that the petition is **GRANTED** to allow the applicant until August 12, 2002, to provide additional evidence to support claims of restrictive combined right limits and maximum pumping conditions of specific wells.

IT IS FURTHER ORDERED that if the applicant does not submit additional information in support of the petition by August 12, 2002, the April 3, 2002 preliminary order approving the transfer is automatically reinstated and shall again be in full force and effect.

Dated this 7th day of July, 2002.


L. GLEN SAXTON, Chief
Water Allocation Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR TRANSFER)
NO. 69414 IN THE NAME OF)
RAY SAUER)

**ORDER EXTENDING TIME TO PROVIDE
INFORMATION IN SUPPORT OF
PETITION FOR RECONSIDERATION**

This matter having come before the Department of Water Resources (Department) as a petition to extend the time authorized to provide information in support of a petition for reconsideration of a preliminary order to approve an application for transfer, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On April 3, 2002, the Department issued a preliminary order (order) granting approval of Water Right Transfer No. 69414 (transfer) in the name of Ray Sauer (petitioner).
2. On April 17, 2002, the Department received a Petition for Reconsideration (petition) in connection with the order from Jerry R. Rigby on behalf of the petitioner.
3. On April 19, 2002 an the Department issued an order conditionally granting petition for reconsideration to allow the petitioner 28 days to provide additional evidence to support claims of restrictive combined right limits and maximum pumping conditions of specific wells.
4. On May 17, 2002 the Department received a new petition from Jerry R. Rigby on behalf of the petitioner seeking additional time to more fully research water right records and receive technical assistance from a water engineer retained for this matter.

CONCLUSIONS OF LAW

1. The petition seeking additional time to provide information was filed prior to the expiration of the initial period granted for providing additional information.
2. The applicant is working diligently to compile the required information.
3. The Department should grant the petition to extend the period available to the applicant for providing evidence to refute the limiting conditions of the transfer approval.

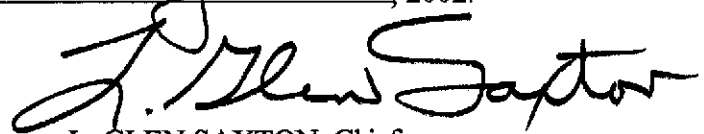
MICROFILMED
OCT 07 2003

ORDER

IT IS HEREBY ORDERED that the petition is **GRANTED** to allow the petitioner until July 2, 2002, to provide additional evidence to support claims of restrictive combined right limits and maximum pumping conditions of specific wells.

IT IS FURTHER ORDERED that if the applicant does not submit additional information in support of the petition by July 2, 2002, the April 3, 2002, preliminary order approving the transfer application is automatically reinstated and shall again be in full force and effect.

Dated this 23rd day of May, 2002.



L. GLEN SAXTON, Chief
Water Allocation Bureau

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OCT 07 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF TRANSFER)
NO. 69414 IN THE NAME OF)
RAY SAUER)
_____)

**ORDER GRANTING PETITION
FOR RECONSIDERATION**

This matter having come before the Department of Water Resources (Department) as a petition to reconsider the issuance of a water right transfer, the Department makes the following Findings of Fact, Conclusions of Law, and Order:

FINDINGS OF FACT

1. On April 3, 2002 the Department issued a preliminary order (order) granting approval of Water Right Transfer No. 69414 (transfer) in the name of Ray Sauer (petitioner).
2. On April 17, 2002, the Department received a Petition for Reconsideration (petition) in connection with the order from Jerry R. Rigby on behalf of the petitioner. The petitioner asserts that the Department has included inappropriately restrictive combined right limits, and maximum pumping conditions of specific wells in error.

CONCLUSIONS OF LAW

1. Section 67-5243(3), *Idaho Code*, provides in pertinent part as follows:

Unless otherwise provided by statute or rule, any party may file a motion for reconsideration of a recommended order or a preliminary order within fourteen (14) days of the issuance of that order. The presiding officer shall render a written order disposing of the petition.

2. The petition was filed timely.
3. The Department should conditionally grant the petition for reconsideration of the order pursuant to Section 67-5243(3), *Idaho Code*, to give the petitioner an opportunity to provide evidence to refute the limiting conditions of the transfer approval.

ORDER

IT IS HEREBY ORDERED that the petition is **CONDITIONALLY GRANTED** pursuant to Section 67-5243(3), *Idaho Code*, to allow the petitioner 28 days to provide evidence to substantiate changes to the combined right and pumping limitations.

IT IS FURTHER ORDERED that if the petitioner does not submit additional information in support of the petition within 28 days of the service date of this order, the April 3, 2002 preliminary order approving the transfer is automatically reinstated and shall again be in full force and effect.

Dated this 19th day of April, 2002.



L. GLEN SAXTON
Chief, Water Allocation Bureau

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OCT 07 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69414

This is to certify that: RAY SAUER
HC 63 BOX 2130
MONTEVIEW ID 83435
(208)657-2258

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
31-4011C	AJC/Beneficial Use	09/01/1956	1.75 cfs			392.0	GROUND WATER
31-160B	AJC/Decreed	04/01/1936	0.75 cfs	136.5 af	39.0	392.0	GROUND WATER
31-161B	AJC/Decreed	04/01/1936	2.03 cfs	406.0 af	116.0	392.0	GROUND WATER
31-7131	AJC/License	07/30/1974	4.82 cfs			392.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
31-4011C	NO	NO	NO	YES	NO	NO
31-160B	NO	NO	NO	YES	NO	NO
31-161B	NO	NO	NO	YES	NO	NO
31-7131	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
31-4011C	31-4011C	1.75 cfs	742.8 af	N/A	392.0		N/A	N/A	N/A	N/A
31-160B	31-160B	0.75 cfs	136.5 af	39.0	392.0		N/A	N/A	N/A	N/A
31-161B	31-161B	2.03 cfs	406.0 af	116.0	392.0		N/A	N/A	N/A	N/A
31-7131	31-7131	4.82 cfs	1372.0 af	N/A	392.0		N/A	N/A	N/A	N/A
TOTALS		7.84 cfs	1372.0 af	N/A	392.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 3rd day of April, 2002

[Signature]
Chief, Water Allocation Bureau

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WATER RIGHT NO. 31-160B
As Modified by Transfer No. 69414

In accordance with the approval of Transfer No. 69414, Water Right No. 31-160B is now described as follows.

Right Holder: RAY SAUER And
 CLARICE SAUER
 HC 63 BOX 2130
 MONTEVIEW ID 83435

Priority Date: 04/01/1936

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	0.75 CFS	136.5 AF
		0.75 CFS	136.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE Sec. 13 Twp 07N Rge 33E	JEFFERSON County
GROUND WATER	NENESE Sec. 5 Twp 07N Rge 34E	JEFFERSON County
GROUND WATER	Lot 3 SENWSW Sec. 18 Twp 07N Rge 34E	JEFFERSON County
GROUND WATER	NESE Sec. 18 Twp 07N Rge 34E	JEFFERSON 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	
07N 34E 17									40.0	40.0	39.0	40.0		38.0	35.0		232.0
07N 34E 18													40.0	40.0	40.0	40.0	160.0

Total Acres: 392

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Right 31-160B is limited to the irrigation of 39.0 acres within the place of use described above in a single irrigation season.
- 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.

OCT 07 2003

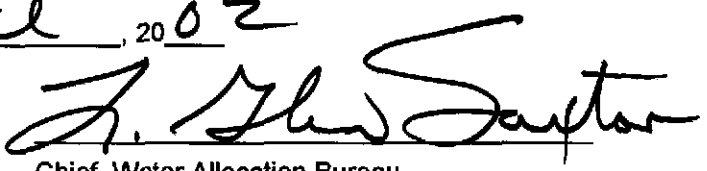
WATER RIGHT NO. 31-160B
As Modified by Transfer No. 69414

CONDITIONS OF APPROVAL

4. The total instantaneous diversion of water from all points of diversion under Rights 31-160B, 31-161B, 31-4011C and 31-7131 shall not exceed 7.84 cfs, nor total combined annual volume of 1372.0 af for the irrigation of 392.0 total acres.
5. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined with Rights 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
6. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined with Rights 31-2299, 31-2415 and 31-7320 shall not exceed a total diversion rate of 21.15 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate. Diversion of water from the two (2) wells located in NESE, S5, T7N, R34E shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
7. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
8. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred points of diversion.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of April, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 31-161B
As Modified by Transfer No. 69414

In accordance with the approval of Transfer No. 69414, Water Right No. 31-161B is now described as follows.

Right Holder: RAY SAUER And
 CLARICE SAUER
 HC 63 BOX 2130
 MONTEVIEW ID 83435

Priority Date: 04/01/1936

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.03 CFS	406.0 AF
			2.03 CFS	406.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 13 Twp 07N	Rge 33E	JEFFERSON County
GROUND WATER	NENESE	Sec. 5 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	Lot 3 SENWSW	Sec. 18 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	NESE	Sec. 18 Twp 07N	Rge 34E	JEFFERSON 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	
07N 34E 17									40.0	40.0	39.0	40.0		38.0	35.0		232.0
07N 34E 18													40.0	40.0	40.0	40.0	160.0

Total Acres: 392

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Right 31-161B is limited to the irrigation of 116.0 acres within the place of use described above in a single irrigation season.
- 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.

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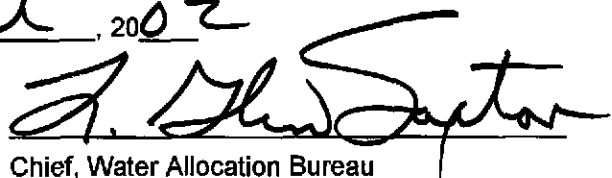
WATER RIGHT NO. 31-161B
As Modified by Transfer No. 69414

CONDITIONS OF APPROVAL

4. The total instantaneous diversion of water from all points of diversion under Rights 31-160B, 31-161B, 31-4011C and 31-7131 shall not exceed 7.84 cfs, nor total combined annual volume of 1372.0 af for the irrigation of 392.0 total acres.
5. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined with Rights 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
6. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined with Rights 31-2299, 31-2415 and 31-7320 shall not exceed a total diversion rate of 21.15 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate. Diversion of water from the two (2) wells located in NESE, S5, T7N, R34E shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
7. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
8. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred points of diversion.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of April, 2002


Chief, Water Allocation Bureau

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OCT 07 2003

WATER RIGHT NO. 31-4011C
As Modified by Transfer No. 69414

In accordance with the approval of Transfer No. 69414, Water Right No. 31-4011C is now described as follows.

Right Holder: RAY SAUER And
 CLARICE SAUER
 HC 63 BOX 2130
 MONTEVIEW ID 83435

Priority Date: 09/01/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.75 CFS	742.8 AF
			1.75 CFS	742.8 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SWNESE	Sec. 13 Twp 07N	Rge 33E	JEFFERSON County
GROUND WATER	NESE	Sec. 5 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	NENESE	Sec. 5 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	Lot 3 SENWSW	Sec. 18 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	NESE	Sec. 18 Twp 07N	Rge 34E	JEFFERSON 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	
07N 34E 17									40.0	40.0	39.0	40.0		38.0	35.0		232.0
07N 34E 18													40.0	40.0	40.0	40.0	160.0

Total Acres: 392

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.

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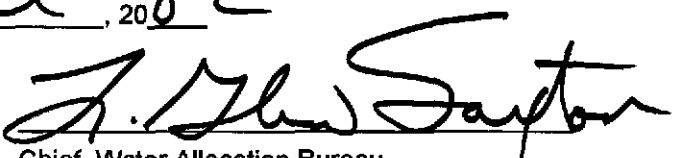
WATER RIGHT NO. 31-4011C
As Modified by Transfer No. 69414

CONDITIONS OF APPROVAL

3. The total instantaneous diversion of water from all points of diversion under Rights 31-160B, 31-161B, 31-4011C and 31-7131 shall not exceed 7.84 cfs, nor total combined annual volume of 1372.0 af for the irrigation of 392.0 total acres.
4. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined with Rights 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined with Rights 31-2299, 31-2415 and 31-7320 shall not exceed a total diversion rate of 21.15 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate. Diversion of water from the two (2) wells located in NESE, S5, T7N, R34E shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
6. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
7. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred points of diversion.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of April, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 31-7131
As Modified by Transfer No. 69414

In accordance with the approval of Transfer No. 69414, Water Right No. 31-7131 is now described as follows.

Right Holder: RAY SAUER And
 CLARICE SAUER
 HC 63 BOX 2130
 MONTEVIEW ID 83435

Priority Date: 07/30/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	4.82 CFS	1,372.0 AF
			4.82 CFS	1,372.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNESE Sec. 13 Twp 07N Rge 33E JEFFERSON County

GROUND WATER NENESE Sec. 5 Twp 07N Rge 34E JEFFERSON County

GROUND WATER Lot 3 SENWSW Sec. 18 Twp 07N Rge 34E JEFFERSON County

GROUND WATER NESE Sec. 18 Twp 07N Rge 34E JEFFERSON 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	
07N 34E 17									40.0	40.0	39.0	40.0		38.0	35.0		232.0
07N 34E 18													40.0	40.0	40.0	40.0	160.0

Total Acres: 392

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.

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WATER RIGHT NO. 31-7131
As Modified by Transfer No. 69414

CONDITIONS OF APPROVAL

3. The total instantaneous diversion of water from all points of diversion under Rights 31-160B, 31-161B, 31-4011C and 31-7131 shall not exceed 7.84 cfs, nor total combined annual volume of 1372.0 af for the irrigation of 392.0 total acres.
4. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined with Rights 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined with Rights 31-2299, 31-2415 and 31-7320 shall not exceed a total diversion rate of 21.15 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate. Diversion of water from the two (2) wells located in NESE, S5, T7N, R34E shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
6. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
7. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred points of diversion.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 3rd day of April, 2002


Chief, Water Allocation Bureau

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Page 1 of 12STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 69414APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant Rax SAUER Phone 208-657-2258Post Office address HC 63 Box 2130 Montevideo, ID 83435

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
- ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes We are deleting the wells in the
NESB Sec 5 T7N R34E because of the losses in several miles of
delivery ditches. We will add in a well in the NESB Sec 18
T7N R34E for each right.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | | | | | |
|----------|-----------|------------|------------|---------------|
| 31-160B | 4/01/1936 | 0.75 cfs | Irrigation | 4/01 to 10/31 |
| 31-161B | 4/01/1936 | 2.03 cfs | " " | " to " |
| 31-4011C | 9/01/1956 | 1.75 cfs | " " | " to " |
| 31-7131 | 7/30/1974 | 4.82 cfs | " " | " to " |
| | | * 7.54 cfs | | |
2. Total amount of water being transferred 9.35 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: * Max Combined Rate

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
			NESB	18	7N	34E	Jefferson	* New well for each of
3	SE	NW	SW	18	"	"		rights listed above
3	SW	NESB	13	7N	33E			

5. Lands irrigated or place of use: NO change for each of Rights listed above

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Description and location of place of use: <u>NO CHANGE</u>																			
TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7N	34E	17									40	40	39	40		39	35		232.0
		18													40	40	40	40	160
																			392.0 ac

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OCT 07 2003Total Acres 392

(69414)

PART 1

6. General Information:

a. Description of diversion system wells, ditches + relift pumps to
sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
NA ☒ Yes ☐ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NA

d. Remarks:

The wells in the NESE Sec 5 T7N R34E will not be used for
rights 31-2415, 31-7320 + 31-2299 also.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20____

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For the Director

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-4011C

Priority Date: 09/01/1956
Origin: Adjudication Recommendation
Basis: Beneficial Use
Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	1.75 CFS		
	Total Diversion	1.75 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	07N	34E	5	NENESE		JEFFERSON
GROUND WATER	07N	34E	5	NESE		JEFFERSON
GROUND WATER	07N	34E	18	SENWSW	3	JEFFERSON
GROUND WATER	07N	33E	13	SWNESE	3	JEFFERSON

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	
07N 34E 17									40.0	40.0	39.0	40.0			38.0	35.0	232.0
07N 34E 18													40.0	40.0	40.0	40.0	160.0

Total Acres: 392

Conditions/Remarks:

- RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 392 ACRES IN A SINGLE IRRIGATION SEASON.
- 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.

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-4011C

3. RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.84 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1372 AF.
4. RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-04011B, 31-04011C, 31-04012, 31-07131 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.00 CFS.
5. RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 21.15 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7350 AF.
6. THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 12.00 CFS.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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Page 1

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-160B**Priority Date:** 04/01/1936**Origin:** Adjudication Recommendation**Basis:** Decreed**Status:** Active**GROUND WATER**

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.75 CFS	136.5 AFA	
Total Diversion		0.75 CFS	136.5 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	07N	34E	5	NENESE		JEFFERSON

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	
07N	34E	17									40.0	40.0	39.0	40.0			38.0	35.0	232.0
07N	34E	18													40.0	40.0	40.0	40.0	160.0

Total Acres: 392

Conditions/Remarks:

- RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
- RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 392 ACRES IN A SINGLE IRRIGATION SEASON.
- 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.
- RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- PRIORITY DATE CHANGED TO PREVENT INJURY FROM CHANGE IN SOURCE.

MICHAEL R. RILEY

OCT 07 2003

Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-160B

6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 39 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
7. RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.84 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1372 AF.
8. RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-04011B, 31-04011C, 31-04012, 31-07131 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.00 CFS.
9. RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 21.15 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7350 AF.
10. THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 12.00 CFS.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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OCT 07 2003

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T69414

Page 1

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-161B

Priority Date: 04/01/1936

Origin: Adjudication Recommendation

Basis: Decreed

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	2.03 CFS	406.0 AFA	
	Total Diversion	2.03 CFS	406.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Tw</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	07N	34E	5	NENESE		JEFFERSON

PLACE OF USE: IRRIGATION

Tw Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 34E 17									40.0	40.0	39.0	40.0		38.0	35.0		232.0
07N 34E 18													40.0	40.0	40.0	40.0	160.0

Total Acres: 392

Conditions/Remarks:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN SOURCE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. 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.
3. PRIORITY DATE CHANGED TO PREVENT INJURY FROM CHANGE IN SOURCE.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 392 ACRES IN A SINGLE IRRIGATION SEASON.

MICHAEL J. HARRIS

OCT 6 7 2003

Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-161B

6. RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.84 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1372 AF.
7. RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-04011B, 31-04011C, 31-04012, 31-07131 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.00 CFS.
8. RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 21.15 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7350 AF.
9. THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 12.00 CFS.
10. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 116 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

MICHAEL
OCT 07 2003

Page 1

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-7131

Priority Date: 07/30/1974

Origin: Adjudication Recommendation

Basis: License

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 11/01	4.82 CFS		
	Total Diversion	4.82 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	07N	34E	5	NENESE		JEFFERSON

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	
07N	34E	17									40.0	40.0	39.0	40.0		38.0	35.0		232.0
07N	34E	18													40.0	40.0	40.0	40.0	160.0

Total Acres: 392

Conditions/Remarks:

1. 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. RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 392 ACRES IN A SINGLE IRRIGATION SEASON.
3. RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 7.84 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1372 AF.
4. RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-04011B, 31-04011C, 31-04012, 31-07131 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.00 CFS.

MICHAEL
OCT 07 2003

Page 2

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-7131

5. RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 21.15 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7350 AF.
6. THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 12.00 CFS.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

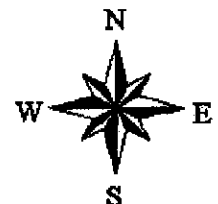
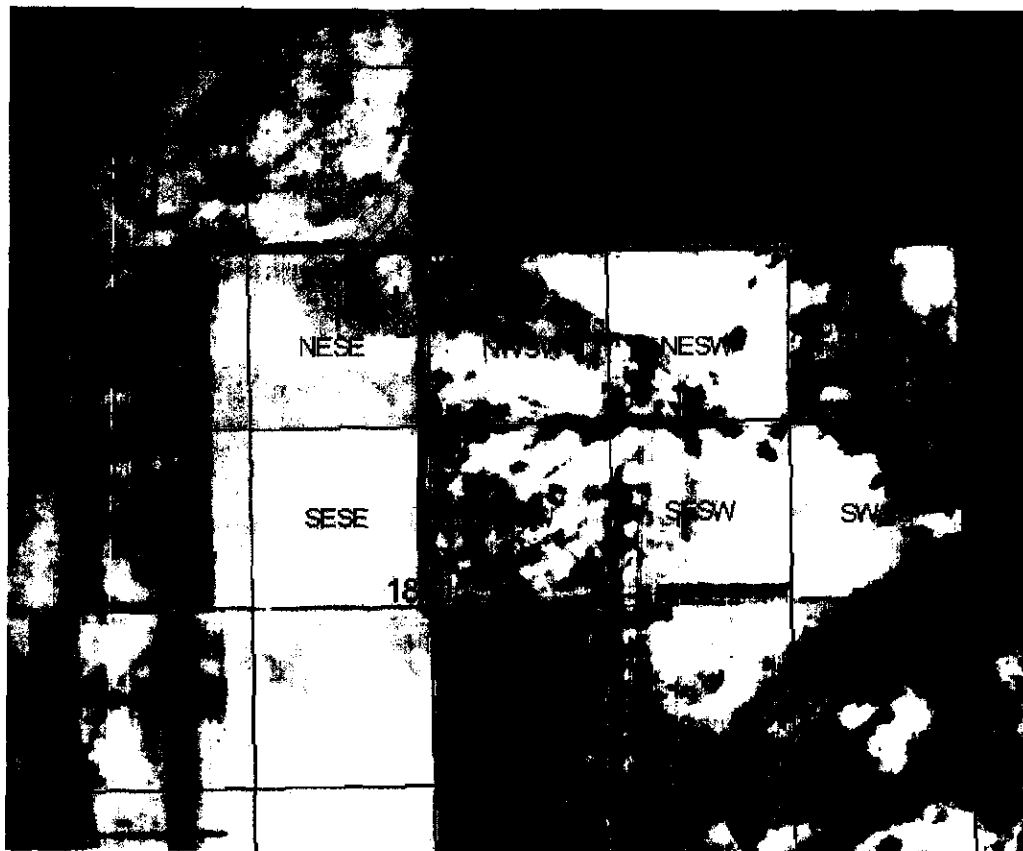
To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

MICHAEL J. [illegible]

OCT 07 2003

31-00160B 31-00161B 31-04011C & 31-07131

**T07N R34E
S17 & S18**



1000 0 1000 2000 3000 4000 Feet

Map prepared by: Carter Fritschle
Date prepared: 11/24/00
1987-1988 NAPP photography
Idaho Department of Water Resources

MICROFILMED
OCT 27 2003

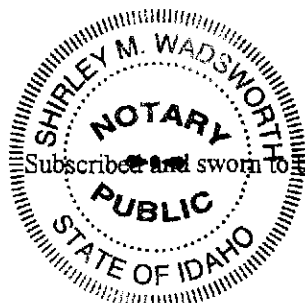
PART 3

B. CHANGES IN NATURE OF USE

- | 1. | New Nature of Use | Amount(cfs/af-ft) | Hours/days/year | Period of Use |
|----|-------------------|-------------------|-----------------|---------------|
| | | | | to |
| | | | | to |
2. Quantity and quality of return flows and location of discharge:
3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Ray Sauer
(Signature of Applicant)

Subscribed and sworn to before me this 5th day of Sept., 2001

Shirley Wadsworth
(Notary Public)

My commission expires Jan 5, 2005

FOR DEPARTMENT USE ONLY

Transfer contains 12 pages and 5 attachments

Received by HWT Date 9-18-01 Protest filed by _____

Prelim. Check by RW Fee \$370.00

Receipted by HWT #E027118 Date 9-18-01

Published in Jefferson Star Copies of protest forwarded by _____

Pub. Dates Oct 3 & 10, 2001 Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☒ approval ☐ denial

_____ received by RDL

Copy of transfer sent to lien holder MICHAEL

OCT 27 2001

PHONE 208-745-9215
JOYCE BRIGGS, JEFF COUN AS
P.O. BOX 538
RIGBY, IDAHO 83442

2001

ASSESSMENT NOTICE
& ESTIMATE OF TAX

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:
SE 1/4 SEC 18,
TWP 7 NORTH RGE 34 EBM

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 745-9215

PARCEL ADDRESS:

SAUER RAY & CLARICE
HC63 P O BOX 2130
MONTEVIEW ID 83435

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 25, 2001

Tax Code Area: 30-00

Parcel Number: RP 07N34E187200 A

CIRCUIT BREAKER IS NOT INCLUDED.

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1 IRRGTD AG	158.000 AC	45,520	45,520
19 WASTE	2.000 AC		
SUBTOTAL:	160.000	45,520	45,520
LESS HOMEOWNERS EXEMPTION:			
NET TAXABLE PROPERTY VALUE:		45,520	45,520

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
COUNTY	179.78	179.78		08/04/2001
SCH DIST 253	326.44	326.44		06/14/2001
NT JEFF CEM	4.46	4.46		06/04/2001
N JEFF FIRE D	22.36	22.36		06/14/2001
LIBRARY DIST	18.28	18.28		08/28/2001
N. JEFF AMB	7.22	7.22		08/20/2001
SUBTOTAL:	558.54	558.54		
FEES:				
TOTAL PROPERTY TAXES & FEES:	558.54	558.54		

THIS IS NOT A BILL. DO NOT PA

See the back of this Notice for details.

ATTACHMENT 1 OF 5

2001

**THIS IS NOT A BILL.
DO NOT PAY.**

**ASSESSMENT NOTICE
& ESTIMATE OF TAX****PARCEL DESCRIPTION:**

NE1/4; SW1/4; SEC 18,
TWP 7 NORTH RGE 34 EBM

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 745-9215

PARCEL ADDRESS:

SAUER RAY & CLARICE

HCR 63 BOX 2130
MONTEVIEW

ID 83435-9801

Appeals of your property value must be filed in writing, on a form provided by the County, by:

JUNE 25, 2001

Tax Code Area: 30-00

Parcel Number: RP 07N34E180001 A

CIRCUIT BREAKER IS NOT INCLUDED.

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION		LOTS/ACRES		LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1	IRRGTD AG	316.360	AC	86,426	86,426
19	WASTE	3.640	AC		
SUBTOTAL:		320.000		86,426	86,426
LESS HOMEOWNERS EXEMPTION:					
NET TAXABLE PROPERTY VALUE:				86,426	86,426

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

[illegible]

THIS IS NOT A BILL. DO NOT PAY

See the back of this Notice for details.

ATTACHMENT 2 OF 5

ATTACHMENT 3 OF 5

HONE 208-745-9215
OYCE BRIGGS, JEFF COUN ASS
O. BOX 538
IGBY, IDAHO 83442

2001

ASSESSMENT NOTICE
& ESTIMATE OF TAX

THIS IS NOT A BILL
DO NOT PAY.

PARCEL DESCRIPTION:

E1/2; SW1/4; LESS RD R/W
& TAX 1, SEC 13,
TWP 7 NORTH RGE 33 EBM

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 745-9215

PARCEL ADDRESS:

849 E 2100 N 83435

SAUER RAY & CLARICE

HC 63
P O BOX 2130
MONTEVIEW

ID 83435

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 25, 2001

Tax Code Area: 30-00

Parcel Number: RP 07N33E130002 A

CIRCUIT BREAKER IS NOT INCLUDED.

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1 IRRGTD AG	466.376 AC	132,849	132,849
0 RURAL HOMESITE	1.000 AC	7,500	7,500
9 WASTE	5.180 AC		
2 RURAL IMP ON AG		17,937	17,937
SUBTOTAL:		158,286	158,286
LESS HOMEOWNERS EXEMPTION:			
NET TAXABLE PROPERTY VALUE:		158,286	158,286

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

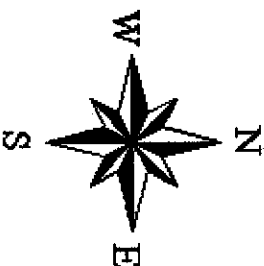
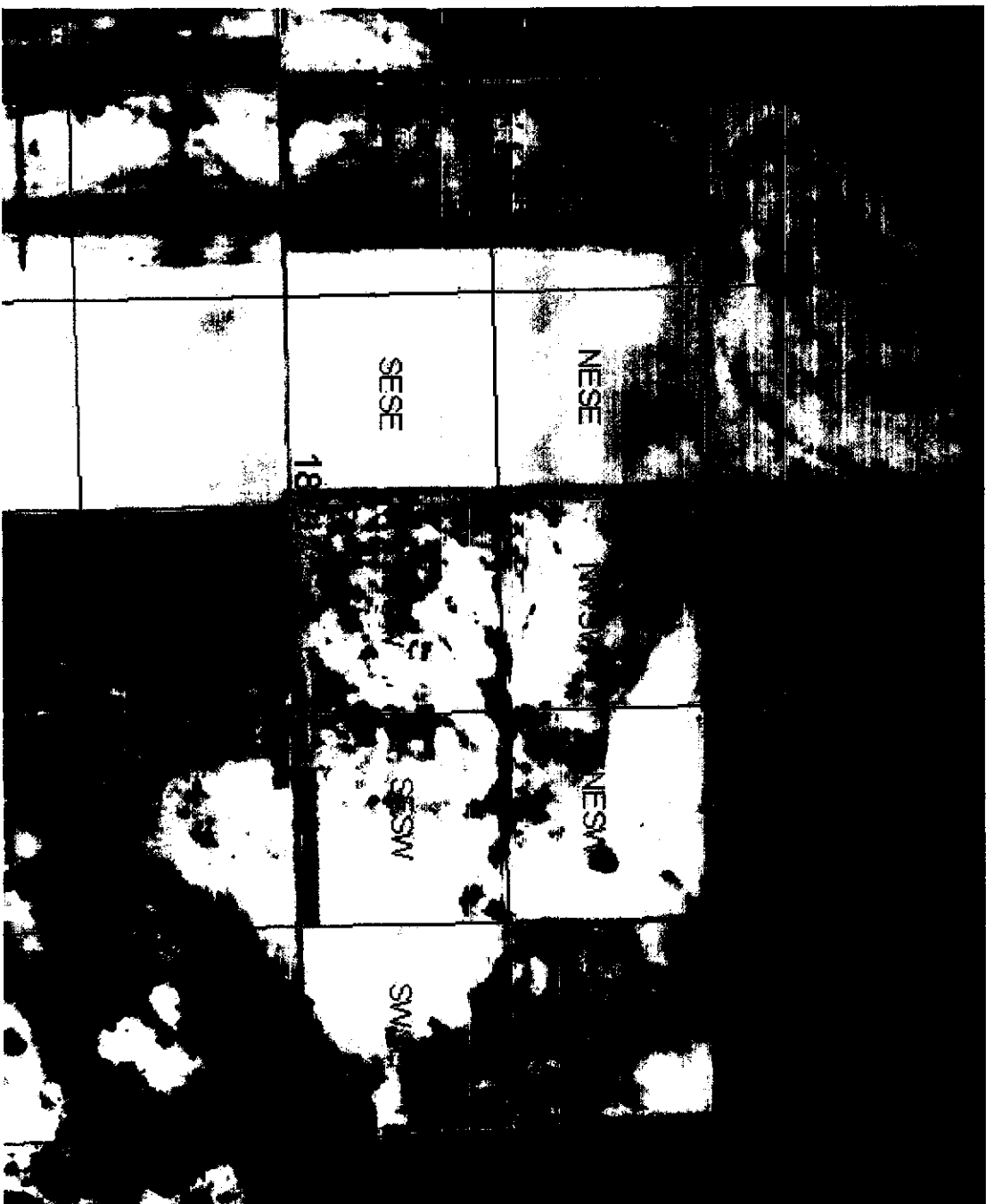
TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
COUNTY	625.20	625.20		08/04/2001
CH DIST 253	1,135.16	1,135.16		06/14/2001
T JEFF CEM	15.50	15.50		06/04/2001
JEFF FIRE D	77.74	77.74		06/14/2001
IBRARY DIST	63.56	63.56		08/28/2001
. JEFF AMB	25.14	25.14		08/20/2001
SUBTOTAL:		1,942.30		
FEES:		1,942.30		
TOTAL PROPERTY TAXES & FEES:		1,942.30		

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.

31-00160B 31-00161B 31-04011C & 31-07131

T07N R34E
S17 & S18



MICHO
OCT 07 2000

ATTACHMENT T 69414
5 OF 5

Map prepared by: Carter Fritschle
Date prepared: 11/24/00
1987-1988 NAPP photography
Idaho Department of Water Resources

2003 MAY 9 PM 2 26

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)

ORDER OF PARTIAL DECREE

For Water Rights ~~31-00160B~~, 31-00161B,
31-02299, 31-02415, 31-04011C, 31-07131
and 31-07320

On March 5, 2003, a *Special Master's Report and Recommendation* was filed for the above water rights. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water rights 31-00160B, 31-00161B, 31-02299, 31-02415, 31-04011C, 31-07131 and 31-07320 are hereby decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED May 9, 2003.



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
~~FILED~~ TWIN FALLS

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

2003 MAY 9 PM 2 26

In Re SRBA)
)
Case No. 39576)

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

Water Right 31-001608

NAME AND ADDRESS: RAY SAUER
HC 63 BOX 2130
MONTEVIEW, ID 83435

SOURCE: GROUND WATER

QUANTITY: 0.75 CFS
136.50 APY

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-04011B, 31-04011C, 31-04012, 31-07131 AND 31-10652 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 16.32 CFS.

RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B,
31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131,
31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 26.90 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 7150 AF.

THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS
LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 16.32 CFS.

RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.17 CFS AND TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1372 AF.

PRIORITY DATE: 04/01/1936

POINT OF DIVERSION: T07N R34E S05 NENESE Within Jefferson County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.75 CFS 136.50 APY

PLACE OF USE:	Irrigation	Within Jefferson County	
	T07N R34E S17	NESW 40.0	NWSW 40.0
		SWSW 39.0	SESW 40.0
		NWSE 38.0	SWSE 35.0
	S18	NESE 40.0	NWSE 40.0
		SWSE 40.0	SESE 40.0
	392.0 Acres Total		

RIGHT NOS. 31-00160B, 31-00161B, 31-04011C AND 31-07131 ARE
LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 392 ACRES IN A
SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 19 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. 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

RECORDED
OCT 07 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 4, 2003

JERRY R RIGBY
RIGBY THATCHER ANDRUS RIGBY KAM & MOELLER CHARTERED
PO BOX 250
REXBURG ID 83440

RE: Application for Transfer of Water Right 69414
In the name of Ray Sauer
Rights 31-4011C, 31-160B, 31-161B & 31-7131

Dear Mr. Rigby:

The enclosed draft Amended Approval will be issued as a Preliminary Order in the matter Transfer 69414 in 10 days. A draft copy is being sent to you as the right holder's attorney in this matter. The Amended Approval is being issued to reflect the rights as decreed in the Snake River Basin Adjudication.

If you require additional information regarding this matter, please call me directly at (208) 327-7943, e-mail me at pskaggs@idwr.state.id.us or contact me by mail, and I will be happy to assist you.

Sincerely,

Pamela S. Skaggs
Sr. Water Rights Agent

Enclosures

MICROFILMED

OCT 07 2003

MEMORANDUM

To: T69414
From: L. Glen Saxton *LS*
RE: PHONE CALL - RAY SAUER
Date: March 18, 2003

On this date Ray Sauer called me in connection with T69414 wondering when the department would issue a drilling permit for the transfer. The water right files show that the transfer has been approved, but that the right holder filed a petition for reconsideration ("petition") in connection with the conditions of approval on the transfer. The applicant has sought additional time in which to submit additional information to support the petition which additional time has been granted by the department. The right holder has yet to provide the information in support of the petition.

Once the information is submitted, the department can review it and either change or not change the conditions of transfer approval. Until the matter is resolved, it is not appropriate to issue a drilling permit.

Mr. Sauer said he would contact his attorney Jerry Rigby to follow up on the matter.

MICROFILMED
OCT 07 2003

RIGBY THATCHER ANDRUS RIGBY KAM &
MOELLER
PO BOX 250
REXBURG ID 83440

Kari Lyne

RETURNED TO
RECEIVED

PRESORTED
FIRST CLASS

8030250

Rexburg ID 83440-0250

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Service Requested



MICROFILMED

OCT 07 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 3, 2002

RIGBY THATCHER ANDRUS RIGBY KAM & MOELLER
JERRY RIGBY
PO BOX 230
REXBURG ID 83440

RE: Order In the Matter of Transfer No. 69414 - Water Rights 31-160B, 31-161B,
31-4011C, 31-7131

Dear Water Right Holder(s):

Enclosed please find Order Extending Time to Provide Information in Support of
Petition for Reconsideration issued by the department in reference to the above listed
information.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

CC: RAY SAUER
HC 63 Box 2130
MONTEVIEW ID 83435

MICROFILMED

OCT 07 2003

Law Offices

**RIGBY, THATCHER, ANDRUS
RIGBY, KAM & MOELLER, Chartered**

Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954-2001)
Gregory W. Moeller

P.O. Box 250
25 North Second East
Rexburg, ID 83440

Telephone: (208) 356-3633
Fax: (208) 356-0768
E-Mail: rexlaw@srv.net

Pam Skaggs
[Signature]

FAX Transmission Sheet

Date: July 1, 2002
To: NORM YOUNG
Idaho Department of Water Resources
Fax No: 1-208-327-7866
From: JERRY R. RIGBY
Sent By: Jana
Subject: NEAL & RAY SAUER

RECEIVED**JUL - 1 2002**

Department of Water Resources

You should receive 1 page(s) including this cover sheet.

COMMENTS:

Dear Norm:

Pursuant to our telephone conversation, please let this fax suffice as a response of additional information required by the Order Granting Petition for Reconsideration, dated April 19, 2002. We have informed you that the information we received from your office concerning the records of the water rights held by both Neil and Ray Sauer seem to be incomplete, and therefore would request additional time in which we can research the microfilm at the eastern region offices located in Idaho Falls. We have retained the services of a water engineer to help us complete the research. They have proceeded with their investigation and have run an additional report which continues to be incomplete. I have set up a meeting after the holiday to go over the inconsistencies and shall then expect a full and complete report to be forthcoming. We would again request an additional forty days from today in which to complete the research and respond accordingly.

It is my understanding from our phone conversation that such request is reasonable and would be granted by the Department. If that is not your understanding, please contact me immediately.

Sincerely yours,
Jerry R. Rigby

F:\WP6\SB\SAUER.FAX

If transmission was incomplete or not legible, please call the sender at 208-356-3633.

CONFIDENTIALITY NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the US Postal Service. Thank you.

MICROFILMED

OCT 07 2003

Skaggs, Pam

From: Young, Norm
Sent: Monday, July 01, 2002 1:38 PM
To: Skaggs, Pam
Subject: Sauer Transfer

Pam: Jerry Rigby called me this afternoon asking for another 30 day extension to get the requested information. I assured him that this was no problem relative to the transfer matter. He will fax you a request today. Thanks. Norm

MICROFILMED

OCT 07 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Service Requested

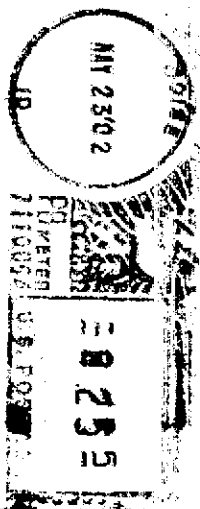
As requested, the correct
mailing address is:
PO Box 250
Rexburg, Idaho 83440

RECEIVED
MAY 29 2002

Department of Water Resources

RIGBY THATCHER ANDRUS RIGBY KAM & MOELLER
JERRY RIGBY
PO BOX 250
REXBURG ID 83440

PRESORTED
FIRST CLASS



Mail sent to
PO Box 250. Error
due to typo. "

Keri Lynn
5.29.02

MICROFILMED

OCT 07 2003





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 23, 2002

RIGBY THATCHER ANDRUS RIGBY KAM & MOELLER
JERRY RIGBY
PO BOX 230
REXBURG ID 83440

RE: Order in the Matter of Transfer No. 69414 – Water Rights 31-160B, 31-161B
31-4011C, 31-7131

Dear Water Right Holder(s):

Enclosed please find Order Extending Time to Provide Information in Support of Petition for Reconsideration issued by the department in reference to the above listed information.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,

Camela S. Skaggs
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: Ray Sauer
HC 63 Box 2130
Monteview ID 83435

MICROFILMED

OCT 07 2003

Law Offices

**RIGBY, THATCHER, ANDRUS
RIGBY, KAM & MOELLER, Chartered**

Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954-2001)
Gregory W. Moeller

P.O. Box 250
25 North Second East
Rexburg, ID 83440

Telephone: (208) 356-3633
Fax: (208) 356-0768
E-Mail: rexlaw@srv.net

FAX Transmission Sheet

Date: May 17, 2002
To: NORM YOUNG
Idaho Department of Water Resources
Fax No: 1-208-327-7866
From: JERRY R. RIGBY
Sent By: Jana
Subject: NEAL & RAY SAUER

RECEIVED

MAY 17 2002

Department of Water Resources

You should receive 1 page(s) including this cover sheet.

COMMENTS:

Dear Norm:

Pursuant to our telephone conversation, please let this fax suffice as a response of additional information required by the Order Granting Petition for Reconsideration, dated April 19, 2002. We have informed you that the information we received from your office concerning the records of the water rights held by both Neil and Ray Sauer seem to be incomplete, and therefore would request additional time in which we can research the microfilm at the eastern region offices located in Idaho Falls. We have retained the services of a water engineer to help us complete the research. We would request an additional forty days from today in which to complete the research and respond accordingly.

It is my understanding from our phone conversation that such request is reasonable and would be granted by the Department. If that is not your understanding, please contact me immediately.

Sincerely yours,
Jerry R. Rigby

FAWP6SB\SAUERR.FAX

If transmission was incomplete or not legible, please call the sender at 208-356-3633.

CONFIDENTIALITY NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the US Postal Service. Thank you.

MICROFILMED

OCT 07 2003

69414
31-160B



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 29, 2002

JERRY RIGBY
RIGBY THATCHER ANDRUS RIGBY KAM & MOELLER
PO BOX 230
REXBURG ID 83440

RE: Sauer Transfer 69414

Dear Mr. Rigby:

Norm Young asked me to send you some file information regarding the water rights associated with this transfer. I have enclosed a couple of items used in the review of this transfer that haven't been microfilmed at this time. I have also picked out various items from each water right file that may be of interest to you describing some of the history of each right. The complete records are available in microfilm form at our Eastern Region offices located in Idaho Falls.

If you require additional information regarding this matter, please call me directly at (208) 327-7943, e-mail me at pskaggs@idwr.state.id.us or contact me by mail, and I will be happy to assist you.

Sincerely,

Pamela S. Skaggs
Sr. Water Rights Agent

Enclosure

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OCT 07 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 23, 2002

RIGBY THATCHER ANDRUS RIGBY KAM & MOELLER
JERRY RIGBY
PO BOX 230
REXBURG ID 83440

RE: Order In the Matter of Transfer No. 69414 - Water Rights 31-160B, 31-161B,
31-4011C, 31-7131

Dear Water Right Holder(s):

Enclosed please find Order Granting petition for Reconsideration issued
by the department in reference to the above listed information.
transfer.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,

for Kari Lynn Townsend
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: Ray Sauer
HC 63 BOX 2130
Montevieu ID 83435

MAILED

MAY 17 2002

RECEIVED

APR 17 2002

Law Offices

Department of Water Resources

**RIGBY, THATCHER, ANDRUS
RIGBY, KAM & MOELLER, Chartered**

Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam - (1954-2001)
Gregory W. Moeller

P.O. Box 250
25 North Second East
Rexburg, ID 83440

Telephone: (208) 356-3633
Fax: (208) 356-0768
E-Mail: Rexlaw@srv.net

April 15, 2002

Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83706

**Re: Transfer No.: 69414 - Water Rights 31-4011C, 31-160B, 31-161B, 31-7131
Transfer Notice Approval**

Enclosed please find "Applicant's Petition for Reconsideration of Department of Water Resources Preliminary Order" in the above referenced matter.

If you have any questions or concerns, please feel free to give our office a call.

Sincerely yours,

Jodi L. Thurber

Jodi L. Thurber
Secretary to Jerry R. Rigby

/jt
Enclosure
F:\WP6\SB\SAUERR.LTR

MICROFILMED

OCT 07 2003

BEFORE THE DIRECTOR OF THE DEPARTMENT
OF WATER RESOURCES OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION
FOR TRANSFER NO. 69414 IN THE
NAME OF RAY SAUER AND/OR
CLARICE SAUER

APPLICANTS' PETITION FOR
RECONSIDERATION OF DEPARTMENT
OF WATER RESOURCES
PRELIMINARY ORDER

COMES NOW, RAY SAUER and CLARICE SAUER, and hereby file the following
Petition for Reconsideration of Department of Water Resources' Preliminary Order dated April
4, 2002 relating to Transfer No. 69414 - Water Rights 31-4011C, 31-160B, 31-161B, & 31-7131.

EXCEPTIONS TO PRELIMINARY ORDER

A. Although the 7.84 c.f.s. limitation approved on the transfer is acceptable due to the
number of acres upon which it is being applied, the overall limitation placed upon the water
rights transferred together with remaining water rights in conjunction with water rights held by
Neal and Mildred Sauer have been limited to 21.15 c.f.s., which limitation in error and
inappropriately curtails the original combined water rights.

B. The limitation placed upon wells located in SWNESE S13, T7N, 33E and NESE and
SENWSW, S18, T7N, R34E is in error and inappropriately curtails the original annual volume
capacity.

C. Petitioners, by and through counsel, are presently addressing the inappropriate
limitations placed upon Petitioners and said Neal and Mildred Sauer's water rights within the
Snake River Adjudication, and maintain that the evidence will show that the limitations are
unnecessary, inappropriate and contract to the facts and history of the affected water rights.

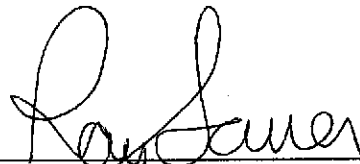
MICROFILMED

OCT 07 2003

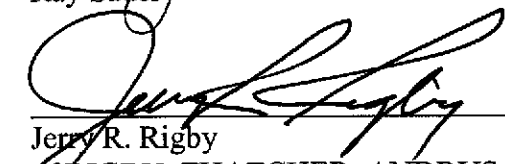
D. Petitioners respectfully request that a meeting occur by and between the Department of Water Resources and Petitioners together with Petitioners newly acquired counsel to clear up the issues pertaining to the restrictions upon the transferred water rights.

DATED this 15th day of April, 2002.

RESPECTFULLY SUBMITTED.



Ray Sauer



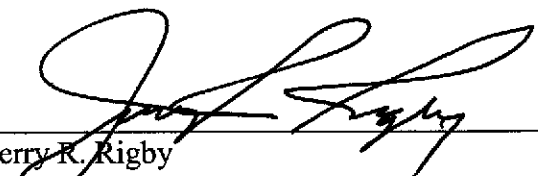
Jerry R. Rigby
of RIGBY, THATCHER, ANDRUS
RIGBY, KAM & MOELLER, Chartered
Attorneys for Applicants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY That on this 15th day of April, 2002, a true and accurate copy of the foregoing was sent by U.S. Mail, postage prepaid, and facsimile to the following:

Karl J. Dreher
Director of Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83702
Fax: 208-327-7866

L. Glen Saxton
Chief, Water Allocation Bureau
1301 N. Orchard St.
Boise, ID 83702



Jerry R. Rigby

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OCT 07 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 4, 2002

RAY SAUER
CLARICE SAUER
HC 63 BOX 2130
MONTEVIEW ID 83435

RE: Transfer No.: 69414 - Water Rights 31-4011C, 31-160B, 31-161B, 31-7131
Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Camela S. Skaggs
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt
Enclosure(s)

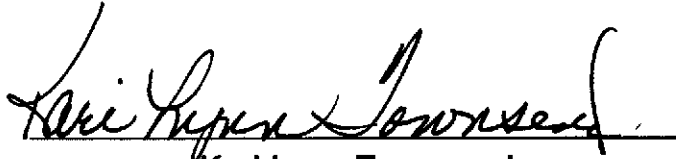
MICROFILMED
OCT 07 2003

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

**RE: TRANSFER NO. 69414 –
WATER RIGHTS 31-4011C, 31-160B, 31-161B, 31-7131**

**RAY SAUER
CLARICE SAUER
HC 63 BOX 2130
MONTEVIEW ID 83435**

A handwritten signature in black ink, reading "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

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OCT 07 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
OCT 07 2003

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Skaggs, Pam

From: Young, Norm
Sent: Tuesday, April 02, 2002 5:14 PM
To: Skaggs, Pam
Subject: RE: Sauer Transfer 69414 (31-4011C/160B/161B/7131)

Pam: I have not heard from him. I guess approving the transfer as drafted is the next step. Norm

-----Original Message-----

From: Skaggs, Pam
Sent: Thursday, March 28, 2002 8:32 AM
To: Young, Norm
Subject: Sauer Transfer 69414 (31-4011C/160B/161B/7131)

Norm,

I sent a letter on March 8th requesting Ray Sauer contact the Dept. within the next 15 days regarding the status of T69414. We had sent a draft in December & he requested time to seek legal advice. Have you heard from Mr. Sauer? If not, how would you like me to proceed? We can issue the transfer as drafted or try to contact Mr. Sauer again.

Pam

For Reference Only.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 8, 2002

RAY SAUER
HC 63 BOX 2130
MONTEVIEW ID 83435

RE: Application for Transfer 69414
Rights 31-160B, 31-161B, 31-4011C & 31-7131

Dear Mr. Sauer:

I sent you a copy of the enclosed draft approval of Transfer 69414 in December. You requested time to review the approval and seek legal advice in this matter. I have had no contact since that time. Please advise me of your intent regarding this transfer. Do you want to proceed with the approval or withdraw the application?

Norm Young has advised me that he is willing to meet with you to discuss the matter if you have questions or concerns. Please contact me within the next 15 days so that we may resolve the disposition of this transfer application.

If you require additional information regarding this matter, please call me directly at (208) 327-7943, e-mail me at pskaggs@idwr.state.id.us or contact me by mail, and I will be happy to assist you.

Sincerely,

Pamela S. Skaggs
Sr. Water Rights Agent

Enclosure

MICROFILMED

OCT 07 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0008
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

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DEC 12 2001

December 6, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Ray Sauer
HC 63 Box 2130
Montevieu ID 83435

Neal Sauer
HC 63 Box 2137
Montevieu ID 83435

RE: Draft Transfer Approval
Transfer 69414

We want to have this
Transfer 69414 stopped until
we get some legal advice
on our objections thanks
Ray Sauer

Dear Transfer Applicants:

Final review of the above referenced transfers has been completed and a draft approval prepared. Transfer 69360 is still pending final review. Copies have been sent to you for comment before the transfers are forwarded for approval. Please respond within 14 days with any comments you may have regarding these transfer approvals.

If you require additional information regarding this matter, please call me directly at (208) 327-7943, e-mail me at pskaggs@idwr.state.id.us or contact me by mail, and I will be happy to assist you.

Sincerely,

Pamela S. Skaggs

Pamela S. Skaggs
Sr. Water Rights Agent

Enclosures

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OCT 07 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 6, 2001

Ray Sauer
HC 63 Box 2130
Monteview ID 83435

Neal Sauer
HC 63 Box 2137
Monteview ID 83435

RE: Draft Transfer Approval
Transfer 69414

Dear Transfer Applicants:

Final review of the above referenced transfers has been completed and a draft approval prepared. Transfer 69360 is still pending final review. Copies have been sent to you for comment before the transfers are forwarded for approval. Please respond within 14 days with any comments you may have regarding these transfer approvals.

If you require additional information regarding this matter, please call me directly at (208) 327-7943, e-mail me at pskaggs@idwr.state.id.us or contact me by mail, and I will be happy to assist you.

Sincerely,

Pamela S. Skaggs
Sr. Water Rights Agent

Enclosures

MICROFILMED
OCT 07 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69414

DRAFT

This is to certify that: RAY SAUER
HC 63 BOX 2130
MONTEVIEW ID 83435
(208)657-2258

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
31-4011C	AJC/Beneficial Use	09/01/1956	1.75 cfs			392.0	GROUND WATER
31-160B	AJC/Decreed	04/01/1936	0.75 cfs	136.5 af	39.0	392.0	GROUND WATER
31-161B	AJC/Decreed	04/01/1936	2.03 cfs	406.0 af	116.0	392.0	GROUND WATER
31-7131	AJC/License	07/30/1974	4.82 cfs			392.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
31-4011C	NO	NO	NO	YES	NO	NO
31-160B	NO	NO	NO	YES	NO	NO
31-161B	NO	NO	NO	YES	NO	NO
31-7131	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
31-4011C	31-4011C	1.75 cfs	742.8 af	N/A	392.0		N/A	N/A	N/A	N/A
31-160B	31-160B	0.75 cfs	136.5 af	39.0	392.0		N/A	N/A	N/A	N/A
31-161B	31-161B	2.03 cfs	406.0 af	116.0	392.0		N/A	N/A	N/A	N/A
31-7131	31-7131	4.82 cfs	1372.0 af	N/A	392.0		N/A	N/A	N/A	N/A
TOTALS		7.84 cfs	1372.0 af	N/A	392.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this _____ day of _____, 20____

Chief, Water Allocation Bureau

MICROFILMED
OCT 07 2003

Right Holder: RAY SAUER And
CLARICE SAUER
HC 63 BOX 2130
MONTEVIEW ID 83435

DRAFT

Source: GROUND WATER

GROUND WATER SWNESE Sec. 13 Twp 07N Rge 33E JEFFERSON
County

GROUND WATER NENESE Sec. 5 Twp 07N Rge 34E JEFFERSON
County

GROUND WATER Lot 3 SENWSW Sec. 18 Twp 07N Rge 34E JEFFERSON
County

GROUND WATER NESE Sec. 18 Twp 07N Rge 34E JEFFERSON
County

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	34E	17																	232.0
07N	34E	18												40.0	40.0	40.0	40.0		160.0

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Right 31-160B is limited to the irrigation of 39.0 acres within the place of use described above in a single irrigation season.
3. 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.

OCT 07 2003

WATER RIGHT NO. 31-160B
As Modified by Transfer No. 69414

CONDITIONS OF APPROVAL

4. The total instantaneous diversion of water from all points of diversion under Rights 31-160B, 31-161B, 31-4011C and 31-7131 shall not exceed 7.84 cfs, nor total combined annual volume of 1372.0 af for the irrigation of 392.0 total acres.
5. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined with Rights 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
6. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined with Rights 31-2299, 31-2415 and 31-7320 shall not exceed a total diversion rate of 21.15 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate. Diversion of water from the two (2) wells located in NESE, S5, T7N, R34E shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
7. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
8. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred points of diversion.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this _____ day of _____, 2000

DRAFT

Chief, Water Allocation Bureau

MICROFILMED
OCT 07 2003

WATER RIGHT NO. 31-161B
As Modified by Transfer No. 69414

In accordance with the approval of Transfer No. 69414, Water Right No. 31-161B is now described as follows.

Right Holder: RAY SAUER And
CLARICE SAUER
HC 63 BOX 2130
MONTEVIEW ID 83435

DRAFT

Priority Date: 04/01/1936

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 10/31	2.03 CFS	406.0 AF
		2.03 CFS	406.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNESE Sec. 13 Twp 07N Rge 33E JEFFERSON
County

GROUND WATER NENESE Sec. 5 Twp 07N Rge 34E JEFFERSON
County

GROUND WATER Lot 3 SENWSW Sec. 18 Twp 07N Rge 34E JEFFERSON
County

GROUND WATER NESE Sec. 18 Twp 07N Rge 34E JEFFERSON
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	
07N 34E 17									40.0	40.0	39.0	40.0			38.0	35.0	232.0
07N 34E 18													40.0	40.0	40.0	40.0	160.0

Total Acres: 392

CONDITIONS OF APPROVAL

- Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Right 31-161B is limited to the irrigation of 116.0 acres within the place of use described above in a single irrigation season.
- 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.

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OCT 07 2003

WATER RIGHT NO. 31-161B
As Modified by Transfer No. 69414

CONDITIONS OF APPROVAL

4. The total instantaneous diversion of water from all points of diversion under Rights 31-160B, 31-161B, 31-4011C and 31-7131 shall not exceed 7.84 cfs, nor total combined annual volume of 1372.0 af for the irrigation of 392.0 total acres.
5. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined with Rights 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
6. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined with Rights 31-2299, 31-2415 and 31-7320 shall not exceed a total diversion rate of 21.15 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate. Diversion of water from the two (2) wells located in NESE, S5, T7N, R34E shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
7. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
8. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred points of diversion.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
10. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this _____ day of _____, 2003

DRAFT

Chief, Water Allocation Bureau

MICROFILMED
OCT 07 2003

Right Holder: RAY SAUER And
CLARICE SAUER
HC 63 BOX 2130
MONTEVIEW ID 83435

DRAFT

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	1.75 CFS	742.8 AF
			1.75 CFS	742.8 AF

GROUND WATER	SWNESE	Sec. 13 Twp 07N	Rge 33E	JEFFERSON County
GROUND WATER	NESE	Sec. 5 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	NENESE	Sec. 5 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	Lot 3 SENWSW	Sec. 18 Twp 07N	Rge 34E	JEFFERSON County
GROUND WATER	NESE	Sec. 18 Twp 07N	Rge 34E	JEFFERSON County

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	34E	17									40.0	40.0	39.0	40.0			38.0	35.0	232.0
07N	34E	18													40.0	40.0	40.0	40.0	160.0

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.

MICROFILMED
OCT 9 7 2003

WATER RIGHT NO. 31-4011C
As Modified by Transfer No. 69414

CONDITIONS OF APPROVAL

3. The total instantaneous diversion of water from all points of diversion under Rights 31-160B, 31-161B, 31-4011C and 31-7131 shall not exceed 7.84 cfs, nor total combined annual volume of 1372.0 af for the irrigation of 392.0 total acres.
4. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined with Rights 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined with Rights 31-2299, 31-2415 and 31-7320 shall not exceed a total diversion rate of 21.15 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate. Diversion of water from the two (2) wells located in NESE, S5, T7N, R34E shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
6. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
7. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred points of diversion.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this _____ day of _____, 20____

Chief, Water Allocation Bureau

DRAFT
MICROFILMED
OCT 07 2003

WATER RIGHT NO. 31-7131
As Modified by Transfer No. 69414

In accordance with the approval of Transfer No. 69414, Water Right No. 31-7131 is now described as follows.

Right Holder: RAY SAUER And
 CLARICE SAUER
 HC 63 BOX 2130
 MONTEVIEW ID 83435

DRAFT

Priority Date: 07/30/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to 11/01	4.82 CFS	1,372.0 AF
		4.82 CFS	1,372.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNESE Sec. 13 Twp 07N Rge 33E JEFFERSON
 County

GROUND WATER NENESE Sec. 5 Twp 07N Rge 34E JEFFERSON
 County

GROUND WATER Lot 3 SENWSW Sec. 18 Twp 07N Rge 34E JEFFERSON
 County

GROUND WATER NESE Sec. 18 Twp 07N Rge 34E JEFFERSON
 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	
07N 34E 17									40.0	40.0	39.0	40.0		38.0	35.0		232.0
07N 34E 18													40.0	40.0	40.0	40.0	160.0

Total Acres: 392

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.

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 OCT 07 2003

WATER RIGHT NO. 31-7131
As Modified by Transfer No. 69414

CONDITIONS OF APPROVAL

3. The total instantaneous diversion of water from all points of diversion under Rights 31-160B, 31-161B, 31-4011C and 31-7131 shall not exceed 7.84 cfs, nor total combined annual volume of 1372.0 af for the irrigation of 392.0 total acres.
4. Rights 31-160B, 31-161B, 31-4011C and 31-7131 when combined with Rights 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
5. Rights 31-160B, 31-161B, 31-4011C, 31-7131, 31-160A, 31-161A, 31-4011B, 31-4012 and 31-10652 when combined with Rights 31-2299, 31-2415 and 31-7320 shall not exceed a total diversion rate of 21.15 cfs and a total annual maximum diversion volume of 7350.0 af at the field headgate. Diversion of water from the two (2) wells located in NESE, S5, T7N, R34E shall not exceed a total diversion rate of 12.00 cfs or other amount specified by the court in the final determination of these rights in the Snake River Basin Adjudication.
6. A priority date of 9-18-2001 shall be applied relative to any injury to nearby wells due to the diversion of water from the wells located in SWNESE, S13, T7N, 33E, and the NESE and SENWSW, S18, T7N, R34E in excess of a total annual diversion volume of 1148.2 af.
7. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred points of diversion.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. 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.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this _____ day of _____ 20____

DRAFT

Chief, Water Allocation Bureau

MICHAEL J. [unclear]

OCT 6 7 2003

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 69414

DATE REVIEWED 11-28-2001 CS

SPLIT POD ADD POD ☒ POU PERIOD or NATURE of USE

ALL OF RIGHT(S) W=Water Right C=SRBA Claim R=SRBA Recommendation NAP/Transfer

R/31-160B	/	/	/	/
R/31-161B	/	/	/	/
R/31-4011C	/	/	/	/
R/31-7131	/	/	/	/

PART OF RIGHTS(S)		(Unchanged)	(Changed)
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/

Standard Season 4-1 to 10-31

Standard Volume 3.5/4.5

- (1) Priority (2) ☒ Use (3) ☒ Season/W61 (4) ☒ Rate (5) ☒ Volume
 (6) ☒ Source (7) P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map
 North ESPA WMDist Tax Notices - SRBA
 Ray + Clarice Sauer
 (11) NA Water District (12) Yes Pertinent Conditions (13) No Expansion
 WM/Rcvd per SRBA Recommendations w/limits

(1) Condition use of wells in Sec 13+18 relative to local impact + subordination.
 (7) Adds 3 p/ds to Rts 31-160B/161B + 7131. Adds 1 new PD to 31-4011C.

Conditions/Remarks 046, 0167, W34, W35, R65, T07, T08, T19
Subordination Condition, W27 (31-160B/161B)

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WRs for Update Comments 31-160/161/4011/7131

Database Updated to Reflect Final Action 4-3-2002 CS

31-160B	.75 cfs	39 acres	136.5 afa
31-161B	2.03 "	116 "	406.0 "
31-4011C	1.75 "	392 "	(742.8 ")
31-7131	4.82 "	392 "	1372.0 "
	<u>7.84 cfs</u>	<u>392 acres</u>	<u>1372.0 afa</u>

With Rts 31-160A/161A/4011B/4012/10652 Limited to 12.00 cfs

↓
4 with Rts 31-2299/2415/7320 Limited to 21.15 cfs + 7350 afa

The 2 wells in NESE, S5, 7N, 34E Limited to 12.00 cfs.

1 or both of these wells associated with all these Rts.

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WMIS Database - [Point of Diversion]

File Edit View Insert Format Records Tools Window Help

Point of Diversion (ALL DISTRICTS)

GPS Site ID Tag: A0005886 Legal Description: 07N 33E 13 SWNESE POD Number: 300141

GPS Site ID Tag: A0005886 Legal Description: 07N 33E 13 SWNESE Diversion Name: #59, 60, 65

Data Summary

Twp	Range	Sec	QQQ	QQ	Q	Lot
07N	33E	13	SW	1/4 of NE	1/4 of SE	

Tag Location: PIPE W/KWH METER Offset: 0 Bearing: 0 Elevation: 0 GPS File: C011622A POD Number: 300141

Description:

Source: Ground Water

Latitude: 43 55 55.920 Longitude: -112 31 13.152 Altitude: 1473.56 Measurement Option: PCC (2)

IDTM-X: 610797.06 IDTM-Y: 315606.12 District: NMD

Reporter(s): Network: Use Codes: Access Port: N

Owner: SAUER
Edit: Yes LOREN

Flowmeter: PCC Water Levels: Site Visit
Timeclock: System
Alternate: Crop History
Annual Report

Record: 14 1 3114 1 of 1

Select GPS Site ID Tag

Print Data Reporters Water Rights Menu

NUM

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OCT 07 2003

PCC Data		(ALL DISTRICTS)		SAUER LOREN				
GPS Site ID Tag	Legal Description							
A0005886	07N 33E 13 SWNESE							
Power Usage Records								
Year	Total KWH	PCC Acres-Ft	Qualifier	PCC	PCC Date	Utility	Account Number	Serv Num
1997	124208.00	322.7	1	364.9	08/24/1999	UP	65561476-004-01	664153670-0
Comments:						Tracking: Y	Preferred: ☒	Validated:
							Change Date:	1/31/2001
1998	134160.00	348.6	1	364.9	08/24/1999	UP	65561476-004-01	664153670-0
Comments:						Tracking: Y	Preferred: ☒	Validated:
							Change Date:	
1999	198240.00	515	1	364.9	08/24/1999	UP	65561476-004-01	664153670-0
Comments:						Tracking: Y	Preferred: ☒	Validated:
							Change Date:	
2000	206440.00	636.35	1	364.9	08/24/1999	UP	65561476-004-01	664153670-0
Comments:						Tracking: Y	Preferred: ☒	Validated:
							Change Date:	1/31/2001
New Record		Re-Calculate						
						Site Visit	POD	

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OCT 07 2003

Point of Diversion

BFS Site ID Tag

ADDITIONAL

BFS Site ID Tag

A0006136

Date

Summary

Tag Location

Description

Legal Description

07N 34E 18 SENWSW

Legal Description

07N 34E 18 SENWSW

Diversion Name

61 & 65

Tag Location

Description

PDD Number

300162

PDD Number

300162

BFS File

C0116228

Source

Ground Water

Latitude

43 55 54.984

DTMX

615619.48

Report(s)

Owner

Eds

Yes

Longitude

-112 30 37.8

DTMX

315619.11

Report(s)

Owner

Eds

Yes

Altitude

1475.35

DTMX

315619.11

Report(s)

Owner

Eds

Yes

Measurement Option

PCC (2)

DTMX

315619.11

Report(s)

Owner

Eds

Yes

Flowmeter

PCC

DTMX

315619.11

Report(s)

Owner

Eds

Yes

Water Levels

Site Visit

DTMX

315619.11

Report(s)

Owner

Eds

Yes

System

Crop History

DTMX

315619.11

Report(s)

Owner

Eds

Yes

Annual Report

DTMX

315619.11

Report(s)

Owner

Eds

Yes

Print Data

Reporters

Water Rights

Menu

Record: 14 4 3134 1215*

Select GPS Site ID Tag

MEM

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OCT 07 2003

PCC Data		(ALL DISTRICTS)		SAUER, LOREN				
GPS Site ID Tag	Legal Description							
A0006136	07N 34E 18 SENWSW							
Power Usage Records								
Year	Total KWH	PCC Acres-Ft	Qualifier	PCC	PCC Date	Utility	Account Number	Serv Num
1997	214560.00	325.68	6	504.08	06/24/1999	UPL	65561476-004-00	183748711-0
Comments:						Tracking: N	Preferred: ☒	Validated:
							Change Date:	1/31/2001
1998	146280.00	250.18	6	504.08	06/24/1999	UPL	65561476-004-00	183748711-0
Comments:						Tracking: N	Preferred: ☒	Validated:
							Change Date:	2/9/2000
1999	138880.00	275.5	6	504.08	06/24/1999	UPL	65561476-004-00	183748711-0
Comments:						Tracking: N	Preferred: ☒	Validated:
							Change Date:	
2000	308400.00	411.81	6	504.08	06/24/1999	UPL	65561476-004-00	183748711-0
Comments:						Tracking: N	Preferred: ☒	Validated:
							Change Date:	1/31/2001
New Record		Re-Calculate						
						Site Visit	POD	

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OCT 07 2003

Mitchell (Sauer) Wells on Joe Hartwell's Property

1930 - Sauve Decree decrees rights 31-00160 to Alexander Mitchell and 31-00161 to Mary Mitchell, both rights have a source of Spring Lake and a priority date of December 8, 1913.

1936 - Documentation supports that Spring Lake had dried up and the east well was drilled in T07N, R34E, S05 NESE by Tom Mitchell to replace the Spring Lake water.

1939 - Documentation supports that the west well was drilled in T07N, R34E, S05 NESE by Tom Mitchell.

1948 - Warranty deed from Sandy and Dorothy Mitchell to Joe Hartwell reserves the right for Thomas Mitchell to drill a new well or wells on property Mitchells sell to Hartwell (includes T07N, R34E, S05, NESE.) The existing well and the new well or wells total diversion rate is limited to 600 inches (12.00 cfs).

1956 - Documentation supports the east well in Section 5 was enlarged. Claims 31-04011B and 31-04011C are for the enlarged use.

1974 - Application for Permit 31-07131 and statutory claim 31-04011 filed. Joe Hartwell protested the application for permit. Bruce Mitchell agreed not to increase the amount of water currently developed and abide by the 1948 warranty deed. Joe Hartwell and Bruce Mitchell signed a stipulation that was also a withdrawal of the protest. See memo from Ron Carlson in file 31-07131 dated December 17, 1974.

1975 - Statutory claim 31-04012 filed by Earl Hunter. Bruce Mitchell filed an exception to the claimed priority date of 1934 stating it should be 1939 or 1940.

1977 - The field exam for 31-07131 was conducted on September 2, 1977. The "capacity" of the east well was measured at 7.42 cfs.

1979 - Application for Permit 31-07320 filed by Sauer Enterprises with the Point of Diversion a well in Section 18.

1985 - Application for Permit 31-07320 amended by Sauer Enterprises to include the wells in Section 5. Amended application states an easement authorizes access to wells in Section 5. A copy of the easement is not furnished with the application, and it is assumed the document that authorizes the easement is the 1948 warranty deed reservation. Joe Hartwell files a protest to this amended application stating that an increase in flow from the wells in Section 5 will "create a trespass condition and disregard the terms under which I purchased the land on which the wells are located." Joe Hartwell later withdrew his protest.

1990 - A re-examination for 31-07320 is conducted to include the flows of both the east well and west well in Section 5. This field exam found the east well producing 5.71 cfs and the west well producing 7.38 cfs. This is a total of 13.09 cfs which is 1.09 cfs greater than the 12.00 cfs described in the 1948 warranty deed.

2000 - A check with Jefferson County Assessor shows Joe Hartwell as the owner of record for T07N, R34E, S05, NESE.

File Nos. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131, 31-07320 and 31-10652.

MICROFILMED
OCT 11 2003
CLF 11-30-00

MEMORANDUM

November 14, 2001

To: Pam Skaggs, Water Permits Section
Through: Paul Castelin
From: Shane Bendixsen
Subject: Transfer 69360 & 69414: Sauer

It is our understanding this transfer involves moving ground water rights from T07N R34E sec 05 to T07N R33E sec 13 & 24 and T07N R34E sec 18 & 19 (see Attachment #1). It is noted that in the application for transfer the T & R locations for sections 19 and 24 appear to be incorrect. This should be checked again. The following is a brief review.

Attachment #2 presents ground water elevations and flow directions for the Eastern Snake Plain Aquifer (ESPA) based on the 2001 mass measurement completed by the USGS. As presented, the ground water flow direction in the transfer area is approximately southwest. Ground water at the proposed points of diversion is directly downgradient from the current points of diversion.

Attachment #3 presents ground water hydrographs for the area. As presented, ground water levels in the area are quite stable. Levels appear to be the same as they were in 1956. The one hydrograph that has been measured continuously since 1956 (well 07N34E-04 CDC1) shows that levels have only fluctuated seasonally and over the long term have only responded to wet and dry periods.

The transfer would involve moving part of the rights from one response zone to another. The transfer to sections 13, 18, and 19 are within the same response zone and therefore there should be no net changes on the four hydraulically connected reaches of the Snake River. The transfer to section 24 would move the part of the rights from zone I-3 to zone II-2C. The predicted net changes in river response caused by the transfer on the four hydraulically connected reaches of the Snake River are as follows. The response in the Kimberly to King Hill reach is increased by 3 percent. The response in the Neeley to Minidoka reach is negligible. The response in the Shelley to Neeley reach is increased by 23 percent. Finally the response in the Henrys Fork reach is a decrease of 27 percent.

A cell by cell analysis of the transfer produces similar results. The transfer to section 18 is within the same cell so there is no net change. The transfer to sections 13 and 19 is

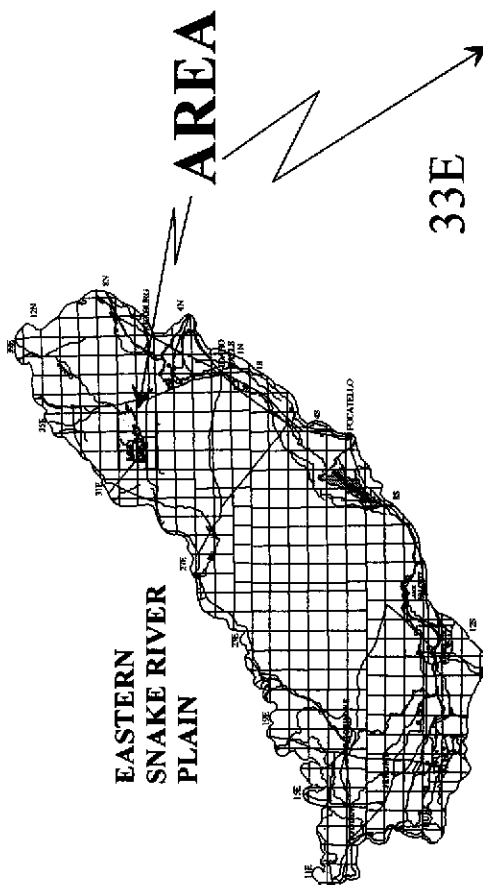
MICROFILMED

OCT 07 2003

almost identical to the zone on zone analysis. The transfer to section 24 produces somewhat different results. The response in the Kimberly to King Hill and the Neeley to Minidoka reach are negligible. The response in the Shelley to Neeley reach is increased 12 percent. The response in the Henrys Fork is decreased by 13 percent.

In closing, this analysis does not account for any local well interference problems. This would involve a much more in-depth analysis. Ground water flow directions at the proposed point of diversion is directly downgradient from the current point of diversion.

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CURRENT
POINTS OF
DIVERSION

35E

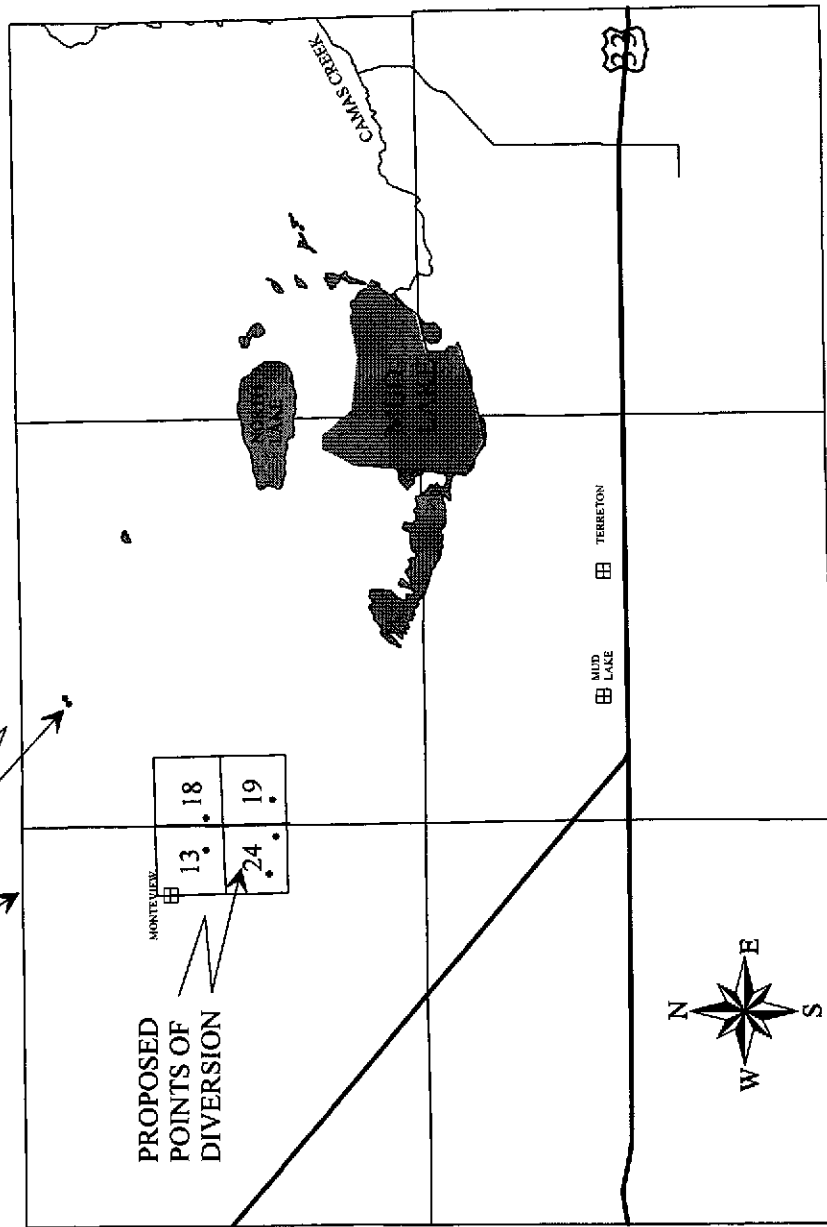
34E

33E

PROPOSED
POINTS OF
DIVERSION

13.	18.
24.	19.

MONTEVIEW

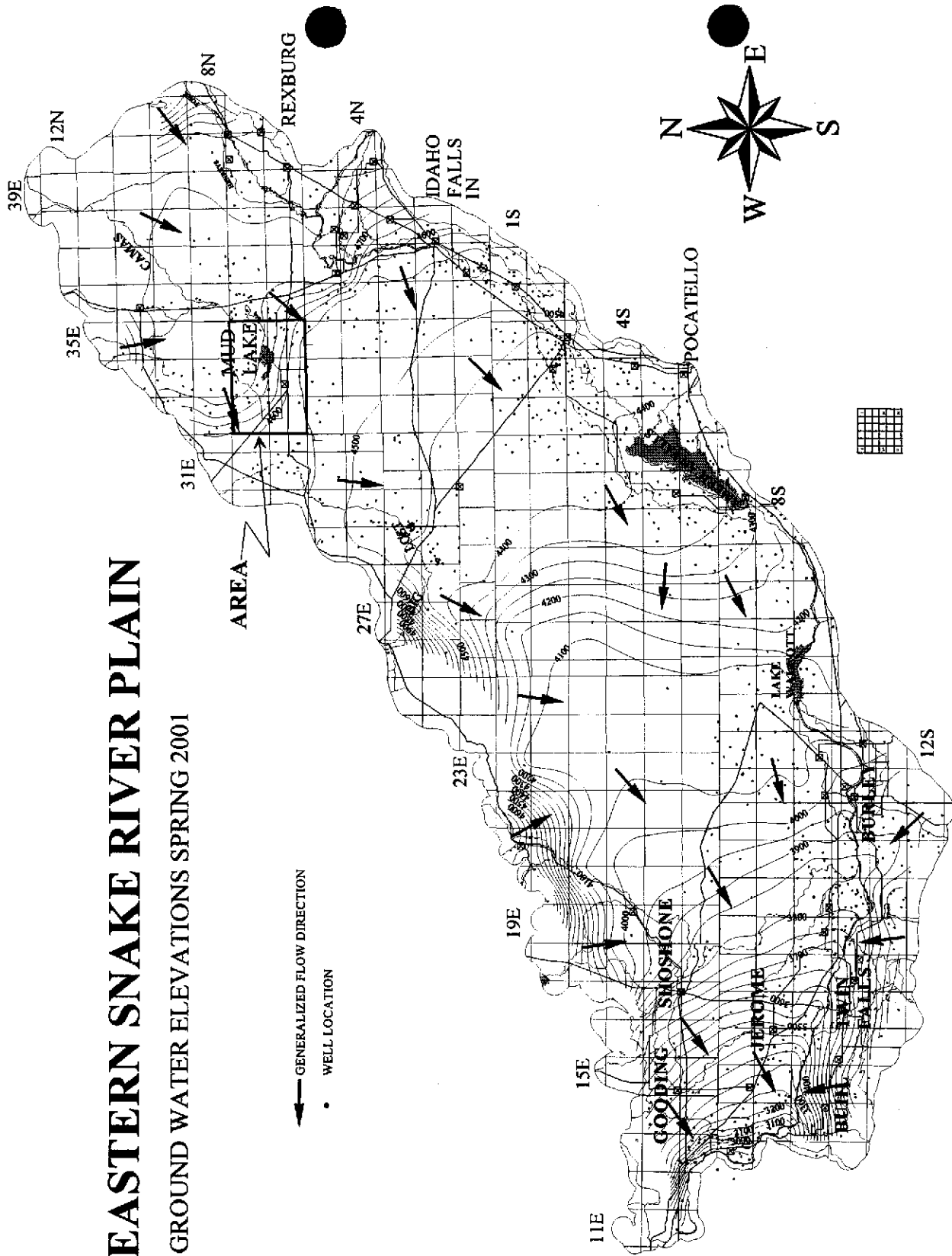


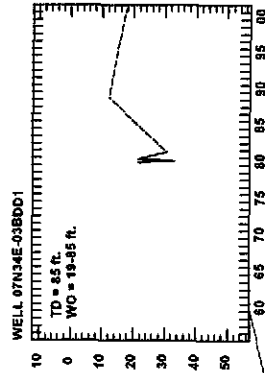
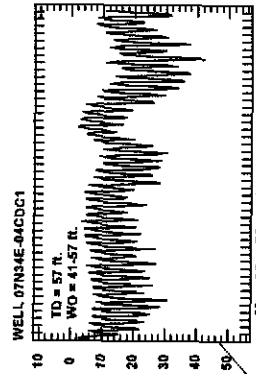
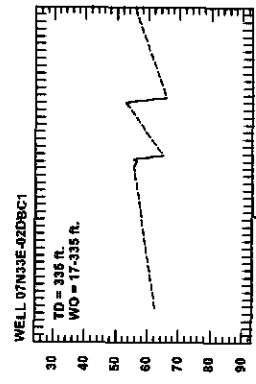
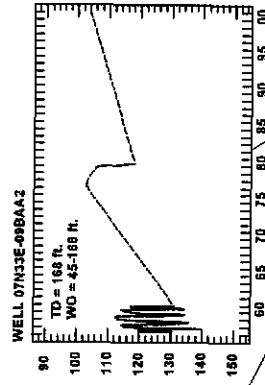
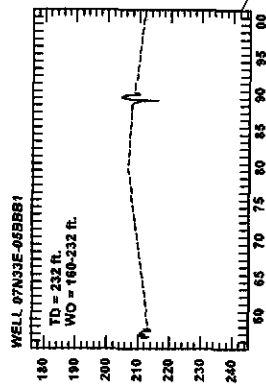
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APR 6 7 2003

EASTERN SNAKE RIVER PLAIN

GROUND WATER ELEVATIONS SPRING 2001

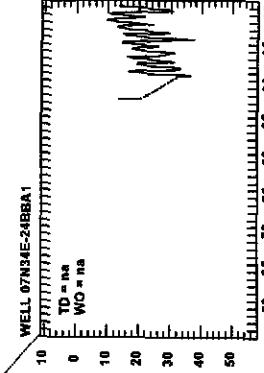
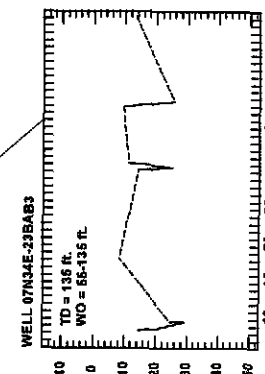
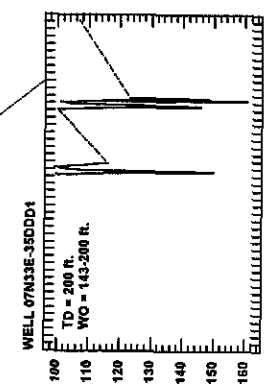
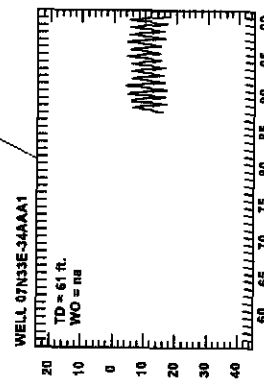
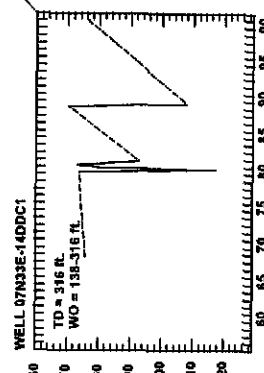
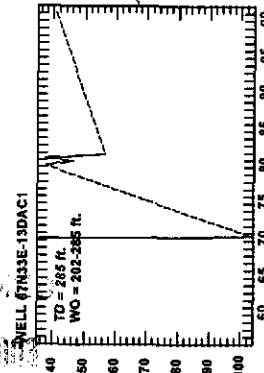
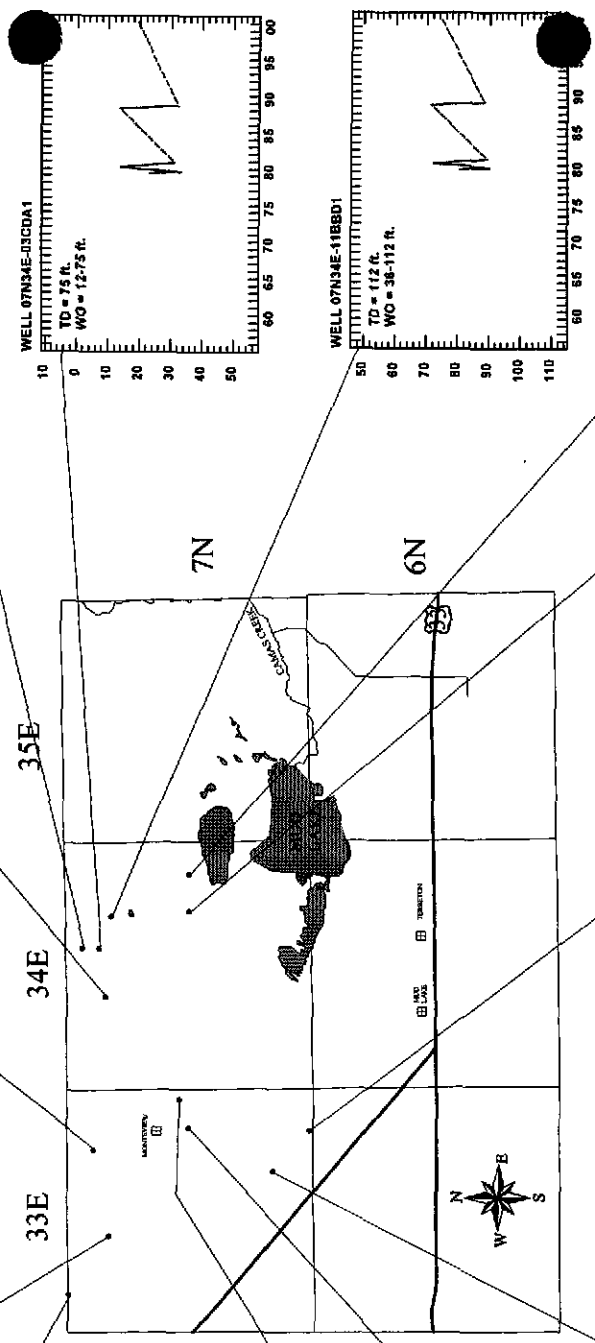




GROUND WATER HYDROGRAPHS

LEGEND

- TD: TOTAL DEPTH
- WO: WELL OPENINGS INTERVAL AT WHICH THE WELL IS PERFORATED
- OR: OPEN TO THE AQUIFER
- LT: LEFT SIDE: DEPTH TO WATER
- BASE: YEAR
- ALL MEASUREMENTS IN FEET
- CURRENT TO SPRING 2001
- WELL LOCATION



MEMORANDUM

TO: Bob Sutter
Hydrology Section

FROM: Pam Skaggs *PS*
Water Permits Section

SUBJECT: Applications for Transfer 69360 & 69414

DATE: November 1, 2001

=====

=

These transfer applications by Neal & Ray Sauer propose changing the points of diversion under these rights to create two separate, but adjacent systems. Rights under both transfers currently divert water from two (2) wells located in the NESE, S05, T07N, R34E. These wells will no longer be used to reduce conveyance losses in the Mitchell ditch. (See attached map.) These same rights also share wells located in SWNESE, S13, T07N, R33E & SENWSW, S18, T07N, R34E that will be removed from the system under Transfer 69360 and retained as part of the system under Transfer 69414.

Three (3) wells will be used by all rights under Transfer 69360 located in NENESW, S19, T07N, R33E, and NENESW & NWSE, S24, T07N, R34E on the irrigated place of use.

Two (2) wells currently used under some of the rights, located in SWNESE, S13, T07N, R33E & SENWSW, S18, T07N, R34E, will continue to be used by all rights under Transfer 69414, along with an additional well located in NESE, S18, T07N, R34E.

Norm Young has requested a ground water level review of the wells involved and any adverse impacts from the proposed changes. Please review the attached applications and then provide your comments and recommendations regarding these transfers.

(Original Transfer & Water Right Files located in my office, Drawer 1, HOLD.)

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OCT 07 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

9-18-01
69414

INITIAL REVIEW BY: KCW

1. Right number 31-1608/1618/4011 Applicant Ray Sauer
31-7131

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 ACRES REMAIN THE SAME

COMBINED RATE = 0.02 cfs/ac = 7.84 cfs

j. ☒ Check for existing water rights from same source, on land water is being transferred to. (SURFACE WATER 31-2136)

Right number(s) NONE

k. ☒ Is use within a Watermaster District? ☐ Yes ☒ No (NOTE! GROUND WATER MEASUREMENT DIRECTLY)

If yes, what district? _____

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 See HWS memo 10-17-01.

1. ☒ Approve

2. ☐ Deny

3. Conditions* WATER MEASUREMENT

4. By ROC Date 10/17/01

*All uses within Watermaster District require special conditions

69414

For info only

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 31-2299

Priority Date: 01/04/1951
Origin: Adjudication Recommendation
Basis: License
Status: Active

GROUND WATER

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01 10/31	3.14 CFS	770.0 AFA	✓
Total Diversion		3.14 CFS	770.0 AFA	

Source and Point(s) of Diversion:

Source	Tw	Range	Section	1/4 of 1/4 of 1/4	Lot	County
GROUND WATER	07N	34E	5	NESE		JEFFERSON
GROUND WATER	07N	33E	13	SWNESE		JEFFERSON
GROUND WATER	07N	34E	5	NENESE		JEFFERSON
GROUND WATER	07N	34E	18	SENWSW	3	JEFFERSON

← Pam, remove this P.D. from data base

PLACE OF USE: IRRIGATION

Tw	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	33E	13	38.0	38.0	38.0	38.0					38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.0	456.0

Total Acres: 456 * 220 Acres

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NO. (31-02415) IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF (456 ACRES) IN A SINGLE IRRIGATION SEASON.
- THIS RIGHT IS LIMITED TO THE IRRIGATION OF (220 ACRES) WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
- USE OF THIS RIGHT WITH RIGHT NO. 31-02415 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF (1596 AF.)
- RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF (21.15 CFS) AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF (7350 AF.)

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-2299

5. THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 12.00 CFS.
6. 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.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

For info only

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 31-2415

Priority Date: 12/26/1964

Origin: Adjudication Recommendation

Basis: License

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 11/01	2.55 CFS		
	Total Diversion	2.55 CFS		

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	07N	34E	18	SENWSW	3	JEFFERSON
GROUND WATER	07N	34E	5	NENESE	3	JEFFERSON
GROUND WATER	07N	34E	5	NESE	3	JEFFERSON
GROUND WATER	07N	33E	13	SWNESE	3	JEFFERSON

P.A.M., remove this
P.D. from data base

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
07N	33E	13	38.0	38.0	38.0	38.0					38.0	38.0	38.0	38.0	38.0	38.0	38.0	38.0	456.0

Total Acres: 456

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 31-02299 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 456 ACRES IN A SINGLE IRRIGATION SEASON.
2. USE OF THIS RIGHT WITH RIGHT NO. 31-02299 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1596 AF.
3. RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 21.15 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7350 AF.
4. THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 12.00 CFS.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-2415

5. 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.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

For info only

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 31-7320

Priority Date: 12/18/1984

Origin: Adjudication Recommendation

Basis: License

Status: Active

GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15 10/15	5.12 CFS	896.0 AFA	
	Total Diversion	5.12 CFS	896.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	07N	34E	5	NESE		JEFFERSON
GROUND WATER	07N	34E	18	SENWSW	3	JEFFERSON
GROUND WATER	07N	34E	5	NENESE	3	JEFFERSON

Pat, remove this
P.D. from data base

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	
07N	34E	18	32.0	32.0	32.0	32.0					32.0	32.0	32.0	32.0					256.0
											L3	L4							

Total Acres: 256

Conditions/Remarks:

1. THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.
2. RIGHT NOS. 31-00160A, 31-00160B, 31-00161A, 31-00161B, 31-02299, 31-02415, 31-04011B, 31-04011C, 31-04012, 31-07131, 31-07320 AND 31-10652 ARE LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 21.15 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7350 AF.
3. THE TOTAL COMBINED RATE OF DIVERSION FOR THE TWO WELLS LOCATED IN T07N, R34E, S05, NESE IS LIMITED TO 12.00 CFS.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 31-7320

4. 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.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

ACTION REQUIRED

10-17-01

FROM: H.W. JONES

TO: Tr. files #69414 + #69360

NORM YOUNG asked that there transf. changes of point of diversion go through hydrology to make sure the change of location of wells is not obviously adverse to others in the Sauer Farm area.

H.W. Jones

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
County of Jefferson) SS

I, Terry Carr of The Jefferson Star,
published weekly at Rigby, Jefferson
County, Idaho, do solemnly swear that the

Notice of Proposed Change
of Water Right
Transfer No 69414

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in
any supplement issue thereof for 2
consecutive issues, the first publication
having been made on 10-3-01
and the last publication having been made
on 10-10-01

Further, that said newspaper is one of gen-
eral circulation in said county; that it is a
legal newspaper, conforming to legal
specifications under the Idaho Statutes;
that it has at least two hundred bona fide
subscribers living within the county of
publication; and that it has been continu-
ously and uninterruptedly published in
said county during a period of seventy
eight consecutive weeks prior to the first
publication of the said notice.

Terry Carr

On this 10th day of Oct
in the year of 2001, before me, a Notary
Public, personally appeared

Terry Carr

known or identified to me to be the person
whose name subscribed to the within
instrument and being by me first duly
sworn, declared that the statements there-
in are: true, and acknowledged to me that
she executed the same.

Crystal Torres
Notary Public of Idaho
Residing at 1032 N 1100 E, Shelley, ID

My commission expires March 8, 2005

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 69414

RAY SAUER, HC 63 BOX 2130, MONTEVIEW ID 83435, has filed Application
No. 69414 for changes to the following water rights within JEFFERSON
County:

Right No. 31-4011C
Priority 9/1/1956
Source GROUND WATER
Use IRRIGATION (392 acres) 1.75 CFS
Total Amount 1.75 CFS
Point(s) of Diversion SWNESE S13 T07N R33E
NESE S5 T07N R34E
NESE S5 T07N R34E
L3 SENWSW S 18 T07N R34E

Place of Use S17 T07N R34E
S 18 T07N R34E

Right No. 31 - 160B
Priority 4/1/1936
Source GROUND WATER
Use IRRIGATION (392 acres) 0.75 CFS 136.5 AFA
Total Amount 0.75 CFS 136.5 AFA
Point(s) of Diversion NENESE S5 T07N R34E
Place of Use S 17 T07N R34E
S 18 T07N R34E

Right No. 31-161B
Priority 4/1/1936
Source GROUND WATER
Use IRRIGATION (392 acres) 2.03 CFS 406.0 AFA
Total Amount 2.03 CFS 406.0 AFA
Point(s) of Diversion NENESE S5 T07N R34E
Place of Use S17 T07N R34E
S 18 T07N R34E

Right No. 31 - 7131
Priority 7/30/1974
Source GROUND WATER
Use IRRIGATION (392 acres) 4.82 CFS
Total Amount 4.82 CFS
Point(s) of Diversion NENESE S5 T07N R34E
Place of Use S17 T07N R34E
S 18 T07N R34E

The purpose of the transfer is to change a portion of the above rights
as follows:

The applicant is deleting the wells in the NESE SEC 5 and will add a well
to his system in NESE SEC 18 T07N R34E.

Protests may be submitted based on the criteria of Sec 42-222, Idaho
Code.

Any protest against the proposed change must be filed with the
Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A,
Idaho Falls ID 83402 together with a protest fee of \$25.00 for each appli-
cation on or before October 22, 2001. The protestant must also send a
copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Jefferson Star, Rigby, Idaho, Oct. 3 and 10, 2001.

RECEIVED

OCT 11 2001

Department of Water Resources
Eastern Region

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OCT 07 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 26, 2001

RAY SAUER
HC 63 BOX 2130
MONTEVIEW ID 83435

RE: Application for Transfer No 69414
Water Right No(s) 31-4011C 31-160B 31-161B 31-7131

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Jefferson Star on October 3 and 10, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W Jones
Water Right Supervisor

HWJ:sc

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OCT 07 2003



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

September 26, 2001

KARL J. DREHER
DIRECTOR

Legal Notice Department
JEFFERSON COUNTY STAR
PO BOX 37
RIGBY ID 83442

RE: Transfer No. 69414

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before October 22, 2001. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

*mailed
9/26/01
SC*

MICROFILMED

OCT 8 7 2003

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69414

RAY SAUER, HC 63 BOX 2130, MONTEVIEW ID 83435, has filed Application No. 69414 for changes to the following water rights within JEFFERSON County:

Right No. 31-4011C

Priority 9/1/1956

Source GROUND WATER

Use IRRIGATION (392 acres) 1.75 CFS

Total Amount 1.75 CFS

Point(s) of Diversion SWNESE S13 T07N R33E
NESE S5 T07N R34E
NENESE S5 T07N R34E
L3 SENWSW S18 T07N R34E

Place of Use S17 T07N R34E
S18 T07N R34E

Right No. 31-160B

Priority 4/1/1936

Source GROUND WATER

Use IRRIGATION (392 acres) 0.75 CFS 136.5 AFA

Total Amount 0.75 CFS 136.5 AFA

Point(s) of Diversion NENESE S5 T07N R34E

Place of Use S17 T07N R34E
S18 T07N R34E

Right No. 31-161B

Priority 4/1/1936

Source GROUND WATER

Use IRRIGATION (392 acres) 2.03 CFS 406.0 AFA

Total Amount 2.03 CFS 406.0 AFA

Point(s) of Diversion NENESE S5 T07N R34E

Place of Use S17 T07N R34E
S18 T07N R34E

Right No. 31-7131

Priority 7/30/1974

Source GROUND WATER

Use IRRIGATION (392 acres) 4.82 CFS

Total Amount 4.82 CFS

Point(s) of Diversion NENESE S5 T07N R34E

Place of Use S17 T07N R34E
S18 T07N R34E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant is deleting the wells in the NESE SEC 5 and will add a well to his system in NESE SEC 18 T07N R34E.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

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Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before October 22, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on October 3 and 10, 2001

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