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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED**TRANSFER OF WATER RIGHT*****AMENDED***

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

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
31-4011C	WR/Decreed	09/01/1956	1.75 cfs	742.8 af	N/A	392.0	GROUND WATER
31-160B	WR/Decreed	04/01/1936	0.75 cfs	136.5 af	39.0	392.0	GROUND WATER
31-161B	WR/Decreed	04/01/1936	2.03 cfs	406.0 af	116.0	392.0	GROUND WATER
31-7131	WR/Decreed	07/30/1974	4.82 cfs	N/A	N/A	392.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

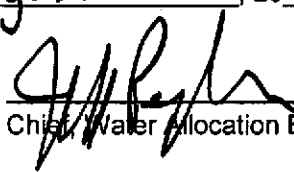
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
31-4011C	NO	NO	NO	YES	NO	NO
31-160B	NO	NO	NO	YES	NO	NO
31-161B	NO	NO	NO	YES	NO	NO
31-7131	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
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		5.17 cfs	1372.0 af	N/A	392.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14 day of August, 2003

For 
Chief, Water Allocation Bureau

MICROFILMED
AUG 20 2003

MICROFILMED
AUG 20 2002

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 5.17 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 16.32 cfs
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 26.90 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 16.32 cfs.
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 14 day of August, 2003

For  Chief, Water Allocation Bureau

MICROFILMED
AUG 20 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

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	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

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. Right 31-161B is limited to the irrigation of 116.0 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.

MICROFILMED
 AUG 20 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 5.17 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 16.32 cfs.
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 26.90 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 16.32 cfs.
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 14 day of August, 2003

For 
Chief, Water Allocation Bureau

MICROFILMED
AUG 20 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	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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2003

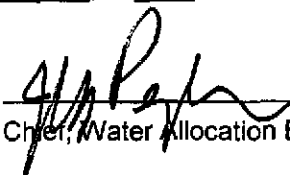
WATER RIGHT NO. 31-4011C
As Modified by Transfer No. 69414

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 5.17 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 16.32 cfs.
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 26.90 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 16.32 cfs.
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 14 day of August, 2003

For  _____
Chief, Water Allocation Bureau

MICROFILMED
AUG 20 2003

MICROFILMED
AUG 20 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 5.17 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 16.32 cfs.
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 26.90 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 16.32 cfs.
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 14 day of August, 2003



Chief, Water Allocation Bureau

MICROFILMED

AUG 20 2003

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, [REDACTED]
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

MICROFILMED

AUG 20 2003

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA)
Case No. 39576)

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

2003 MAY 9 PM 2 26

Water Right 31-00161B

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

SOURCE: GROUND WATER

QUANTITY: 2.03 CFS
406.00 AFY

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 7350 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	2.03 CFS 406.00 AFY

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 116 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

MEMORANDUM

TO: FILE 31-161 B
FROM: VAULT
RE: TRANSFER # 69414 (AMENDED)
DATE: 8.14.03

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**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 31-160B

MICROFILMED

AUG 20 2003