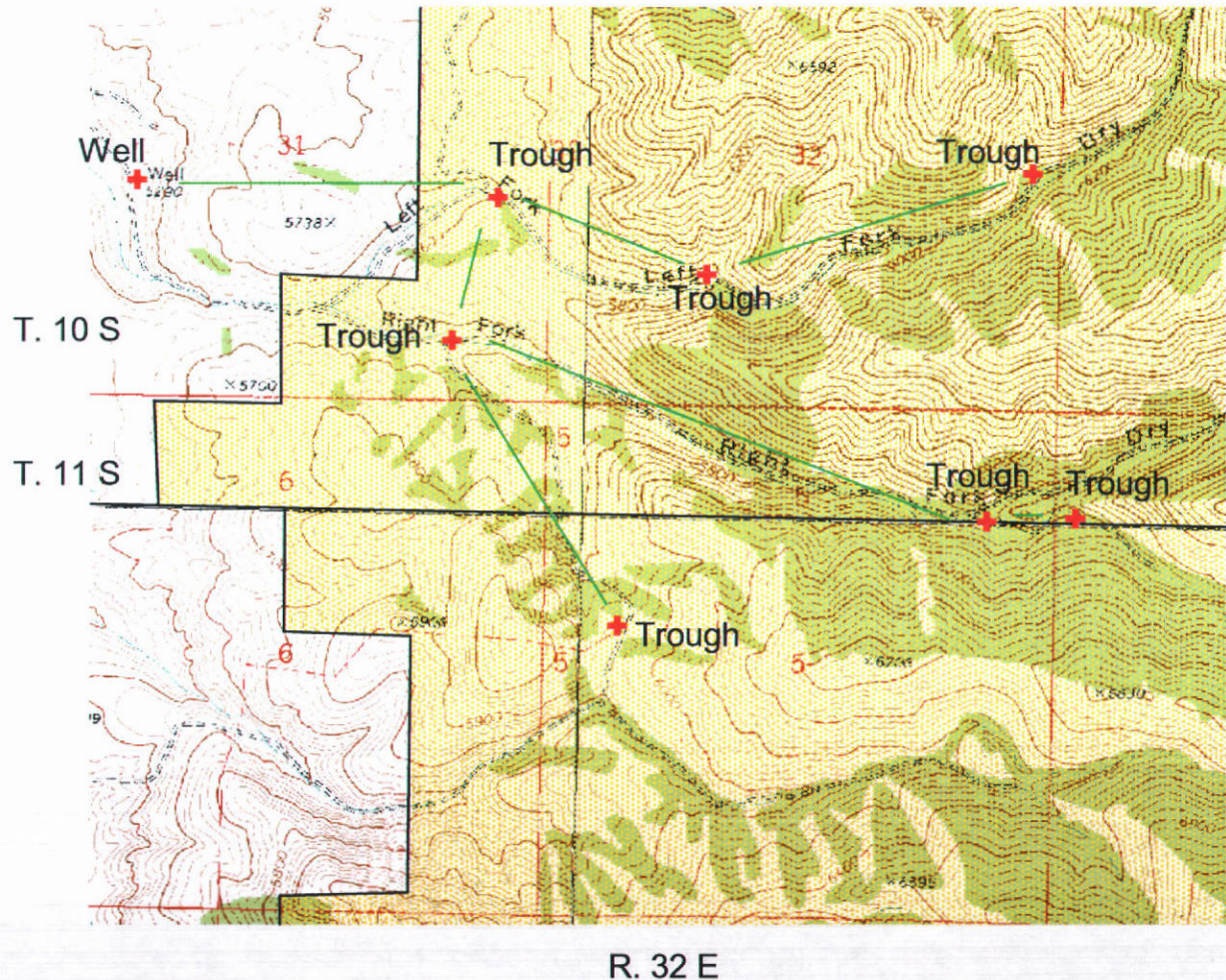


T # 5669

A41- 02036 (4102588008)



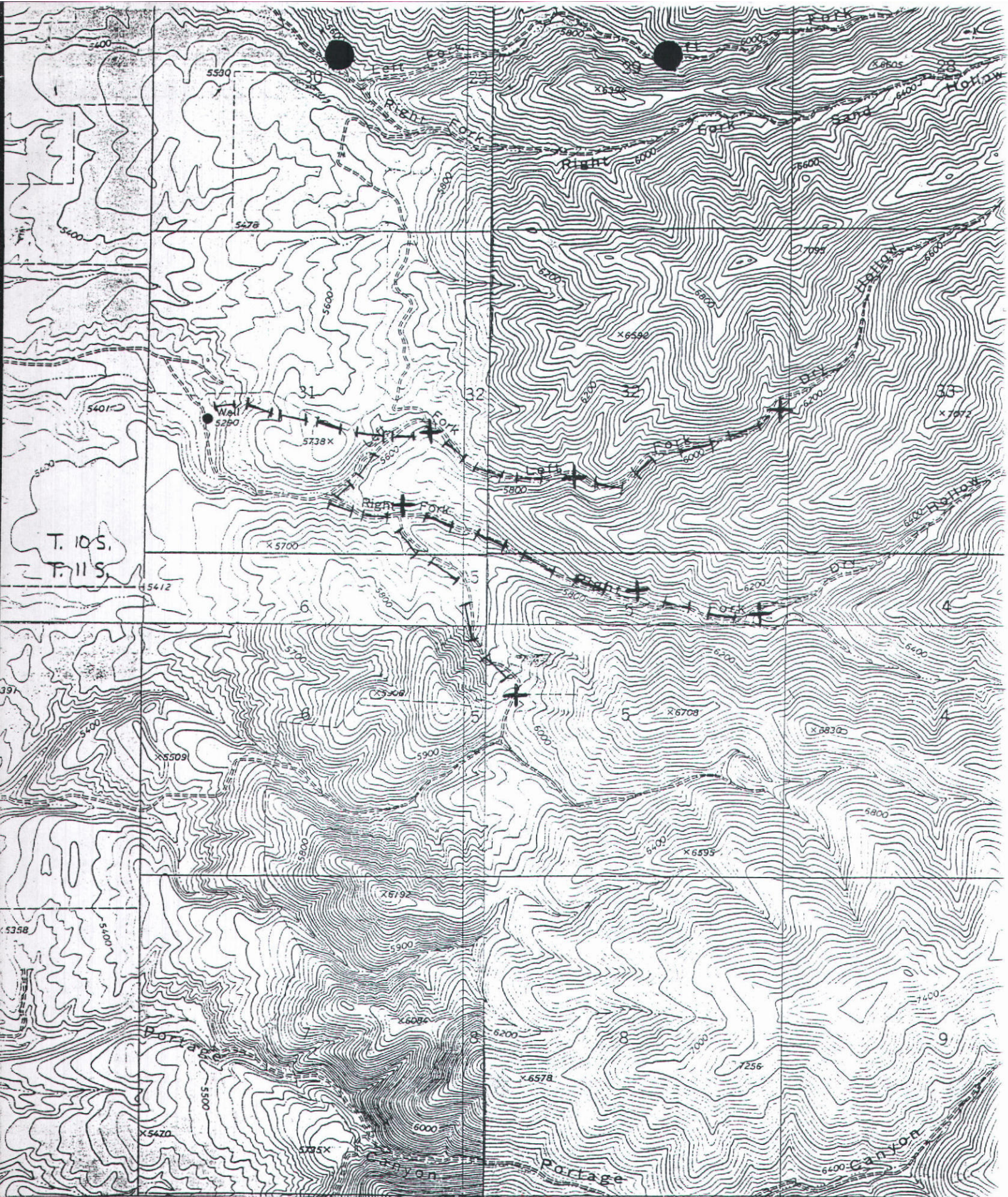
- ✚ Point Determined by GPS
- Digitized Pipeline (Not Actual Route)
- Surface Ownership
 - BLM
 - DOI
 - MIL
 - NPS
 - PRIVATE
 - STATE
 - USFS
 - USFWS
 - WATER

No warranty is made by the Bureau of Land Management for use of the data for purposes not intended by the BLM.



1:24000

Pg 5 of 6



R. 31E R. 32E

A41-02036

MICROFILMED

T#5516

● = POD - (GPSed)

POU = + = (Not GPSed) 9 1999

—|—|— = Pipeline

T5516

F *E* *d* *D*

(15-17) 0

The map shows a coastal area with a grid of elevation points and contour lines. The map is oriented with North at the top. A prominent water body is on the left, with a narrow channel or spit extending from the right. The map is divided into sections labeled 'Sec 1' and 'Sec 2'. Elevation points are marked with numbers and coordinates. Contour lines are drawn at 80-foot intervals. The map includes a scale bar at the top and a north arrow.

Section 1 (Sec 1) Data:

Point	Elevation	Coordinates
1	40.90	80°22' N, 40°37' W
2	40.41	80°22' N, 40°41' W
3	40.46	80°22' N, 40°46' W
4	40.50	80°22' N, 40°50' W
5	40.56	80°22' N, 40°56' W
6	40.60	80°22' N, 40°60' W
7	40.66	80°22' N, 40°66' W
8	40.61	80°22' N, 40°61' W
9	40.47	80°22' N, 40°47' W
10	40.33	80°22' N, 40°33' W
11	40.19	80°22' N, 40°19' W
12	40.18	80°22' N, 40°18' W
13	40.30	80°22' N, 40°30' W
14	40.42	80°22' N, 40°42' W
15	40.54	80°22' N, 40°54' W

Section 2 (Sec 2) Data:

Point	Elevation	Coordinates
1	41.38	80°11' N, 41°38' W
2	41.12	80°11' N, 41°12' W
3	41.06	80°11' N, 41°06' W
4	40.96	80°11' N, 40°96' W
5	40.85	80°11' N, 40°85' W
6	40.76	80°11' N, 40°76' W
7	40.66	80°11' N, 40°66' W
8	40.56	80°11' N, 40°56' W
9	40.46	80°11' N, 40°46' W
10	40.37	80°11' N, 40°37' W
11	40.28	80°11' N, 40°28' W
12	40.19	80°11' N, 40°19' W
13	40.10	80°11' N, 40°10' W
14	40.06	80°11' N, 40°06' W
15	40.00	80°11' N, 40°00' W

Other Features:

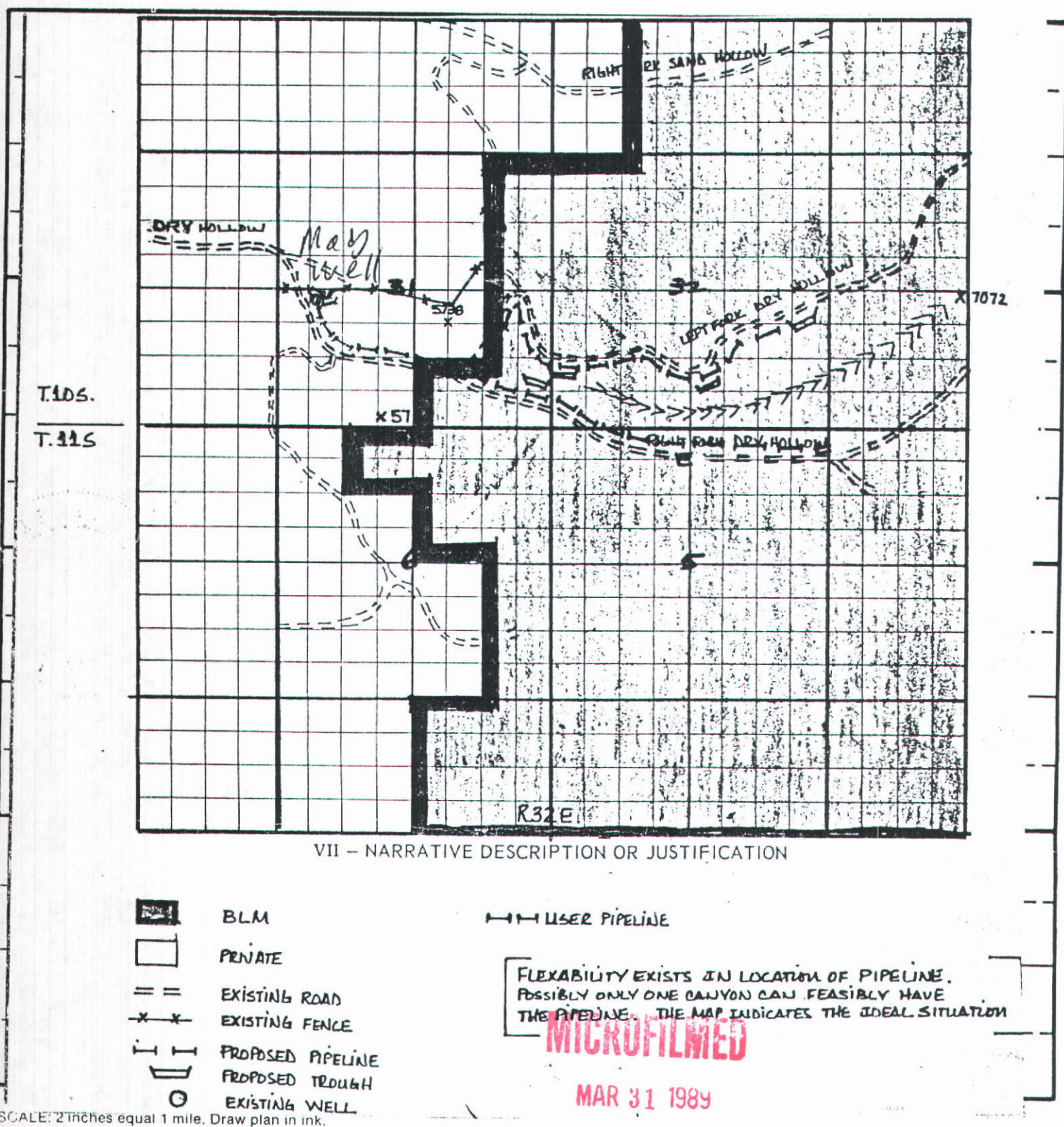
- Contour Lines:** 80-foot intervals.
- Water Body:** Located on the left side of the map.
- Spit/Channel:** A narrow land feature extending from the right side into the water body.
- Section Labels:** 'Sec 1' and 'Sec 2' are labeled on the map.
- Coordinates:** Various coordinates are marked along the edges and within the map.

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10 S	32 E	31										SS							
		32										S,W						S,W	
11 S	32 E	5	S,W				S,W												

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. NONE
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



TRANSFER REVIEW SHEET

(10-99)

Transfer # 5669

Date Reviewed 05-06-2000
38

Right(s) R41-02036 - updated per "X" record of previous transfer & additional conditions.

☒ WRQ/Split Summary ☒ SRBA Status NA Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other ☒ H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership BLM - SRBA

Transfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right:

Standard Season NA to NA Standard Volume NA /

(1) ☒ Priority (2) ☒ Use (3) ☒ Season/W61 (4) ☒ Rate (5) ☒ Volume
(6) ☒ Source (7) ☐ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map
(11) NA Water District (12) Yes Pertinent Conditions (13) NO Expansion

(7) Define to 10 acre tract Lot 3 (NENWSW) S31, 10 S, 32E
(8) Add additional QDs

Transfer Remarks W62 P/U BLM Record # 4102588008

Conditions T19, R37, T07, T08

Database/Processing Notes Standard ☐ Non-Standard ☒

Copy to an "X" prefix on W62 database. Delete existing "X". Delete T

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☐

Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

38 05-08-2000

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 22nd day of March 2000 and the date of the last publication being the 29th day of March 2000.

Signed

Brett Crompton

State of Idaho

County of Power

On this 29th day of March in the year of 2000, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Holly Morris

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: January 21, 2003

RECEIVED

APR 03 2000

Department of Water Resources
Southern Region

Proposed changes to a water right

Published in The Power County Press
March 22, 29, 2000.

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that an application has been filed by USDI-BLM, 15 E 200 S: BURLEY ID 83318 with the Department of Water Resources for changes to a water right as described below.

Transfer No. 5669 requests to refine points of diversion and place of use for Right No. 41-02036 (0.02 cfs) recorded with priority date of 02/05/1959 from ground water within Lot 3 (NWSW), S31, T10S, R32E for stockwater use within Sections 31 & 32, T10S, R32E and S05, T11S, R32E. The applicant proposes to divert 0.02 cfs from an existing well within Lot 3 (NENWSW), S31, T10S, R32E (also known as the May well) for year round stockwater use within Sections 31 & 32, T10S, R32E and Sections 4 & 5, T11S, R32E; all Power County.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200, Twin Falls ID 83301 together with a protest fee of \$25.00 on or before April 10, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

OK
MB
4/7/00

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5669
WATER RIGHT NO. 41-02036

This is to certify that: **US BUREAU OF LAND MANAGEMENT**
15 E 200 S
BURLEY ID 83318

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	4.7 AF

SOURCE

GROUNDWATER

Priority: 02/05/1959

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (NENWSW), Sec. 31, Township 10S, Range 32E
POWER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10S 32E	31	NESE	SESE
	32	NESW	NESE
11S 32E	4	Lot 4 (NWNW)	
	5	Lot 1 (NENE)	SWNW

CONDITIONS OF APPROVAL AND REMARKS

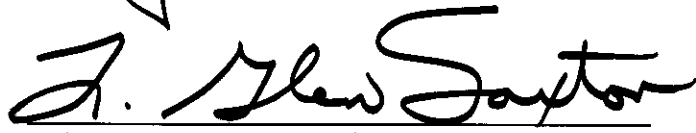
1. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
2. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

TRANSFER NO. 5669
WATER RIGHT NO. 41-02036

CONDITIONS OF APPROVAL AND REMARKS

4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
6. Place of use is also identified as BLM Record ID 4102588008.

Dated this 8th day of May, 2000.


Chief, Water Allocation Bureau

MAY 3 1999

Page 1 of 6
RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Transfer No. 5669

MAY 5 - 2000 APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Name of applicant U.S. Bureau of Land Management Phone (208) 677-6626
Post Office address 15 East 200 South, Burley, ID 83918

A. PURPOSE OF TRANSFER

1. ☒ ^{Refine} ~~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 To more accurately describe the location of the POD and POUs.

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

1. Right Number 41-02036 Priority February 5, 1959 Amount (cfs/ac-ft) 0.02 Nature of Use stockwater Period of Use 01/01 to 12/31
2. Total amount of water being transferred 0.02 cubic feet per second and/or 4.7 acre-feet per annum
3. Source of water groundwater tributary to _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>31</u>	<u>10S</u>	<u>32E</u>	<u>Power</u>	<u>- May Well</u>

5. Lands irrigated or place of use:

Twp.	Rge.	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	
<u>10S</u>	<u>32E</u>	<u>31</u>													<u>5</u>			<u>5</u>	
<u>10S</u>	<u>32E</u>	<u>32</u>									<u>5</u>				<u>5</u>				
<u>11S</u>	<u>32E</u>	<u>5</u>							<u>5</u>										
<u>11S</u>	<u>32E</u>	<u>4</u>						<u>5</u>											

(T5669)

Total acres _____

PART 1

6. General Information:

a. Description of diversion system well, pump, pipeline, and troughs.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED
 NOV 23 1999
 Department of Water Resource
 Southern Region

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 41-02036 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:☐ Tax Notice☐ Warranty Deed☒ Other Public Land**3. Source of water** groundwater tributary to _____**4. Date or priority** February 5, 1959**5. Water is used for the following purpose:**

amount 0.02 for stockwater purposes from 01/01 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.02 cubic feet per second and/or 4.7 acre-feet per annum.**7. Point(s) of Diversion:**

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>		<u>NW</u>	<u>SW</u>	<u>31</u>	<u>10S</u>	<u>32E</u>	<u>Power</u>	<u>May Well</u>

8. Lands irrigated or place of use:

Twp.	Rge.	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	
<u>10S</u>	<u>32E</u>	<u>31</u>													<u>S</u>			<u>S</u>	
<u>10S</u>	<u>32E</u>	<u>32</u>												<u>S</u>	<u>S</u>				
<u>11S</u>	<u>32E</u>	<u>5</u>	<u>Lot 1</u>	<u>Lot 2</u>					<u>S</u>										

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

PART 2

TRANS NO. T#5669

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 41-02036

STAGE: LICENSE

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
STOCKWATER	01/01 to 12/31	0.02 CFS

SOURCE

GROUNDWATER

Priority: 02/05/1959

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NWSW), Sec. 31, Township 10S, Range 32E
POWER County

PLACE OF USE:

STOCKWATER

				NE				NW				SW				SE															
				NENE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SENW					NESW	NWSW	SWSW	SESW					NESE	NWSE	SWSE	SESE
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10S	32E	31	:																												
10S	32E	32	:																												
11S	32E	5	:	S								S																			

CONDITIONS/REMARKS:

1. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. BLM RECORD ID = 4102588008
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? ____ If yes, describe:

Page _____ of _____

TRANS NO.

T # **5669**

Claim No. 41-02036

Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

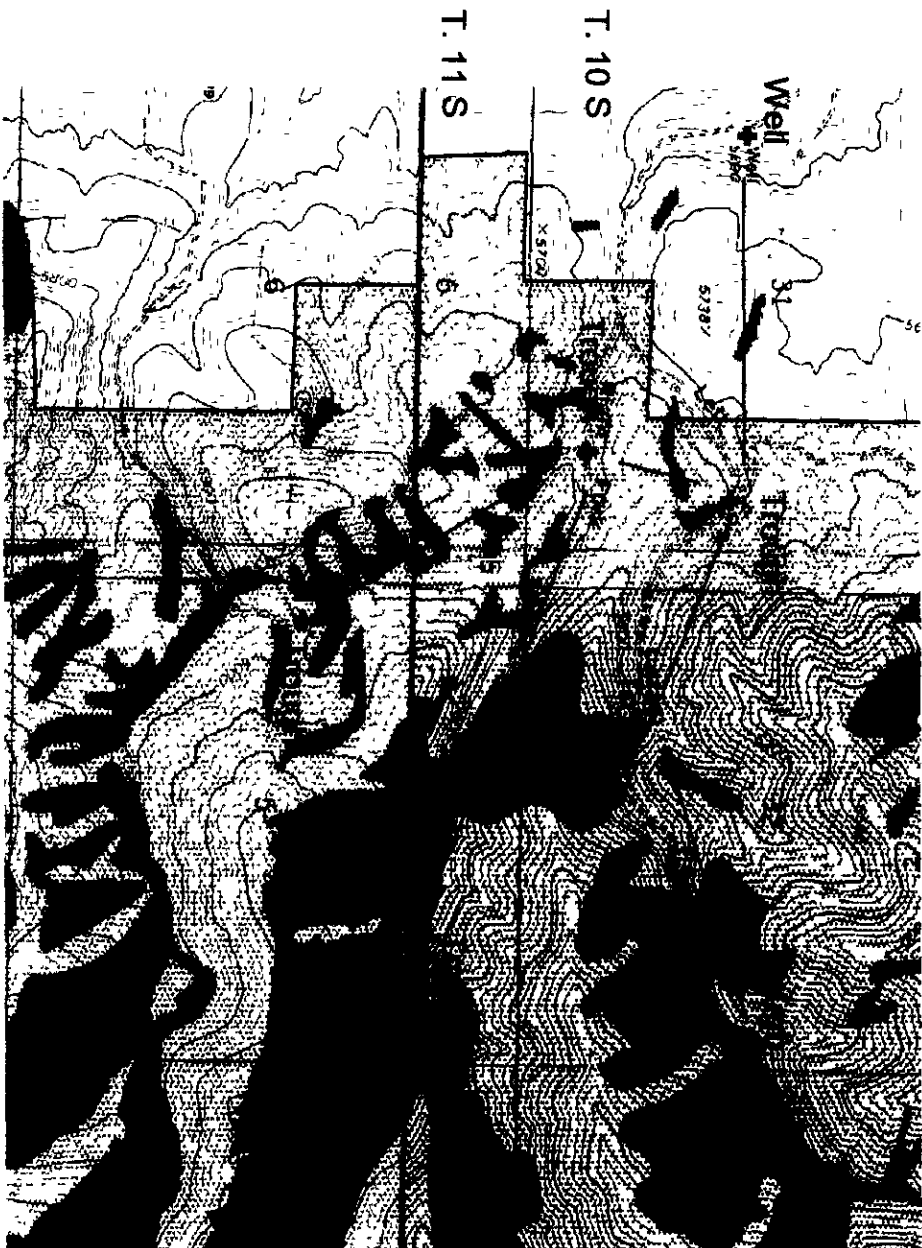
T#5669

A41-02036 (4102588008)

Pg 5 of 6

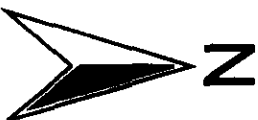
1:24000

R. 32 E



- + Point Determined by GPS
- Digitized Pipeline (Not Actual Route)
- Surface Ownership
- BIA
- BLM
- DOI
- NIL
- NPS
- PRIVATE
- STATE
- USFS
- USFWS
- WATER

No warranty is made by the
Bureau of Land Management
for use of the data for purposes
not intended by the BLM.



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-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.

Subscribed and sworn to before me this 17th day of November, 19 99.

(Signature of Applicant)

Steven R. Davis, Hydrologist

(Notary Public)

Nancy Bonner

My commission expires

3-4-2004

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachmentsReceived by J F. Stanton Date 11-23-99Protest filed by NonePrelim. check by JF Fee \$100, \$022682Receipted by JP Date 11-23-99Published in Power Co. Press

Copies of protest forwarded by _____

Pub. dates 3/20 & 3/29/00

Hearing held by _____ Date _____

Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denial

_____ rec'd. _____

by AD

Copy of transfer sent to lien holder _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5516
WATER RIGHT NO. 41-02036

This is to certify that: **US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	4.7 AF

SOURCE

GROUNDWATER

Priority: 02/05/1959

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (NWSW), Sec. 31, Township 10S, Range 32E
POWER County

PLACE OF USE: STOCKWATER

TWN RGE SEC

10S 32E	31	NESE	SESE
	32	SESW	NESE
11S 32E	5	Lot 1 (NENE)	Lot 2 (NWNE) SNNW

CONDITIONS OF APPROVAL AND REMARKS

1. This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

MICROFILMED

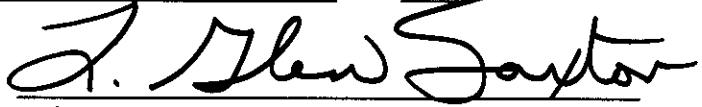
DEC 29 1999

TRANSFER NO. 5516
WATER RIGHT NO. 41-02036

CONDITIONS OF APPROVAL AND REMARKS

4. The quantity of water decreed for this water right is not a determination of historical beneficial use, and shall not exceed 13,000 gallons per day.
5. The place of use is also identified as BLM Record ID 4102588008.

Dated this 9th day of November, 1999


Chief, Water Allocation Bureau

MICROFILMED

DEC 29 1999

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTrans 5516 RECEIVEDRECEIVED
JUN 14 1999

APPLICATION FOR TRANSFER OF WATER RIGHT NOV 5 1999

PART 1

Department of Water Resources

Name of Applicant U.S. Bureau of Land Management
Department of Water ResourcesPost Office address 15 East 200 South, Burley, ID 83318 Phone (208) 677-6626

A. PURPOSE OF TRANSFER

1. ☒ ^{Refine} 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 To more accurately show the location of the POD and POU's. Add one POU to more equally distribute livestock use in the area.

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

1. Right Number 41-02036 Priority February 5, 1959 Amount (cfs/ac-ft) 0.02 CFS Nature of Use stockwater Period of Use 01/01 to 12/31
2. Total amount of water being transferred 0.02 CFS cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater (May Well) tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>3</u>		<u>NW</u>	<u>SW</u>	<u>31</u>	<u>10S</u>	<u>32E</u>	<u>Power</u>	<u>May Well</u>

5. Lands irrigated or place of use:

Twp.	Rge.	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	
<u>10S</u>	<u>32E</u>	<u>31</u>													<u>S</u>			<u>S</u>	
<u>10S</u>	<u>32E</u>	<u>32</u>												<u>S</u>	<u>S</u>				
<u>11S</u>	<u>32E</u>	<u>5</u>	<u>Lot 1</u>	<u>Lot 2</u>					<u>S</u>										

MICROFILMED
DEC 29 1999

Total acres _____

T 5516

PART 1

6. General Information:

a. Description of diversion system well, pump, pipeline, and troughs

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

Witness my hand this _____ day of _____, 19 _____.

MICROFILMED
DEC 29 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 41-02036 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other

Public Land

3. Source of water Groundwater (May Well) tributary to _____

4. Date or priority February 5, 1959

5. Water is used for the following purpose:

amount 0.02 for stockwater purposes from 01/01 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.02 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
03		NW	SW	31	105	32E	Power	* May Well

8. Lands irrigated or place of use:

Twp.	Rge.	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	
105	32E	31										S						S	
105	32E	32											S		S		S		
115	32E	5	S					S											

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DEC 29 1999

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

MICROFILMED
 DEC 29 1999

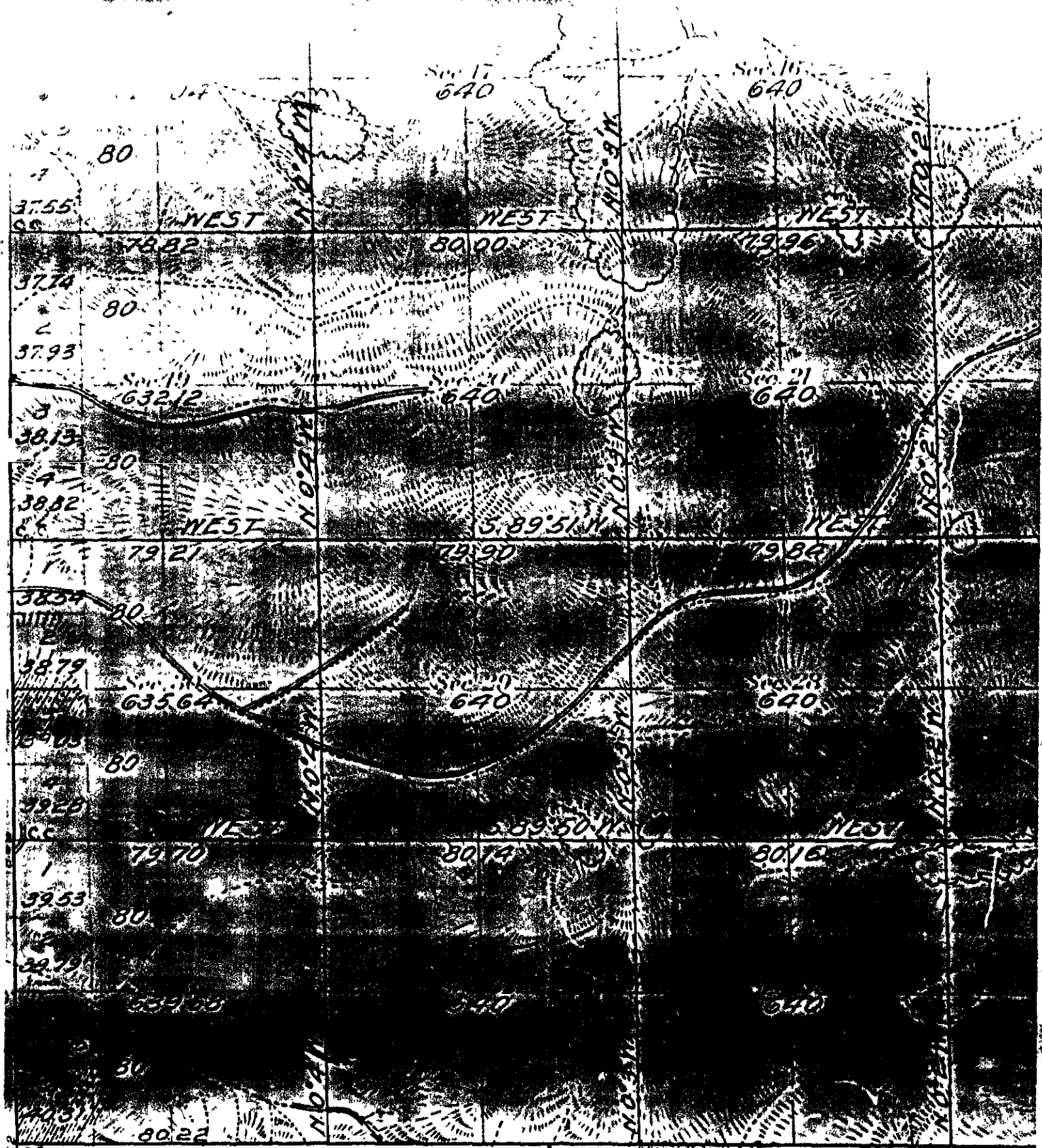
Total acres _____



DEC 29 195

T# 5516





17 16 21 20 28 29
 WEST EAST
 17 16 21 20 28 29
 WEST EAST

Survey Designation	By Whom Surveyed	No.	Date	Amount of Survey			When Begun
				Mls.	chs.	lks.	
Section Line Retr.	Fred H. Wardwell and James Spafford	13	Mar. 14, 1911.	5	72	62	July 15, 1911
Boundary Resur.	"	"	"	5	78	68	May 29, 1916

5516

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE ATTACHED MAPS

MICROFILMED
 DEC 29 1999

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-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.

Steven R. Davis, Hydrologist
(Signature of Applicant)

Subscribed and sworn to before me this 10th day of June, 19 99.

Dorothy Bonner
(Notary Public)

My commission expires 3-4-2004

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by P. SKINNER Date 6/14/99

Protest filed by None

Prelim. check by P. SKINNER Fee \$100.00 S022276

Receipted by P. SKINNER Date 6/14/99

Published in Paper Co. Press

Copies of protest forwarded by _____

Pub. dates 9/22 & 9/29/99

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd.

by AB

Copy of transfer sent to lien holder _____

MICROFILMED

BEC 29 1999

RECEIVED

APR 17 1986

APR 24 1986

Transfer No.

3259

Water Right No.

41 - 2031

41 - 2036

Department of Water Resources

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant Bureau of Land Management Phone (208) 678-5514Post Office address Route 3, Box 1 - Burley, Idaho 83318

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. D-1228, D-548 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water Groundwater tributary to _____4. Date of priority 6/20/47, 2/5/59

5. Water is used for the following purposes:

amount .0425 for Livestock purposes from 5/1 to 9/30
amount .01 for Wildlife purposes from 5/1 to 11/30
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. .0425 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31
Township 10 S. Range 32 E., B.M.; in Power County
Additional points of diversion, if any N/A

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10 S	32 E	31																	

Total number of acres to be irrigated _____

9. Describe any other water rights used for the same purpose as described above N/A10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? NO If yes, describe in item D, REMARKS.

B DESCRIPTION OF PORT OF RIGHT OWNED BY APPLICANT (If entire right is owned by the applicant, omit part B).

- 1 Amount of water. a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted .04 c.f.s. &/or _____ acre feet
- b. Description of diverting works Groundwater is pumped to surface storage and pumped from storage tank up two canyons.
- c. Describe the reasons for the proposed changes To improve livestock distribution and water availability to resident wildlife.

2. Change in point of diversion

Point of diversion None ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Change in place of use

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer None. Water will still be available at the original point of use.

MICROFILMED

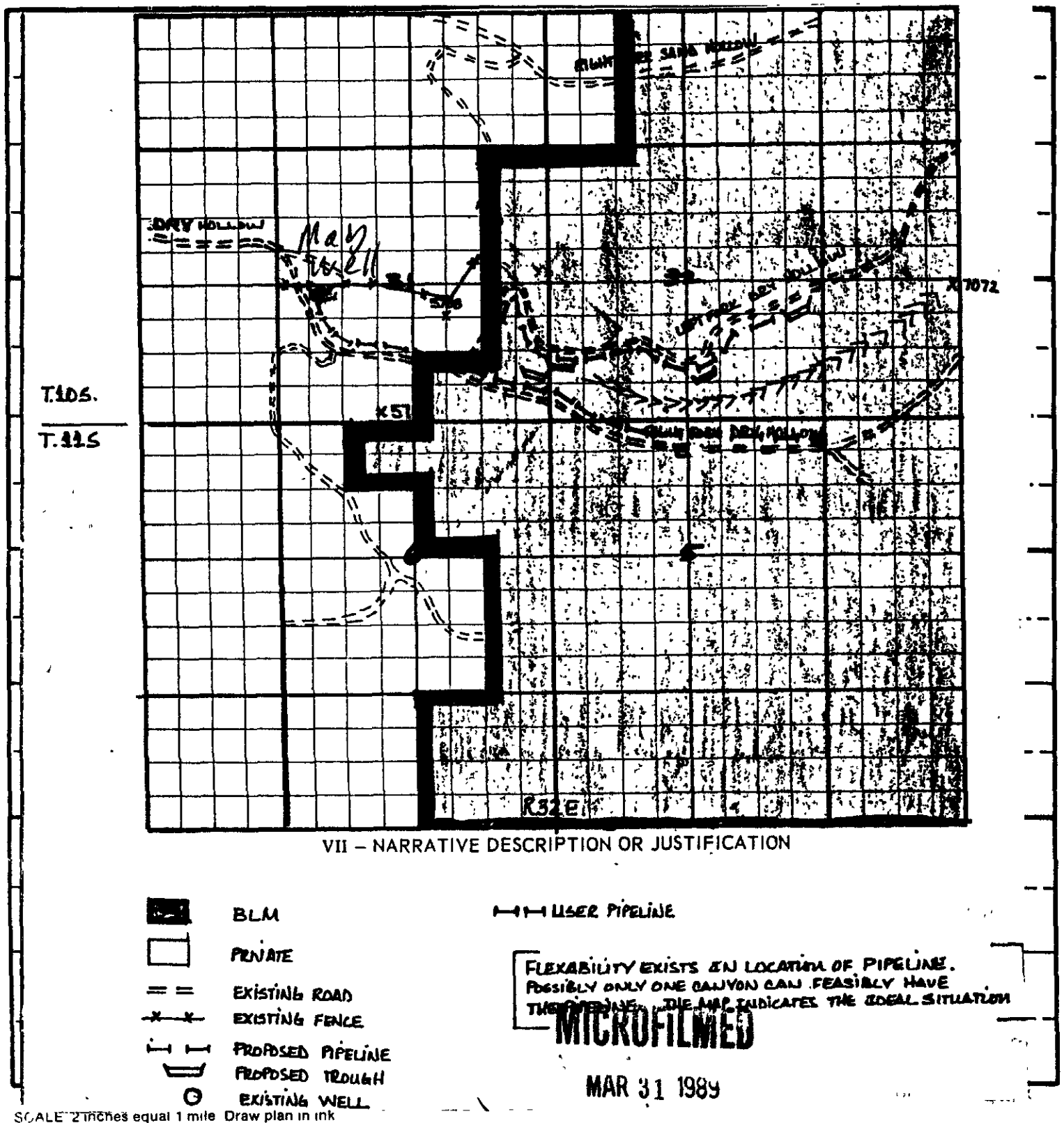
MAR 31 1989

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10 S	32 E	31											SS S,W						S,W
		32											S,W		S,W		S,W		
11 S	32 E	5	S,W				S,W												

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. NONE
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D. REMARKS

As Per 4/28/86 phone conv. with Mr. Christensen There is a max of 500 hd of cattle use this facility. The transfer will not water more cattle but will distribute the water more evenly in the pasture. The storage tank is approx 1000 gal TB

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 willfull misrepresentations made in this application may result in voiding its approval.

John R. Christensen - Deep Creek Area Manager

John R. Christensen
(Signature of Applicant)

Subscribed and sworn to before me this 31st day of March, 19 86.

Narothy Bonner
(Notary Public)

My commission expires 3-3-92

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 41-2031/2036 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 13th day of February, 19 89

A. Glen Saxton
Chief, Water Alloc. Bureau

Received by LS Date 4/17/86 3:54 PM Protest filed by None
Prelim. check by TB Fee 30.00 ID-910-BP6-0015
Receipted by 14 Date 8-18-86 #38925
Published in Banner Co press Copies of protest forwarded by _____
Pub. dates 5/21 + 5/28/86 Hearing held by _____ Date _____
Watermaster recommendation requested on 5/5/86 Recommended for approval denial
_____ rec'd. 5/22/86 by ADA Jim G'S

MICROFILMED

MAR 31 1989

P. O.

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO
FOR FARMSTEAD, DOMESTIC, OR STOCK WATERING PURPOSES

Application No. D. 1228

Permit No. D

District No.

1. Name of Applicant U. S. Department of the Interior, Bureau of Land Management
2. Post Office Address P. O. Box 460, Burley, Idaho
3. Quant. ty of water claimed .02 second feet 2-5-1959
(Not to exceed 0.1 second foot or 15 acre feet)
4. Source of water supply May Well
(Spring, well, unnamed stream, small lake, snow, or runoff)
5. Location of point of diversion N. 14° E. 2280 feet distant from the SW corner of Section 31,
Twp. 10 S., Rge. 32 E., B.M., and is in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, Twp. 10 S., Rge. 32 E., B.M.
in the County of Power 77
6. Location of point of use N. 14° E. 2280 feet distant from the SW corner of Section 31,
Twp. 10 S., Rge. 32 E., B.M., and in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec. 31, Twp. 10 S., Rge. 32 E.
7. Water to be used for Range livestock 1/1-12/31
8. Estimated cost of works \$531.00
9. Kind of works Drilled Pump Well
(Reservoir, dam, ditch, flume, pipe, etc.)
10. Size Six inch hole drilled to depth of 115 feet.
(Headgate, ditch, flume, pipe, etc.)
11. Time required to apply water to proposed use Completed in 1946
12. If reservoir is used, fill in the following in addition to the above questions:
- (a) Height of dam _____ feet: Length at top _____ feet.
- (b) Material from which dam is constructed _____
(earth, concrete, timber, rock)
- (c) The outlet of the proposed reservoir is located _____ feet from the _____ corner of
Section _____, Twp. _____, Rge. _____, B.M.

REMARKS:

This well project is equipped with motor, trough and pump. Located on land owned by J. E. Mays of Rockland, Idaho, who executed an easement to the Bureau of Land Management, June 3, 1946, that said project may be legally maintained. The East Fork Cattle Association contributed a share of the cost of the well and derive the benefits as users.

U. S. Department of the Interior
Applicant Bureau of Land Management

Agent.

District Manager

Twp 10 So. Rg. 32 E

MARCH 31

31 32 33

X well

Approval of State Reclamation Engineer

The number of this permit is D 1228

Recorded in Book 43 Page D 1228 Approved March 18, 1959

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Work to begin on or before Completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

Completion of Works and Beneficial Use of Water appropriated in accordance herewith, to be made on or before Completed

Witness my hand this 18th day of March, 19 59

Geo. H. Hunter
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE Governor of the State of Idaho, and ARNOLD WILLIAMS Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 18th day of March, 19 59.

Countersigned:

STATE OF IDAHO

By

Secretary of State.

By

Governor.

No. D <u>1228</u>	PERMIT
Date of first receipt at office of State Reclamation Engineer <u>Feb. 11, 1959</u>	
Returned to applicant for correction <u>Feb. 11, 1959</u>	
Corrected application received <u>Feb. 24, 1959</u>	
Fees \$ <u>1.00</u>	
STATE OF IDAHO LICENSE AND CERTIFICATE OF WATER RIGHT	
Water License No. D <u>1128</u>	
U. S. Dept. of Interior TO <u>Bureau of Land Management</u>	
Source of Supply <u>May Well</u>	
Amount <u>.02</u> Sec. Feet	
Place of Use <u>NW 1/4 Sec. 31, Twp. 10 So., Rge. 32 E.B.M.</u>	
Purpose <u>Range Livestock</u>	
Date of Priority <u>February 5, 1959</u>	
Recorded <u>March 20, 1959</u>	
In Book <u>4</u> of Licenses, Page <u>1228</u>	

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. D 1228 Priority February 5, 1959 Amount .02 Sec. Ft.
U. S. Dept. of Interior

This is to certify that Bureau of Land Management P. O. Box 460, Burley, Idaho made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of May Well under Use Permit No. D 1228, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume D 43 of Licenses, at page D 1228, on the 20th day of March, 19 59.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS THE SEAL and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 20th day of March, 19 59

Geo. H. Hunter
State Reclamation Engineer.

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

May 8, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

US BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318

RE: Water Right 41-02036 (Transfer 5669)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5669). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Pamela S. Skaggs
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

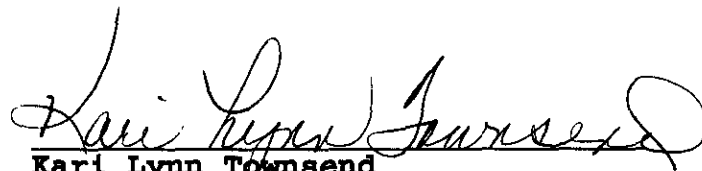
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 8th day of **May**, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 41-02036 (Transfer 5669)

**US BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318**


**Kari Lynn Townsend
Secretary**

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. **A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

CERTIFICATE OF SERVICE

All documents intended to be part of the Department record in connection with a preliminary order shall be served upon the representatives of each party of record. Every document filed with and intended to be part of the agency record must be attached to or accompanied by proof of service by the following or similar certificate.

I HEREBY CERTIFY (swear or affirm) that I have this day of _____, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy thereof in person: (list names)) (by mailing a copy thereof, properly addressed with postage prepaid, to: (list names)).
(Signature) _____

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case.

FINAL ORDER

The Department 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 Department 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.

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.

RIGHT TO HEARING

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department is otherwise provided by statute, any person aggrieved by any decision, determination, order, or action of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Department, who is aggrieved by a denial or conditional approval ordered by the Department, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Department to contest the denial or conditional approval upon filing with the Department, within fifteen (15) days after receipt of the denial or conditional approval, a written permission stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

If a preliminary order becomes final, any party aggrieved by the final order or orders previously issued in the 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 (a) a hearing was held, or (b) the final agency action was taken, or (c) the party seeking review of the order resides, or (d) 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. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Sections 67-5270 through 67-5273, Idaho Code.

TRANSFER REVIEW SHEET

(10-99)

Transfer # 54669

Date Reviewed 05-06-2000

Right(s) R41-02036 Updated per "X" record of previous transfer & additional conditions.

☒ WRQ/Split Summary ☒ SRBA Status NA Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other ☒ H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership BLM SRBA

Transfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right:

Standard Season NA to NA Standard Volume NA

(1) ☒ Priority (2) ☒ Use (3) ☒ Season/W61 (4) ☒ Rate (5) ☒ Volume
(6) ☒ Source (7) ☐ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map
(11) NA Water District (12) Yes Pertinent Conditions (13) NO Expansion

17. Define to include tract Lot 3 (NENWSW) S31, T6S, R3E
18. Add additional GAs

Transfer Remarks W62 P/U BLM Record # 410255608

Conditions T19, R37, T67, T68

Database/Processing Notes Standard ☐ Non-Standard ☒

Copy to new "X" prefix in WIZ database. Delete existing "X". ☒ Delete T ☒

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☐

Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

28 05-08-2000

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 05/06/00

TIME: 13:47:18

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
41-02036	US DEPT OF INTERIOR	C	02/05/1959	L/	GROUNDWATER	STOCK	WR
T41-02036	US BUREAU OF LAND MANAGEMENT	C	02/05/1959	L/	GROUNDWATER	STOCK	WR
X41-02036	US DEPT OF INTERIOR	C	02/05/1959	L/	GROUNDWATER	STOCK	WR
41-02036	AMERICA ACTING THROUGH, UNITED STATES OF	C	02/05/1959	L/	GROUNDWATER	STOCK	AJ
A41-02036	AMERICA ACTING THROUGH, UNITED STATES OF	C	02/05/1959	L/	GROUNDWATER (MAY W	STOCK WILDLF	AJ
R41-02036	AMERICA ACTING THROUGH, UNITED STATES OF	C	02/05/1959	L/	GROUNDWATER	STOCK	AJ

IDWR TRANSFER ANALYSIS SHEET

APPLICANT USA & BLM T# 5669
TRANSFER NO. _____

1. Right number(s) 41-02036

2. Type of right _____ Decree ☒ License _____ Statutory Claim
_____ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ ^{Refine} Change P/D _____ Add P/D ☒ Change P/U
_____ Change N/U _____ Change Source _____ Split Right
_____ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: Purpose of transfer is to define POD in a
10 acre tract, and to accurately describe POW's.
Claim 41-02036A seems to be diverted from the
same well, and overlaps many of the POW's.

5. Check Proposed Right for amount of land &/or water transferred:

_____ Also see attached memo for more analysis information

- a. ☒ All of right
- b. _____ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred Public lands - checked maps and it is BLM land
- h. ☒ Expansion in use of right - Comments: None Apparent

i. X

Existing rights from same source, on land water is being transferred to; right number(s): _____

41-02031A ?

j. X

SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) objection filed on SRBA Recommendation.

Transfer based on X41-02036

k. X

Comment letters _____

If yes _____

Yes X

No _____

Water District # _____

Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY John Freitag
SRBA SUPERVISOR REVIEW BY DJ
PUBLICATION REVIEW BY _____

DATE 2-28-00

DATE 5/3/00

DATE _____

1. Legal Notice electronically sent to DWR03::VAULT _____ Yes

2. COMMENT LETTERS Copy of Pg 1 to AJ _____ Yes

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? ✓ Yes _____ No

4. Affidavit of publication received? ✓ Yes _____ No

5. Protests received? _____ Yes _____ No; Acknowledgement sent? _____ Yes

6. Copies made for Region file (see attached supplemental page)? _____ Yes

RECOMMENDED ACTION

1. ✓ Approve

2. _____ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

Also see attached memo for recommendation dated: Now

4. By AD

Date 5/3/00

T#5669

WATER RIGHT NO.

41-02036

Transfer # 5669

[illegible]

SRBA

SUBCASE SUMMARY REPORT 41-02036

[Return to SRBA Home Page](#)

SRBA
05-03-2000

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 41-02036 FILE#: 00004
CLAIMANT: USDI BLM
STATUS: AT ISSUE
WATER SOURCE: GROUNDWATER,
ISSUES: PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

**** PARTIES INVOLVED ****

USDI BLM	C ATTY: US DEPARTMENT OF JUSTICE
USDI BLM	O ATTY: US DEPARTMENT OF JUSTICE

**** ROA ENTRIES ****

07-02-1998	OBJ 01 F/B USDI BLM	RB	09-01-1998 0001
02-22-1999	NOTICE SETTING INITIAL HEARING	1S	04-06-1999 0130
04-01-1999	ORDER VACATING INITIAL HRGS AND SETTING DEADLINE-SF-5'S DUE 4-28-99	6B	04-28-1999
04-28-1999	MOTION FOR EXTENSION OF TIME TO FILE SF5'S	MG	04-28-1999
05-04-1999	ORDER GRANTING MOTION FOR EXTENSION		
05-04-1999	ORDER GRANTING MOTION FOR EXTENSION		
06-02-1999	DEADLINE FOR SF5'S PER ORDER GRANTING	ZS	06-11-1999 0500
06-11-1999	MOTION TO STAY SUBCASES PENDING COMPLETION OF ADMINISTRATIVE PROCEEDING	MG	06-11-1999
06-16-1999	ORDER STAYING SUBCASES PENDING COMPLETION OF ADMINISTRATIVE PROCEEDING		
12-22-1999	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING		12-22-1999
12-22-1999	AMENDED RECOMMENDATION ATTACHED TO NCAP TRANSFER PLACE OF USE		
04-10-2000	ORDER SETTING STATUS CONFERENCE	US	05-25-2000 1100

[Return to SRBA Home Page](#)

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 29th day of March 2000 and the date of the last publication being the 29th day of March 2000.

Signed Brett Crompton

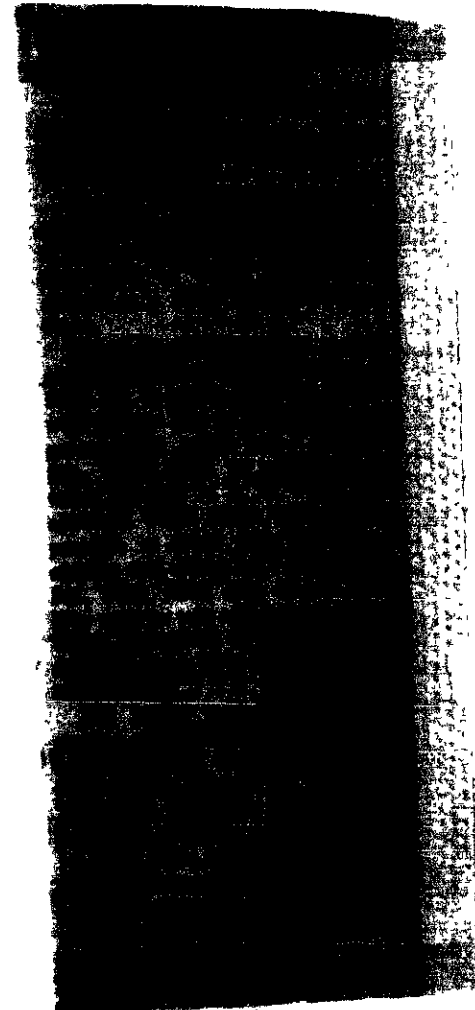
State of Idaho

County of Power

On this 29th day of March in the year of 2000, before me, a Notary Public, personally appeared Brett Crompton, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Holly Morris
Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: January 21, 2003

RECEIVED
APR 03 2000
Department of Water Resources
Caldwell, Idaho



OK
MB
4/7/00

STATEMENT

PAGE 1

THE POWER COUNTY PRESS
PO BOX 547
174 IDAHO ST
AMERICAN FALLS, ID 83211

(208)226-5294 FX:(208)226-5295

Account No.	Date
TFDEPTWA	03/31/00

Total Amount Due
53.85

Amount Remitted
\$

RECEIVED

APR 03 2000

Department of Water Resources
Southern Basin

DEPARTMENT OF WATER
1341 FILLMORE
SUITE 200
TWIN FALLS, ID 83301

Please cut at dotted line and return with your payment

Date	Invoice No	Description	Charges	Payments	Balance
03/01/00		OPENING BALANCE			0.00
03/29/00		LEGAL	48.85		48.85
03/29/00		AFFIDAVIT	5.00		53.85
		<i>TH 5669</i>			
		ENDING BALANCE			53.85

*OK
MB
4/7/00*

Current	31 - 60	61 - 90	90+	Total Amount Due
53.85	0.00	0.00	0.00	53.85

THE POWER COUNTY PRESS

Thank You

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that an application has been filed by USDI-BLM, 15 E 200 S; BURLEY ID 83318 with the Department of Water Resources for changes to a water right as described below.

Transfer No. 5669 requests to refine points of diversion and place of use for Right No. 41-02036 (0.02 cfs) recorded with priority date of 02/05/1959 from ground water within Lot 3 (NWSW), S31, T10S, R32E for stockwater use within Sections 31 & 32, T10S, R32E and S05, T11S, R32E. The applicant proposes to divert 0.02 cfs from an existing well within Lot 3 (NENWSW), S31, T10S, R32E (also known as the May well) for year round stockwater use within Sections 31 & 32, T10S, R32E and Sections 4 & 5, T11S, R32E; all Power County.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before April 10, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Power County Press on 03/22 & 03/29/00.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

March 15, 2000

**ATTN LEGALS DEPT
POWER COUNTY PRESS
174 IDAHO STREET
AMERICAN FALLS ID 83211 --**

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 5022682

Date:
Time: 11/23/1999
16:29:34

Received
From: DAVIS, STEVEN R.

Type of Payment	Program A cct	Amount
APP. FOR TRANSFER - BLM MAY WELL	64106 229 21 1155	100.00
CHECK. 116		
	Total \$	100.00

Region: SOUTHERN

Signature: 

WR0749NP
No. T41-02036

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/29/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US BUREAU OF LAND MANAGEMENT 15 EAST 200 SOUTH BURLEY ID 83318 (208) 677-6626	02/05/1959	STOCKWATER	01/01 12/31	0.020 CFS	4.70 AFA
TOTAL DIVERSION:					0.020 CFS	4.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T10S R32E S31 Lot 03(NENWSW)

POWER County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
10S	32E	31	:		:		:		:		:		:		:		:		:		:		:		:		:		:		:
10S	32E	32	:		:		:		:		:		:		:		:		:		:		:		:		:		:		:
11S	32E	4	:		:		:		:		:		:		:		:		:		:		:		:		:		:		:
11S	32E	5	:	01-S	:		:		:		:		:		:		:		:		:		:		:		:		:		:

Pou County: POWER

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: GEN BLM RECORD ID = 4102588008
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

Dates: App. Received: Priority Date: 02/05/1959
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 06/01/1999 User-ID: RBROWN Subject: TRANSFER
TRANSFER APPROVED IN 1989; ANY CHANGES REQUIRE AN ADDITIONAL TRANSFER

Date: 02/29/2000 User ID: JFREITAG Subject: TRANSFER NO. 5669
TRANSFER IS TO "REFINE" POD FROM T10S R32E S31 NWSW TO T10S R32E S31 NENWSW. ALSO POU'S ARE MORE ACCURATLY DEFINED.

WR0749NP
No. T41-02036

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/29/00
PAGE: 2

=====

Audit: 02/29/00 JFREITAG

DATE: 02/29/00
PAGE: 1

15 E 200 S
BURLEY ID 83318
(208) 677-6626

POWER County

Rate	Number
100%	1
90%	10
80%	100
70%	1000
60%	10000
50%	100000
40%	1000000
30%	10000000
20%	100000000
10%	1000000000
0%	10000000000

ME

...

Other Rights: NONE

R37 - This right, when considered with all other rights common to the

R37 - This right, when considered with all other rights common to the same grazing allotment, is limited to the quantity of water beneficially used by the number of stock within the allotment.

T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The quantity of water decreed for this water right is not a determination of historical beneficial use, and shall not exceed 13,000 gallons per day. The place of use is also identified as BLM Record ID 4102588008.

App. Received:	02/05/1959	Priority Date:	02/05/1959
Proof Due Date:		Proof Made Date:	
Exam Made Date:		Exam Sent to S.O.:	
Licensed Date:			

Water District Number: Field Exam Fee:

WRS809NP
No. X41-02036

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/29/00
PAGE: 2

Comments: Date: 06/01/1999 User-ID: RBROWN Subject: TRANSFER
TRANSFER APPROVED IN 1989; ANY CHANGES REQUIRE AN ADDITIONAL
TRANSFER

Date: 07/26/1999 User-ID: CSKINNER Subject: TRANSFER 5516
Transfer 5516 changes the place of use under Right 41-02036.

Audit: 11/09/99 PSKAGS 01/18/00 REPLDATE

NR5809NP
No. 41-02036

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/29/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	US DEPT OF INTERIOR BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 3380 AMERICANA TERRACE BOISE ID 83706	02/05/1959	STOCKWATER	01/01 12/31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T10S R32E S31

NWSW

POWER County

Place of use Legal Description for: STOCKWATER

NE											
T	R	S	NE	NE	NE	NE	NE	NE	NE	NE	NE
10S	32E	31	NE	NE	NE	NE	NE	NE	NE	NE	NE
10S	32E	32	NE	NE	NE	NE	NE	NE	NE	NE	NE
11S	32E	5	NE	NE	NE	NE	NE	NE	NE	NE	NE

Pou County: POWER

Remarks: GEN TRANS. 3259.

Dates: App. Received: 02/05/1959

Proof Due Date: Exam Made Date: Exam Sent to S.O.:

Licensed Date: 03/20/1959

Misc: Water District Number: Field Exam Fee:

Comments: Date: 11/09/1999 User-ID: PSKAGS Subject: TRANSFER 5516/SEE X41-02036
SEE X41-02036.

Audit: 12/31/84 05/28/88 CONVERT 03/23/89 CURTIS 04/03/89 NAMECHNG
01/26/92 POST-STD 07/15/92 D-NO-CHG 11/09/99 PSKAGS

AJ5809NP
No. 41-02036

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/29/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 837091657 (208) 373-4000	02/05/1959	STOCKWATER	01-01 12-31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T10S R32E S31 Lot03(NMSW) POWER County

Place of use Legal Description for: STOCKWATER											
			NE			NW			SW		
			MENE	MNNE	SMNE	SENE	NENW	MNW	SNW	SESW	SESE
T	R	S	: Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	: Lt
10S	32E	31	:				:				:
10S	32E	32	:				:				:
11S	32E	5	:	S			:	S			:

POU County: POWER

Other Rights: NONE

Conditions of Approval:
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP BLM RECORD ID = 4102588008
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES

Dates: Exam Made Date: Verified Date: Objection Filed Date: 10/05/1998
Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Comments: Date: 06/01/1999 User-ID: RBROWN Subject: TRANSFER
TRANSFER APPROVED IN 1989; ANY CHANGES REQUIRE AN ADDITIONAL
TRANSFER

Audit: 07/15/97 SCLELLAN 02/06/98 KCHRISTE 02/09/98 FHITCHCO 02/12/98 JROBERTS
02/18/98 JROBERTS 02/19/98 AUJ-DJO 03/04/98 CPDCHAFF 03/04/98 ADT-DSHA
10/08/98 CM1-SEGB 06/01/99 RBROWN

AJ5809NP
No. 41-02031A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/29/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EAST FORK GRAZING ASSN C/O MERRILL PERMAN PO BOX 357 ROCKLAND ID 83271 (208) 548-2311	06/20/1947	STOCKWATER	01-01 12-31	0.020 CFS	
TOTAL DIVERSION:					0.020 CFS	

Water Source: GROUNDWATER
Tributary to: Stage: LICENSE
POWER County

Point(s) of Diversion: T10S R32E S31 Lot03(NEWMSV)

Place of use Legal Description for: STOCKWATER

	NE	NW	SW	SE
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	NE NE NE NE	NE NW NW NW	NE SW SW SW	NE SE SE SE
10S 32E 31 :	:	:	03-S	:
10S 32E 32 :	:	:	S	:
11S 32E 5 :	S	:	:	S

POU County: POWER

Other Rights: 41-02036

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
- DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
- ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks: EXP S/200 RANGE

Dates: Exam Made Date: 07/06/1994 Verified Date: 10/25/1999 Objection Filed Date: 12/17/1999

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/04/1999 User-ID: SCLLELLAN Subject: COPIED FROM REMARKS

POD/POU
OVERLAP?

AJ5809NP
No. 41-02031A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/29/00
PAGE: 2

Comments: Date: 06/04/1999 User-ID: SCELLEMAN Subject: COPIED FROM REMARKS

TRANS. 3259.

ORIGINAL WELL IS DRY, NOW REPLACED BY NEW WELL;

PERMIT NO. 41-89-S-002

Date: 10/29/1999 User-ID: AJU10-DJ Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Audit: 05/29/97 DJONES 06/04/99 SCELLEMAN 10/25/99 SCELLEMAN 10/29/99 AJU10-DJ
10/29/99 CPD SHAFF 11/03/99 ADI-DSHA 12/28/99 UPD-SEGB



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866

November 10, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318

RE: Water Right 41-02036 (Transfer 5516)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5516). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

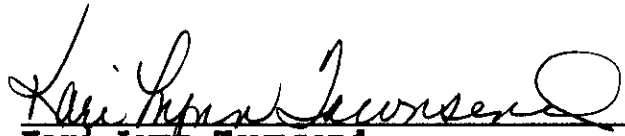
DEC 29 1999

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of **November, 1999**, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 41-02036 (Transfer 5516)

**US DEPT OF INTERIOR
BUREAU OF LAND MANAGEMENT
15 E 200 S
BURLEY ID 83318**


**Karl Lynn Townsend
Secretary**

MICROFILMED

DEC 29 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

MEMORANDUM

TO: File 41-02036

FROM: Pam Skaggs^{OS}/State Office

SUBJECT: Transfer 5516

DATE: November 9, 1999

Transfer 5516 changes the place of use under Right 41-02036. The right has been recommended in the SRBA and this transfer is to reflect changes in the system and the addition of an additional trough.

Diversion volume was based on the number of cattle claimed under this right in the SRBA to reflect historical use and avoid expansion through this approval. Recommended conditions include SRBA conditions regarding the quantity of water (non-determination of historical use & 13,000gpd limit), stockwater overlap & beneficial use, and standard transfer conditions.

MICROFILMED

DEC 29 1999

TRANSFER REVIEW SHEET

(10-99)

Transfer # 5516

Date Reviewed 11-09-99 *CB*

Right(s) 41-02036 - As recommended in SRBA

☒ WRQ/Split Summary ☒ SRBA Status NA Run POU Comparison Report

B:Change P/D C:Add P/D ☒ D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership SRBA Claim + recommendation
POU on BLN land per region review

Transfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right Season/Vol. NA

(1) ☒ Priority (2) ☒ Use (3) ☒ Season/W61 (4) ☒ Rate (5) ☐ Volume
(6) ☒ Source (7) ☒ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map
Aberdeen American Falls GW Dist./East ESPA
(11) NA Water District (12) Yes Pertinent Conditions (13) NO Expansion
w/vol. limit.

(5) SRBA Claim - 350 x 12 x 365 = 4.7 afa
(8) Change P/U

SRBA Claim A41-02036 - 350 range cattle - DLE # of cattle not specified.

Transfer Remarks BLN Record ID# 4102588008 N11+N13

Conditions R37, T07, T08

Database/Processing Notes Standard ☐ ~~Non-Standard~~ ☒

Copy approval version to an "x" prefix, delete T & comment to base WR.

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒
Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

CB 11-09-99

Water Right Number - A41-02036

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - D1228

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** A - ATTORNEY ***

HAUGRUD, JACK OR G GARVER OR D ZANE

1 - US DEPT OF JUSTICE

2 - ENV & NR DIV GEN LIT SEC

3 - PO BOX 663

City- WASHINGTON

State- DC Zip- 200440663

Phone - 202-272-4134

*** C - CURRENT OWNER ***

AMERICA ACTING THROUGH

UNITED STATES OF

1 - USDI BUREAU OF LAND MANAGEMENT

2 - IDAHO STATE OFFICE

3 - 1387 S VINNELL WAY

City- BOISE

State- ID Zip- 83709

Phone - 208-373-4000

*** K - ALSO KNOWN AS ***

BLM

1 -

2 -

3 -

City- X

State- ID Zip- 0

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/05/1959 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER (MAY WELL) SINKS

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
10S 32E 31 NW SW (77) POWER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 01/01 12/31 0.020
16 - WILDLIFE 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.020 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10S 32E 31 NW SW 04 STOCKWATER (77) POWER
10S 32E 31 NW SE 04 STOCKWATER (77) POWER
10S 32E 31 SE SE 04 STOCKWATER (77) POWER
10S 32E 32 SE SW 04 STOCKWATER (77) POWER
10S 32E 32 NE SE 04 STOCKWATER (77) POWER
11S 32E 5 NE NE 04 STOCKWATER (77) POWER
11S 32E 5 NW NE 04 STOCKWATER (77) POWER
11S 32E 5 SW NW 04 STOCKWATER (77) POWER
10S 32E 31 NW SW 16 WILDLIFE (77) POWER
10S 32E 31 NW SE 16 WILDLIFE (77) POWER
10S 32E 31 SE SE 16 WILDLIFE (77) POWER

Water right number - A41-02036

Prefix Translation: ADJUDICATION CLAIM

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
10S	32E	32	SE SW			16	WILDLIFE	(77) POWER
10S	32E	32	NE SE			16	WILDLIFE	(77) POWER
11S	32E	5	NE NE			16	WILDLIFE	(77) POWER
11S	32E	5	NW NE			16	WILDLIFE	(77) POWER
11S	32E	5	SW NW			16	WILDLIFE	(77) POWER

+ - - Diversion Means - PIPELINE AND TROUGHS

+ - - Non-Irrigation Use - ~~May~~ Well, JDR # 0229, 350/CATTLE, 100/DEER

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -

GEN BLM RECORD ID = 4102588008
PREVIOUSLY FILED WITH THE DEPARTMENT OF WATER RESOURCES+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 08/03/93 AJCTR 09/11/96 NM-SHAFF 10/11/96 AD-SHAFF

+ - - - - - Comments - - - - -
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/25/1993	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- X111111	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

SRBA

SUBCASE SUMMARY REPORT 41-02036

Return to SRBA Home Page

SRBA
11-08-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 41-02036 FILE#: 00004
CLAIMANT: USDI BLM
STATUS: AT ISSUE
WATER SOURCE: GROUNDWATER,
ISSUES: PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

****** PARTIES INVOLVED ******

USDI BLM

ATTY: US DEPARTMENT OF JUSTICE

****** ROA ENTRIES ******

07-02-1998	OBJ 01 F/B USDI BLM	RB	09-01-1998 0001
02-22-1999	NOTICE SETTING INITIAL HEARING	1S	04-06-1999 0130
04-01-1999	ORDER VACATING INITIAL HRGS AND SETTING DEADLINE-SF-5'S DUE 4-28-99	6B	04-28-1999
04-28-1999	MOTION FOR EXTENSION OF TIME TO FILE SF5'S	MG	04-28-1999
05-04-1999	ORDER GRANTING MOTION FOR EXTENSION		
05-04-1999	ORDER GRANTING MOTION FOR EXTENSION		
06-02-1999	DEADLINE FOR SF5'S PER ORDER GRANTING	ZS	06-11-1999 0500
06-11-1999	MOTION TO STAY SUBCASES PENDING COMPLETION OF ADMINISTRATIVE PROCEEDING	MG	06-11-1999
06-16-1999	~~ORDER~~ STAYING SUBCASES PENDING COMPLETION OF ADMINISTRATIVE PROCEEDING		

Return to SRBA Home Page

IDWR TRANSFER ANALYSIS SHEET

APPLICANT U.S. BUREAU OF LAND MANAGEMENT

TRANSFER NO. 5516

1. Right number(s) 41-02036

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ Change ^{NO} P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: TRANSFER BASED ON SRBA RECOMMENDATION

41-02036. IT APPEARS THAT WATER RIGHT 41-02031A IS
DIVERTED FROM THE SAME WELL AND PROBABLY OVERLAPS
ON SOME, IF NOT ALL, OF THE RECORDED PLACE OF USE

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred POU IS BCM GROUND
- h. ☒ Expansion in use of right - Comments: _____

NONE APPARENT

i. X Existing rights from same source, on land water is being transferred to; right number(s): R41-02031A ?

j. X SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) OBJECTION FILED ON SRBA RECOMMENDATION
TRANSFER BASED ON SRBA RECOMMENDATION 41-02036

k. X Comment letters _____ Yes X No
 If yes _____ Water District # _____
 _____ Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY P. SKINNER DATE 7/25/99
 SRBA SUPERVISOR REVIEW BY _____ DATE _____
 PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT _____ Yes
2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes 9/15/99

Watermaster recommendation requested on _____, Received on _____
 Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ✓ Yes _____ No
4. Affidavit of publication received? ✓ Yes _____ No
5. Protests received? _____ Yes ✓ No; Acknowledgement sent? _____ Yes
6. Copies made for Region file (see attached supplemental page)? _____ Yes

RECOMMENDED ACTION

1. ✓ Approve
2. _____ Deny due to _____
3. Conditions (special conditions in Water Districts) _____

✓ Also see attached memo for recommendation dated: 11/2/99
 4. By AD Date 11/2/99

MEMO

FROM: Allen Merritt

AM

DATE: November 2, 1999

TO: Transfer File No. 5516
Water Right(s): 41-02036

In the Name of: BLM

SUBJECT: Review and Recommendation

This transfer was filed to settle an objection by BLM of the recommendation of the right in the SRBA. See attached SRBA Summary Report Sheet. The transfer changes or refines the description of the place of use.

Recommendation

I recommend the transfer be approved.

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DEC 29 1999

SRBA

SUBCASE SUMMARY REPORT 41-02036

[Return to SRBA Home Page](#)

SRBA
11-02-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 41-02036 FILE#: 00004
CLAIMANT: USDI BLM
STATUS: AT ISSUE
WATER SOURCE: GROUNDWATER,
ISSUES: PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

**** PARTIES INVOLVED ****

USDI BLM

ATTY: US DEPARTMENT OF JUSTICE

**** ROA ENTRIES ****

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06-16-1999	ORDER STAYING SUBCASES PENDING COMPLETION OF ADMINISTRATIVE PROCEEDING		

[Return to SRBA Home Page](#)

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DEC 29 1999

Affidavit of Publication

State of Idaho

County of Power

Brett Crompton being first duly sworn on oath, states:

That he is the editor and co-publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 22 day of September 1997 and the date of the last publication being the 29 day of September 1997.

Signed

Brett Crompton

State of Idaho

County of Power

On this 29 day of September in the year of 1997, before me, a Notary Public, personally appeared Brett Crompton, 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 therein are true, and acknowledged to me that he executed the same.

Notary Public for Idaho

Residing at American Falls, Idaho

My commission expires: January 21, 2003

OK MP 10/6/97

RECEIVED

OCT 04 1999

Department of Water Resources
Southern Region

MICROFILMED
DEC 29 1999

Water right changes for BLM, Deeg

Published in The Power County Press
Sept. 22, 29, 1999.

NOTICE OF APPLICATIONS FOR PROPOSED

CHANGES TO WATER RIGHTS

Notice is hereby given that one application for transfer and one extension of time to avoid forfeiture application have been filed with the Department of Water Resources as described below:

Transfer No. 5516 by the US Bureau of Land Management (15 E 200 S, Burley, ID 83318) propose to change the place of use of right 41-02036 (priority 2/5/1959, 0.02 cfs for stockwater pur-

poses) currently diverted from a well within NWSW Section 31, T10S, R32E for use in NWSW & SESE Section 31, SWSW, NESE & SWSE Section 32, T10S, R32E and NENE & NENW Section 5, T11S, R32E. The transfer proposes the place of use to be within NESE & SESE Section 31; SESW & NESE Section 32 T10S, R32E; NENE, NWNE & SWNW Section 5, T11S, R32E all Power County.

Application for Extension of Time to Avoid Forfeiture by Timothy Deeg (2957 Deeg Rd. Rockland, ID 83211) for right 41-07030 recorded with a priority of 1/21/1978 for 1.40 cfs from groundwater diverted from a well within SWSE Section 6, T09S, R31E and used to irrigate 126 acres within NE1/4 Section 1, T09S, R30E all Power County. Right last used in 1995; a five year extension is requested.

Any protest against the proposed applications must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 12, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed applications (Each application requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

September 15, 1999

**KARL J. DREHER
DIRECTOR**

**STEVE DAVIS HYDROLOGIST
USDI-BUREAU OF LAND MGT
15 S 200 S
BURLEY ID 83318**

Re: Application for Transfer No. 5516 (41-02036)

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the Power County Press for 9/22 and 9/29/99. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

**Allen D. Merritt, P.E.
Regional Manager**

AM:MB

MICROFILMED

DEC 29 1999

**NOTICE OF APPLICATIONS FOR PROPOSED
CHANGES TO WATER RIGHTS**

Notice is hereby given that one application for transfer and one extension of time to avoid forfeiture application have been filed with the Department of Water Resources as described below:

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Any protest against the proposed applications must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before October 12, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed applications. (Each application requires a separate protest). The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Power County Press on 9/22 & 9/29/99.

UNRECORDED

DEC 29 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

September 15, 1999

**KARL J. DREHER
DIRECTOR**

**ATTN LEGALS
POWER COUNTY PRESS
174 IDAHO STREET
AMERICAN FALLS ID 83211**

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

**Mary Baldwin
Administrative Assistant**

Enclosure

**MICROFILMED
DEC 29 1999**

STATEMENT

PAGE 1

THE POWER COUNTY PRESS
PO BOX 547
174 IDAHO ST
AMERICAN FALLS, ID 83211

(208)226-5294 FX:(208)226-5295

DEPARTMENT OF WATER
1341 FILLMORE
SUITE 200
TWIN FALLS, ID 83301

Account No.
TFDEPTWA

Date
09/30/99

RECEIVED
OCT 04 1999
Department of Water Resources
Southern Region

Total Amount Due
113.02

Amount Remitted
\$

Please cut at dotted line and return with your payment

Date	Invoice No.	Description	Charges	Payments	Balance
09/01/99		OPENING BALANCE			0.00
09/22/99		AFFIDAVIT	5.00 OK		5.00
09/22/99		LEGAL T# 5516 Av. For. 41-07030	46.92 OK #1		51.92
09/29/99		LEGAL 41-07094	56.10 OK #2		108.02
09/29/99		AFFIDAVIT	5.00 OK		113.02
MICROFILMED DEC 29 1999					
ENDING BALANCE					113.02

RECEIVED
OCT 04 1999
Department of Water Resources
Southern Region

OK
MB
10/6/99

Current	31 - 60	61 - 90	90+	Total Amount Due
113.02	0.00	0.00	0.00	113.02

THE POWER COUNTY PRESS

Thank You

SD-0611-2 Basin: 41 Starting Water Right: 02036

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	41-02036	US DEPT OF INTERIOR	C	02/05/1959	L/	GROUNDWATER	STOCK	WR
	T41-02036	U.S. BUREAU OF LAND	C	02/05/1959	L/	GROUNDWATER	STOCK	WR
	41-02036	AMERICA ACTING THROU	C	02/05/1959	L/	GROUNDWATER	STOCK	AJ
	A41-02036	AMERICA ACTING THROU	C	02/05/1959	L/	GROUNDWATER (MAY	STOCK WILDLF	AJ
	F41-02036	AMERICA ACTING THROU	C	02/05/1959	L/	GROUNDWATER	STOCK	AJ

T-RECORD CREATED 7/26/99

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
(Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

MICROFILMED

DEC 29 1999

MEMORANDUM

TO: Transfer #5516 File

FROM: Corey Skinner *CS*

DATE: July 26, 1999

SUBJECT: Staff Review

The enclosed transfer application, filed in the name of the U.S. Bureau of Land Management, seeks to change the place of use of water right 41-02036. Note that the application also mentions "refine point of diversion", but the point of diversion description is as recommended in the Snake River Basin Adjudication. Therefore, the application should probably be advertised as only a change in the place of use. The application should be rather straightforward, about the only possible problem relates to a possible overlapping water right.

Examination of the database reveals a possible overlap with water right R41-02031A, in the name of East Fork Grazing Association. Both of these rights appear to describe the same point of diversion, locally known as the May Well. In addition, it appears that there may possibly be an overlap of some, if not all, of the place of use. Examination of Department records indicate that rights 41-02031 and 41-02036 were at one time apparently tied together due to the approval of transfer #3259 in 1989. The SRBA recommendations for the two rights reflect very similar places of use. There may be some question regarding whether or not right R41-02031A overlaps, and if so, does it also need to be corrected by the transfer process.

MICROFILMED

DEC 29 1999

T #5516

INTER-DEPARTMENT MEMO — 1

FROM Sharla

TO File 41-2036

SUBJECT Trans. 3259

DATE 8/16/88

See file 41-2031 for all correspondence regarding the above referenced transfer.

MICROFILMED

MAR 31 1989

SIGNATURE