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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4406
WATER RIGHT NO(S). 36-02148B/36-07713B

This is to certify that: CLARA CNOSSEN
3435 S 1800 E
WENDELL ID 83355

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>
Right No. 36-02148B :			
STOCKWATER	01/01 to 12/31	0.17 CFS	33.5 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	0.3 AF
SUBTOTAL:		0.21 CFS	33.8 AF
Right No. 36-07713B :			
STOCKWATER	01/01 to 12/31	0.11 CFS	20.5 AF
COMMERCIAL	01/01 to 12/31	0.02 CFS	0.2 AF
SUBTOTAL:		0.13 CFS	20.7 AF
TOTAL:		* 0.34 CFS	* 54.5 AF

DATE OF PRIORITY:

Right No. 36-02148B : 11/07/1951
Right No. 36-07713B : 08/13/1977

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNE , Sec. 30, Township 08S, Range 15E
GOODING County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 15E 30

SWNE
NWSE

SENE

SENW

PLACE OF USE: COMMERCIAL

TWN RGE SEC

08S 15E 30

SWNE

SENE

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TRANSFER NO. 4406
WATER RIGHT NO(S). 36-02148B/36-07713B

CONDITIONS OF APPROVAL AND REMARKS

1. Prior to diversion of water under this approval, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. The remainder of license nos. 36-02148 and 36-07713 is identified as 36-02148A and 36-07713A, and is limited to a diversion rate of 2.14 cfs, an annual volume of 428.0 af and irrigation of 107.0 acres each year.
5. The acres which are no longer authorized for irrigation under Right Nos. 36-02148 and 36-07713 are specifically described as follows: 17 acres within SWNE, S30, T08S, R15E.
- * 6. Combined Right Nos. 36-02148B and 36-07713B are limited to a total diversion rate of 0.34 cfs and a total combined annual diversion volume of 54.5 af.
7. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
8. Stockwater use under combined Right Nos. 36-02148B and 36-07713B is for 1,000 dairy and 1,100 dry cattle.
9. Commercial use is for a dairy.
10. Two points of diversion are located within SWNE, S30, T08S, R15E.
11. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

Dated this 13th day of September, 1995

J. Glen Saylor
Chief, Water Alloc. Bureau

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OCT 03 1995

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

1997 DEC 29 AM 10:34

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-07713

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: CLARA H CNOSSEN
FRANK W CNOSSEN
3451A S 1800 E
WENDELL ID 83355

SOURCE: GROUNDWATER

QUANTITY: 0.98 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02148 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.48 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 496 AF.

PRIORITY DATE: 08/13/1977

POINT OF DIVERSION: T08S R15E S30 NENWSE Within GOODING County

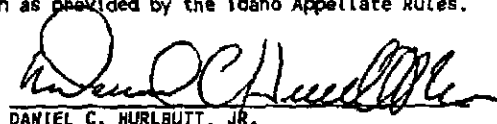
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.98 CFS

PLACE OF USE:	IRRIGATION	Within GOODING County			
	T08S R15E S30	SWNE 27	Lot 2 (SWNW)28	SENE 38	NWSE 31
	124 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 36-02148 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 124 ACRES IN A SINGLE
IRRIGATION SEASON.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-7713B

WATER RIGHT NUMBER: 36-7713B

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK W CNOSSEN 3435 S 1800 E WENDELL, ID 83355 (208)536-2773
Current Owner	CLARA H CNOSSEN 3435 S 1800 E WENDELL, ID 83355 (208)536-2773
Original Owner	CLARA H CNOSSEN 3435 S 1800 E WENDELL, ID 83355 (208)536-2773

Priority Date: 08/13/1977

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	01/01 to 12/31	0.020 CFS	0.20 AF
STOCKWATER	01/01 to 12/31	0.110 CFS	20.50 AF
	<u>Total Diversion:</u>	0.130 CFS	20.70 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 30, Twp 08S, Rge 15E, B.M.
GOODING County		

Place of Use

COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 15E 30			X	X													

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 15E 30			X	X				X							X		

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IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 36-7713B

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
3. 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.
4. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

1. General Prior to diversion of water under this approval, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
The remainder of license nos. 36-02148 and 36-07713 is identified as 36-02148A and 36-07713A, and is limited to a diversion rate of 2.14 cfs, an annual volume of 428.0 af and irrigation of 107.0 acres each year.
The acres which are no longer authorized for irrigation under Right Nos. 36-02148 and 36-07713 are specifically described as follows: 17 acres within SWNE, S30, T08S, R15E.
Combined Right Nos. 36-02148B and 36-07713B are limited to a total diversion rate of 0.34 cfs and a total combined annual diversion volume of 54.5 af.
This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
Stockwater use under combined Right Nos. 36-02148B and 36-07713B is for 1,000 dairy and 1,100 dry cattle.
Commercial use is for a dairy.
Two points of diversion are located within SWNE, S30, T08S, R15E.

Comments:

1. jroberts 3/29/2002 Recommendation
Comment: This recommendation was based on approved transfer #4406.

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-7713B

Dates and Other Information:

Licensed Date:
Decreed Date: 12/29/1997
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.34	54.5	
Combined Water Rights: 36-2148B , 36-7713B		

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