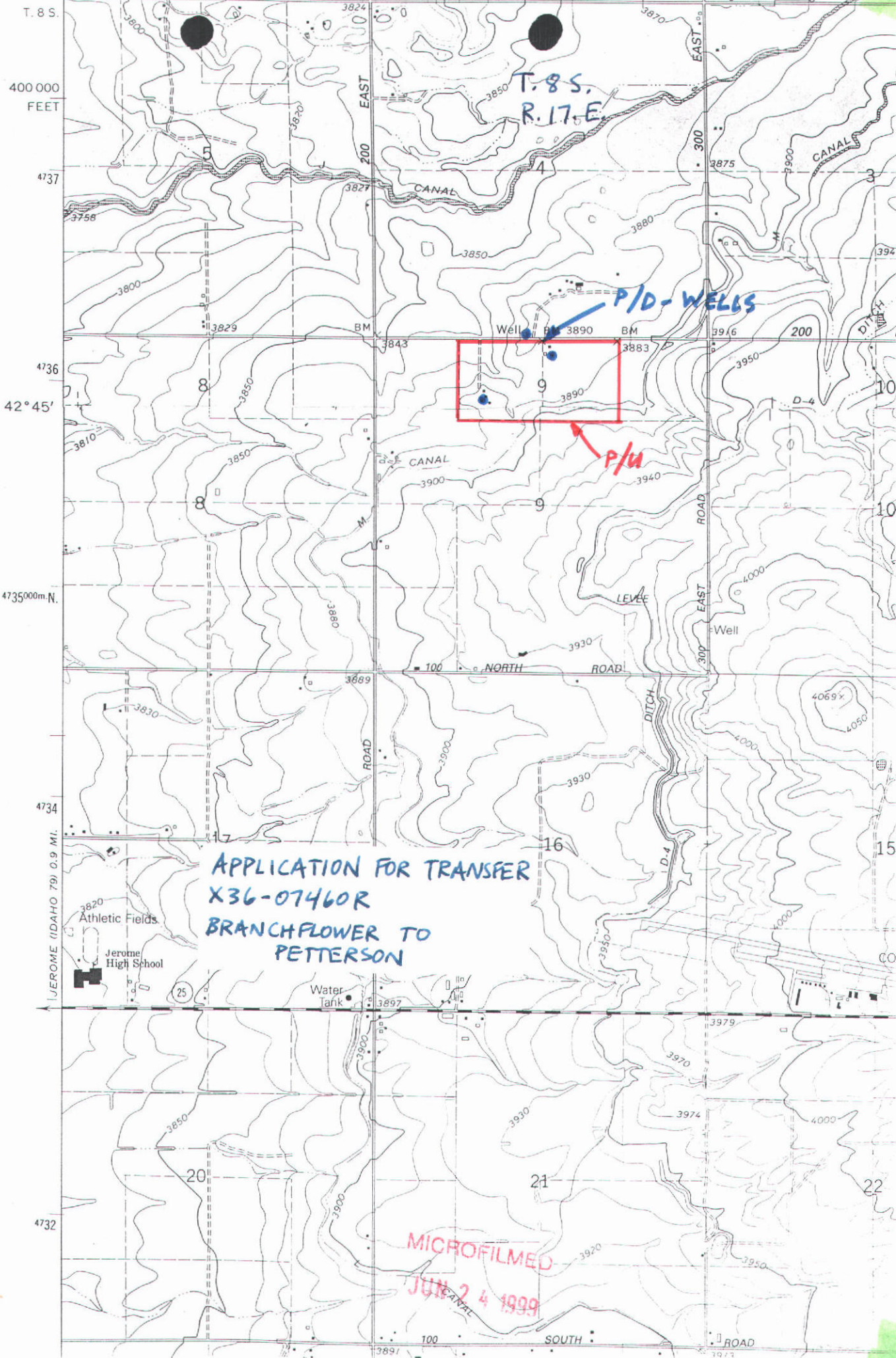


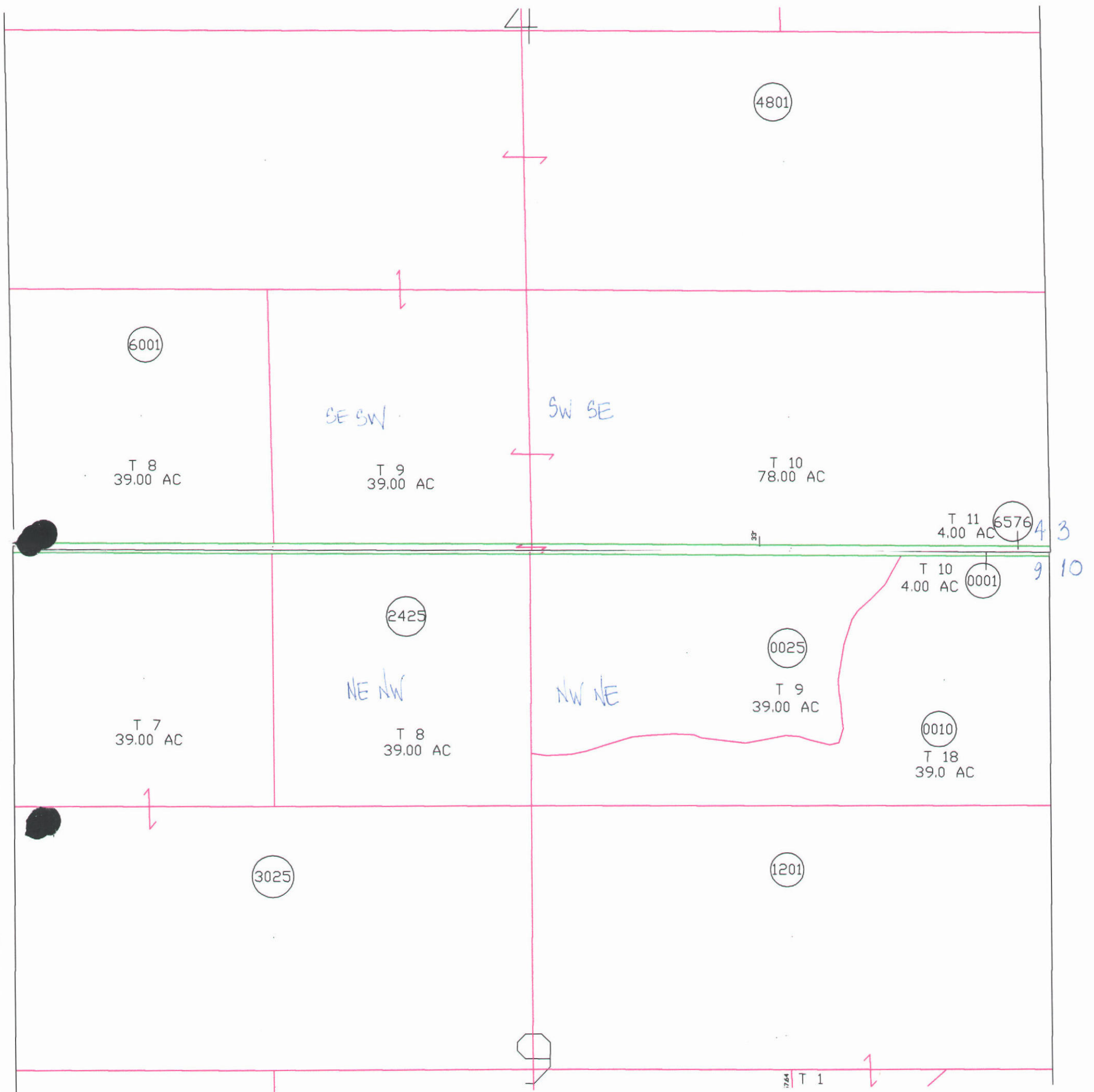
Pg 6 of 7
T#5368



APPLICATION FOR TRANSFER
X36-07460R
BRANCHFLOWER TO
PETTERSON

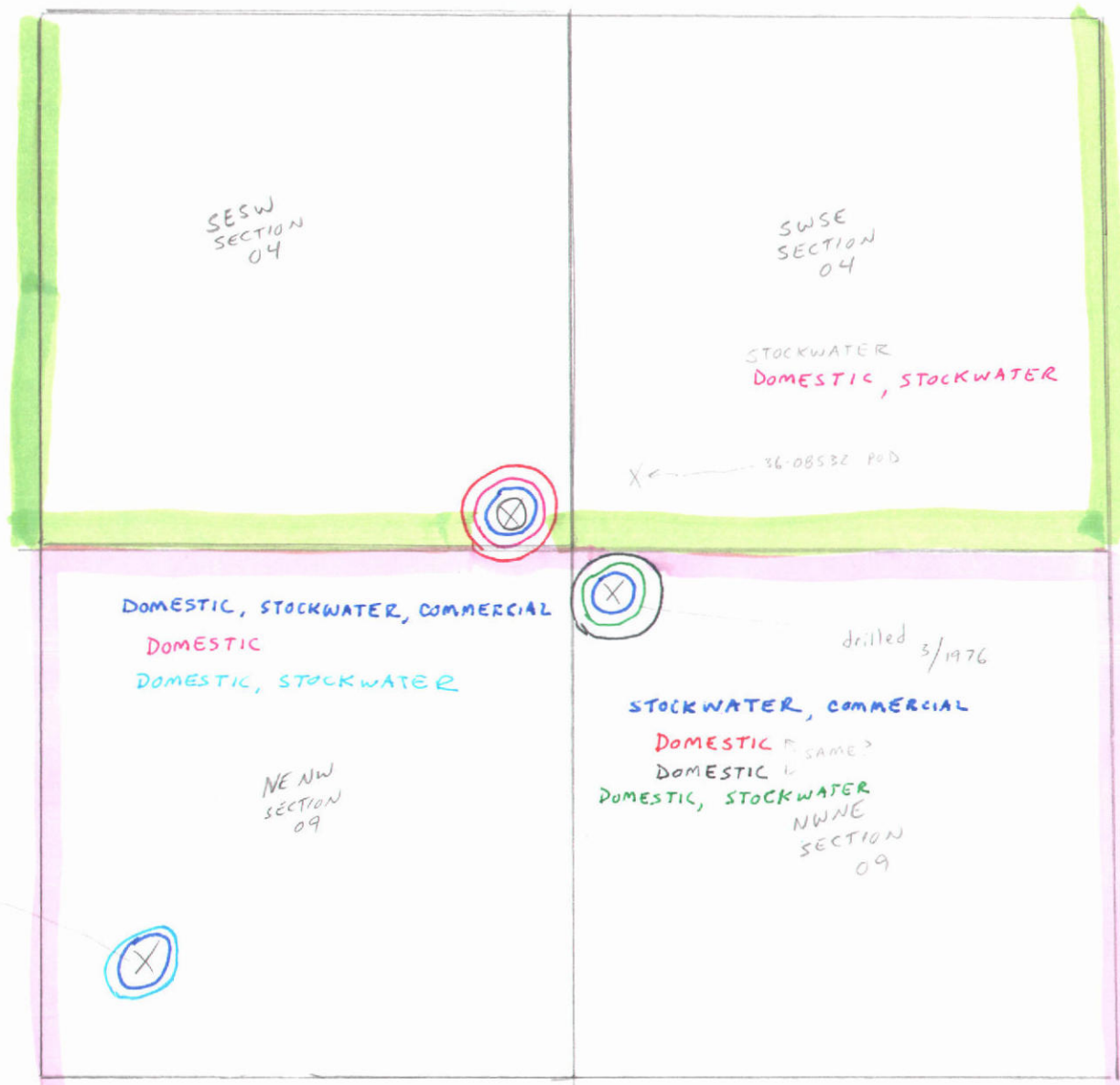
MICROFILMED
JUN 24 1999

(4801) WD 962353 6/94 GILTNER
2425 QLD 290262 5-31-85 PETERSON
(0025) WD 320090 3/90 " "



R17E

T08S



36-08532. WC, DONNA PETERSON

36-08533. Rebecca and Tim Peterson

* 36-14829. Rebecca & Tim Peterson

* 36-14830. Rebecca & Tim Peterson

36-11043. WILFRED & MARY BARGA

36-14856. WC, DONNA PETERSON

* 36-11044. WILFRED & MARY BARGA

* probable well locations

MICROFILMED
JUN 24 1999

now owned by Giltner

owned by Rebecca and Tim Peterson

TOWNSHIP
08
South

Added
12/1979

Rebecca Peterson
Tim

RANGE 17 EAST

SESW
SECTION 4



SWSE
SECTION 4

DOMESTIC
STOCKWATER

DOMESTIC

NENW
SECTION 9



NWNE
SECTION 9



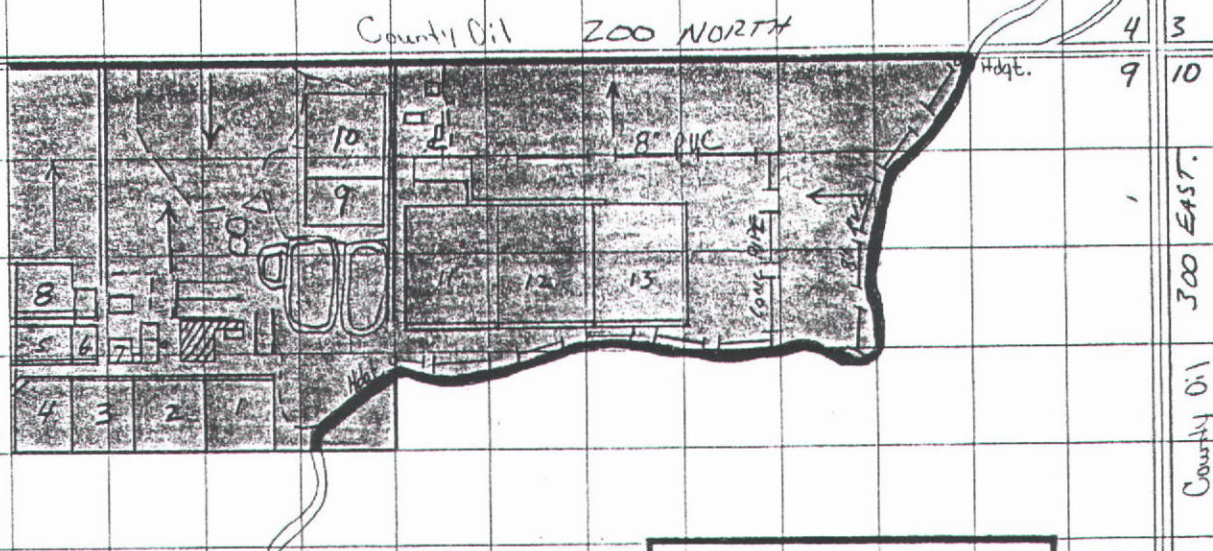
Added
3/1976

JEKOME COUNTY

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JUN 24 1999

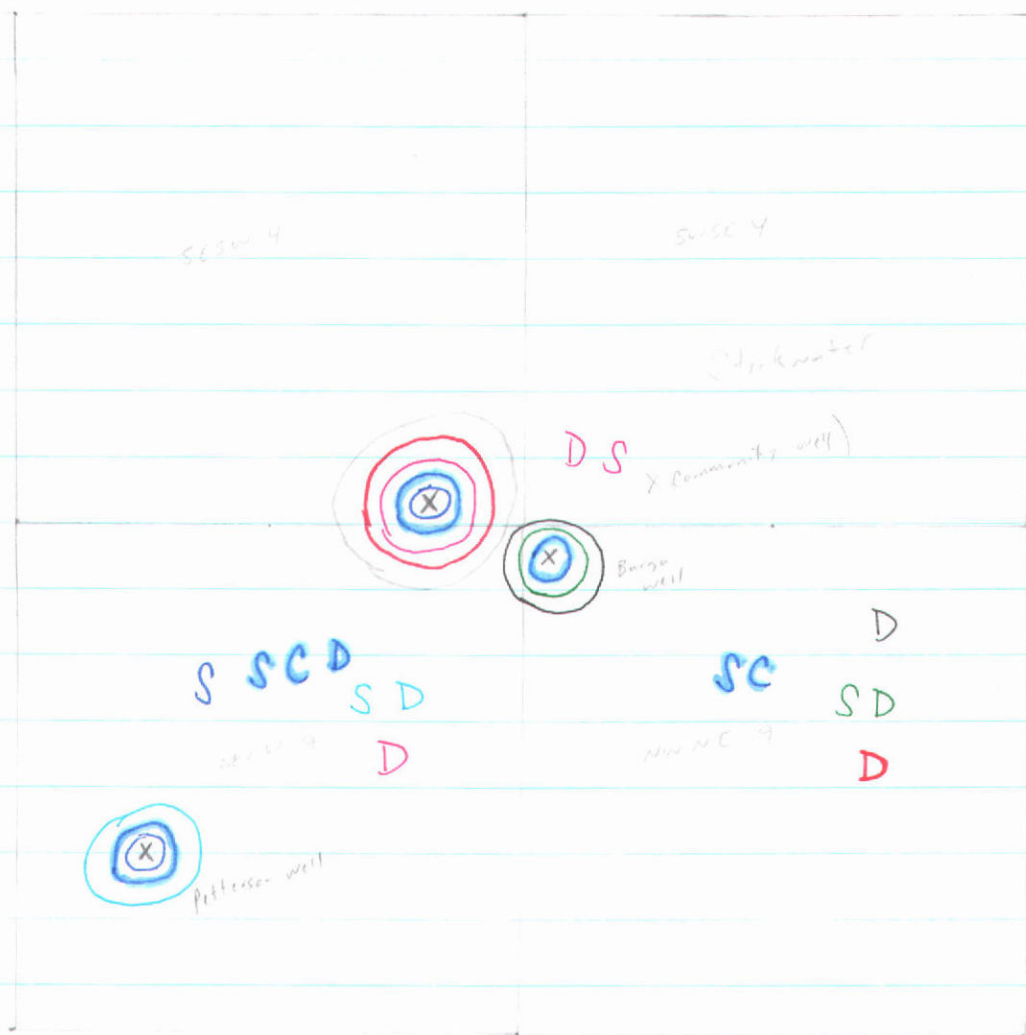
need
* map(s)
showing
parcels
* and
ownership
of parcels

36-08533 36-14856
36-08532 36-11043



TP. <u>8S</u>	RGE. <u>17E</u>
JEROME COUNTY	
IDAHO STATE	
SCALE 1" = <u>660'</u>	
PLATTED BY <u>BLS/LF</u>	VERIFIED BY
TITLE REPORT DESCRIPTION	
VERIFIED BY	

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JUN 24 1999



- * 36-08533 PETERSON T36-08533 (PENDING TRANSFER # 5286)
- * 36-14830 PETERSON
- * 36-14829 PETERSON
- ? 36-11044 BARGA
- 36-14856 DONNA, WC PETERSON
- 36-11043 BARGA
- 36-08352 WC & DONNA PETERSON

MICROFILMED
JUN 24 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5368
WATER RIGHT NO. 36-07460AH

This is to certify that: **TIM PETTERSON**
REBECCA L PETTERSON
231 E 200 N
JEROME ID 833380392

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	0.49 CFS	83.1 AF
COMMERCIAL	01/01 to 12/31	0.49 CFS	83.1 AF
Totals		* 0.49 CFS	* 83.1 AF

SOURCE
GROUNDWATER

Priority: 03/25/1974

LOCATION OF POINT(S) OF DIVERSION: SESW , Sec. 4, Township 08S, Range 17E
NWNE , Sec. 9, Township 08S, Range 17E
NENW , Sec. 9, Township 08S, Range 17E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

08S 17E 9

NWNE

NENW

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
2. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.

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JUN 24 1999

TRANSFER NO. 5368
WATER RIGHT NO. 36-07460AH

CONDITIONS OF APPROVAL AND REMARKS

4. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5368 shall not exceed 0.49 cfs, nor a total combined annual volume of 83.1 af.
9. Other rights diverted from these points of diversion include Rights 36-08532, 36-08533, 36-11043, 36-11044 and 36-14830.
- * 10. The capacity of the three wells is limited to a combined total of 0.59 cfs, and the total annual diversion volume shall not exceed 127.5 af when combining all rights diverted from the three wells.
11. Commercial use is for a dairy located within the NWNE and NENW, S09, T08S, R17E, which does not include the waste disposal site.

Dated this 16th day of

June

, 19 99



Chief, Water Allocation Bureau

MICROFILMED
JUN 24 1999

Page _____ of 7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5368

RECEIVED

APR 14 1999

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

PER 12/30/98 TELECOM WITH CHARLES G. BROCKWAY
P.S.

Department of Water Resources

Name of applicant Rebecca L. and Tim Petterson Phone (208) 324-2431

Post Office address 231 E. 200 N., Jerome, ID 83338

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☒ Other Split right
2. Describe the reason for the proposed changes Additional water is needed for a dairy facility.

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

- | 1. | Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|----|-------------------------|-------------------------|-------------------------|-------------------------|--|
| | <u>X36-07460R</u> | <u>3/25/1974</u> | <u>0.49/83.1</u> | <u>Stock/comm.</u> | <u>1/1</u> to <u>12/31</u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| | <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |

2. Total amount of water being transferred 0.49 cubic feet per second and/or 83.1 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system 2 primary wells and 1 backup well to dairy barn and corrals.

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

☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

Land will no longer be irrigated.

d. Remarks:

A rate of 3.0 AFA was used to convert irrigation to stock/commercial use.~~Five~~ other transfers are pending to split this right.6 P.S.**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

JUN 24 1999

12/28/1998

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. X36-07460U

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	2.08 CFS

SOURCE

GROUNDWATER

Priority: 03/25/1974

LOCATION OF POINT(S) OF DIVERSION:

SWNWSE , Sec. 21, Township 07S, Range 14E
SWNWNE , Sec. 28, Township 07S, Range 14E
NWSWSE , Sec. 28, Township 07S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 14E 28	SWNE 2.9	SENE 39	NESE 34.1	
	NWSE 14.4	SWSE 27		117.4
		Total number of acres irrigated:		117.4

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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JUN 24 1999

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 .49/110.8 for Irrigation purposes from 4/1 to 10/31
(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
	SW	NW	SE	21	07S	14E	Gooding	Well and pump
	SW	NW	NE	28	07S	14E	Gooding	Well and pump
	NW	SW	SE	28	07S	14E	Gooding	Well and pump

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	
07S	14E	28			0.2	7.7									19.8				27.7

Total acres 27.7

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

1. Amount 9.90/2227.2 for Irrigation purposes from 4/1 to 10/31
(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
	SW	NW	SE	21	07S	14E	Gooding	Well and pump
	SW	NW	NE	28	07S	14E	Gooding	Well and pump
	NW	SW	SE	28	07S	14E	Gooding	Well and pump

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	
07S	14E	20															33.0		33.0
07S	14E	21										33.0		33.0	33.0	33.0	33.0		165.0
07S	14E	28			16.8	31.3		33.0	35.0	13.0	35.0	38.0	26.0	26.0	14.3	21.4	36.0		325.8
07S	14E	29	33.0																33.0

Total acres 556.8

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) ENTIRE PORTION SUBJECT TO OTHER TRANSFERS

1. amount 1.59 cfs for IRRIGATION purposes from 04/01 to 10/31
(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
	SW	NW	SE	21	07S	14E	GOODING	
	SW	NW	NE	28	07S	14E	GOODING	
	NW	SW	SE	28	07S	14E	GOODING	

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	
07S	14E	28			2.7	31.3									14.3	14.4	27		89.7

Total acres 89.7

BASED ON X36-07460 R
BASED ON X36-07460 U P.S.

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

PART 2 BY P. SKINNER
 (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. T36-07460 AJ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. TOLEDO TRANSFER 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 _____

3. Source of water GROUNDWATER tributary to _____4. Date or priority 3/25/1974

5. Water is used for the following purpose:

amount 0.49 cfs for IRRIGATION purposes from 04/01 to 10/31
 (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 0.49 cfs cubic feet per second and/or 110.8 acre-feet per annum.

DIVERSION VOLUME

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SE	21	07S	14E	GOODING	
	SW	NW	NE	28	07S	14E	GOODING	
	NW	SW	SE	28	07S	14E	GOODING	

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	
07S	14E	28			0.2	7.7									12.8				27.7

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 JUN 24 1999

Total acres 27.7

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?
 _____ 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

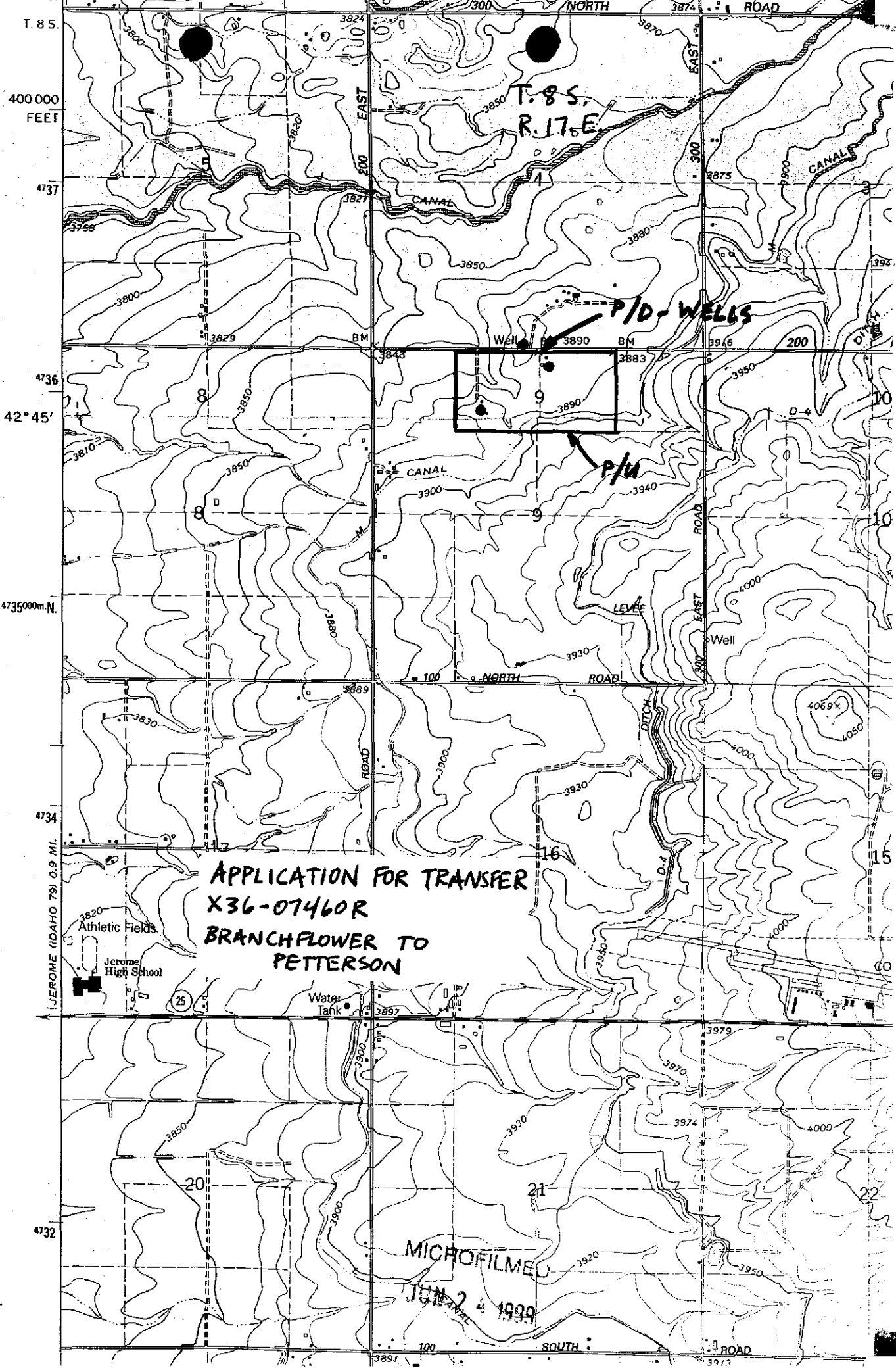
3. Lands irrigated or place of use:

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 _____

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 JUN 24 1999

Pg 6 of 7
T#5368



PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>Stock/comm.</u>	<u>0.28/61.0</u>	<u>As needed</u>	<u>1/1</u> to <u>12/31</u>
			to
2. Quantity and quality of return flows and location of discharge:
None
3. Describe the effects on other water uses resulting from the proposed change:
Land will no longer be irrigated.

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.

Robert J. Peterson
(Signature of Applicant)

Subscribed and sworn to before me this 2nd day of Aug, 19 99

Notary Public
(Notary Public)

My commission expires 5-28-02

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 3 attachments

Received by AD Date 8/4/98 Protest filed by None

Prelim. check by SKINNER Fee \$100.00

Received by AD Date 8/4/98 5021397

Published in Gooding Co. Leader & Northside News Copies of protest forwarded by _____

Pub. dates 01/14 + 01/21/99 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ Approval ☐ Denial

_____ rec'd. _____ by AD

Copy of transfer sent to lien holder _____

MICROFILMED
JUN 24 1999

December 30, 1998

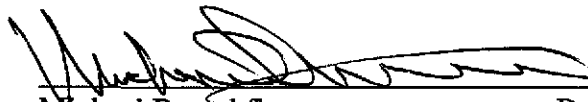
RECEIVED
FEB 24 1999
Department of Water Resources
Southern Region

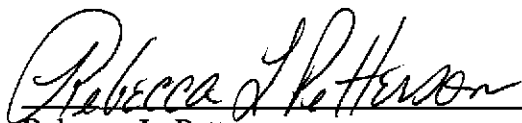
This purchase and sale agreement is entered into this 30th day of December, 1998 between Michael Branchflower ("Seller") and Tim or Rebecca Petterson ("Buyer"). Seller agrees to sell 27.7 acres of Idaho Water Right No. 36-07460R to Buyer, with said portion of water right located as follows:

0.2 acres in SW1/4 NE1/4 Section 28, T. 7 S., R. 14 E., Boise Meridian
7.7 acres in SE1/4 NE1/4 Section 28, T. 7 S., R. 14 E., Boise Meridian
19.8 acres in NE1/4 SE1/4 Section 28, T. 7 S., R. 14 E., Boise Meridian

LOOKS OK
C.S.

Buyer agrees to pay Seller \$800.00 per acre upon receiving approval of a water right transfer from the Idaho Department of Water Resources. The previous agreement between the Buyer and Seller dated July 16, 1998 is hereby null and void.

 2/16/99
Michael Branchflower Date

 2/22/99
Rebecca L. Petterson Date

MICROFILMED

JUN 24 1999

July 16, 1998

Tim and Rebecca L. Petterson agrees to pay Michael and Kathy Branchflower \$800.00 per acre for 15.9 acres of Water Right No. 36-07460R, upon receiving approval of transfer, from Dept. Of Water Resource, Boise, Idaho.



Tim Petterson



Rebecca L. Petterson

MICROFILMED

JUN 24 1999

T#5368

July 16, 1998

For sufficient consideration, I, Michael Branchflower, hereby transfers to Tim and
Rebecca L. Petterson 15.9 acres of water Right No. 36-07460R.

Twp. 7S. Rge. 14E. Sec. 28 NE. 1/4.

SE. 1/4

7.7

Twp. 7S. Rge. 14E. Sec. 28 SE. 1/4

NE. 1/4

8.2

Total

15.9

NEED ADDITIONAL
PROOF OF OWNERSHIP
FOR ADDITIONAL
11.8 acres



Michael Branchflower

MICROFILMED

JUN 24 1999



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

June 21, 1999 -

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TIM PETTERSON
REBECCA L PETTERSON
231 E 200 N
JEROME ID 83338-0392

RE: Water Right 36-07460AH (Transfer 5368)

Dear Mr. & Mrs. Petterson:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced claim (Transfer 5368). 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,

L. GLEN SAXTON, Chief
Water Allocation Bureau

LGS:klt

Enclosure

MICROFILMED

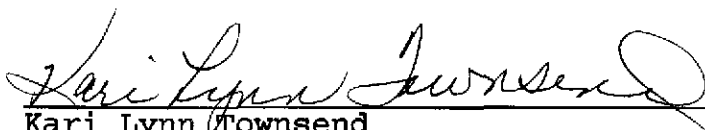
JUN 24 1999

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of June, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 36-07460AH (Transfer 5368)

**TIM PETTERSON
REBECCA L. PETTERSON
231 E 200 N
JEROME ID 83338-0392**


Kari Lynn Townsend
Secretary

MICROFILMED
JUN 24 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.

MICROFILMED
JUN 24 1999

MEMORANDUM

TO: File 36-07460AE

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 5368

DATE: June 16, 1999

Transfer 5368 changes the points of diversion, place, nature and season of use under a portion of Right 36-07460AE, splitting the right into Parts AG and AH. The applicant has purchased 27.7 acres of this water right to provide water for an expansion of an existing dairy.

Season of use was adjusted to year round for dairy uses and diversion volume limited to the consumptive use volume associated with the 27.7 acres of irrigation. No expansion occurs through this transfer; the net result is a reduction of diversion volume.

Recommended conditions include water quality, county zoning, multiple points of diversion/measuring devices, no new wells authorized, combined right limits and standard transfer conditions.

Change in Nature of Use Evaluation

36-07460AE	0.67 cfs	IRR	37.7 acres	(150.8 af/113.1 af)
Part AG	0.18 "	IRR	10.0 "	(40.0 af/ 30.0 af)
Part AH	0.49 " Dairy Uses	(27.7 "	)	83.1 af/ 83.1 af
	0.67 cfs/Dairy & IRR/37.7 acres			123.1 af/113.1 af

MICROFILMED

JUN 24 1999

TRANSFER REVIEW SHEET

(07-98)

Transfer # 5368

Date Reviewed 06-15-99
38

Right(s) X360746DAE

☒ WRQ/Split Summary ☒ Previous Transfers ☒ SRBA Status ☒ 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 WR Sales Agreement dated 12-30-98 for 27.7 acres.

Transfer All of Right ☒ Portion of Right

Resulting Split(s) AE < AG
AG) .18 cfs 10.0 acres (40af/30af)
AH) .49 cfs (27.7 ") 83.1af/83.1af
.67 cfs 37.7 acres

Check Transfer Against Recorded Right Season/Vol. C/4.0

(1) ☒ Priority (2) Use (3) Season (4) ☒ Rate (5) Volume
(6) ☒ Source (7) P/D (8) P/U (9) ☒ Proof/Owner (10) ☒ Map
North Snake GW Dist/West ESPA WQ Dist.
(11) NA Water District (12) NO Pertinent Conditions (13) NO Expansion
Reduced Div.Vol.

(2) 27.7 acres to COMM+STOCK for dairy.
(3) Allow gr. round season of use.
(5) Limited to C.V. Vol. associated w/27.7 acres
(7) & (8) Change P/D & P/U

Condition recommended by ADM memo modified per LGS.

3 existing wells/Expansion of existing dairy.

Transfer Remarks Comay/Dairy WB4
Conditions 081, 082, 067, 068, T07, T08, T17

Database/Processing Notes Standard Non-Standard ☒
Copy approved splits to 'X' prefixes, delete T's & clear Part AE.
Update WRX & WR (T file) for T5290.
"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒
Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

38 6-16-99

T-5368 adjudication review of the overlapping domestic rights decreed through the Snake River Basin Adjudication.

KKC
 Kelly K Christensen
 April 13, 1999

As these rights were decreed without determining the historical beneficial use, they were decreed in a manner that is extremely difficult to determine their interrelationship.

CLAIM #	PRIORITY DATE	RECOMMENDED USES		Sec 9 NWNE	Sec 9 NENW	Sec 4 SESESW	Sec 4 SWSE
36-11043	12-31-1930	1 home	no stock	D			
36-14856	03-01-1930	3 homes	no stock		D		2D - S
36-14830	03-20-1976	1 home	5 horses		D - S		
36-11044	03-31-1976	1 home		D			
36-14829	12-10-1979	1 home	50 cattle	D - S			
36-08532	04-10-1990	1 home	30 horses 1000 cows				S Dom assumed
36-08533	04-11-1990	1 home	Commercial stockwater	C - S	D - C - S		
			35 horses 1050 range ???? dairy				
TOTALS		4 homes	commercial	1 home	1 home	P/D Only	2 homes

All domestics stand for the same home in this a/a

All domestics stand for the same home in this a/a

1 home developed and recognized under 36-08532

If all four wells were to be recognized on each right (transfer probably required) then the domestic homes should only be recognized through the following rights. The other rights for domestic use represent the additional wells being tied into the existing homes. There are some questions remaining as to the actual dates that beneficial use occurred for 1 or more of the rights. The following list assumes that three of the homes were built in the 1930s. Well logs suggest that one or more may have been built in the 1970s. Additional supporting information is not available at this time.

- 36-11043 1 home in Sec 9 NWNE
 - 36-14856 2 homes, one in Sec 9 NENW and one in Sec 4 SWSE
 - 36-08532 1 home in Sec 4 SWSE
- 4 homes total

Domestic uses should not be recognized for the following rights or they should be conditioned as combined rights for 1 or 2 homes depending on the overlap;

- 36-14830
- 36-11044
- 36-14829

It appears that the stock uses are independent of each other except possibly for the 1,000 range cattle and the stockwater under 36-08533. The relationship between these two uses is not clear at this time.

As these rights have been decreed, I am unaware of a method of addressing these issues through the adjudication process.

RECEIVED

APR 14 1999

Department of Water Resources
 MICROFILMED

JUN 24 1999

AJ5809NP
No. 36-11043

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/12/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILFRED BARGA	12/31/1930	DOMESTIC	01-01 12-31	0.04 CFS	
C	MARY BARGA					
	PO BOX 525			TOTAL DIVERSION:	0.04 CFS	
	JEROME ID 83338					
	(208) 324-2008					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R17E S04

SESESW

JEROME County

Place of use Legal Description for: DOMESTIC

	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
08S 17E 9	:		D	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: JEROME

Non-Irrigation Uses: 1 HOME

Other Rights: SEE A36-11044.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
36-14856 A36-11043 A36-14856 R36-14856

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 PARCEL NO. RL 08S17E090025.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

AJ5809NP
No. R36-14856

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/12/99
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONNA PETTERSON	03/01/1930	STOCKWATER	01-01 12-31	0.07 CFS	
C	W C PETTERSON		DOMESTIC	01-01 12-31	0.07 CFS	
	248B EAST 200 NORTH					
	JEROME ID 83338					
	(208) 324-3331			TOTAL DIVERSION:	0.07 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T08S R17E S04 SESESW JEROME 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	
08S	17E	4	:		:		:		:		:		:		:		:		:		:		:		:		:		:		:
			:		:		:		:		:		:		:		:		:		:		:		:		:		:		:
			:		:		:		:		:		:		:		:		:		:		:		:		:		:		:

Place of use Legal Description for: DOMESTIC

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	
08S	17E	4	:		:		:		:		:		:		:		:		:		:		:		:		:		:		:
08S	17E	9	:		:		:		:		:		:		:		:		:		:		:		:		:		:		:
			:		:		:		:		:		:		:		:		:		:		:		:		:		:		:

POU County: JEROME

Non-Irrigation Uses: 3 HOMES

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

36-11043 36-14856 A36-11043 A36-14856

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 STOCKWATER, 1000 BEEF

Dates: Exam Made Date: Verified Date: 11/11/1996 Objection Filed Date:

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

AJ5809NP
No. 36-14830

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/12/99
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	REBECCA L PETTERSON	03/20/1976	STOCKWATER	01-01 12-31	0.02 CFS	
C	TIM PETTERSON		DOMESTIC	01-01 12-31	0.04 CFS	
	231 E 200 N					
	JEROME ID 83338					
	(208) 324-2431					
				TOTAL DIVERSION:	0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R17E S09

NENW

JEROME 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 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	: 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 Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
08S 17E 9 :															

Place of use Legal Description for: DOMESTIC

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 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	: 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 Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
08S 17E 9 :															

POU County: JEROME

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A36-14830

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 PARCEL NO. RL08S17E092425
STOCKWATER 5 HORSES

Dates: Exam Made Date: Verified Date: 11/07/1996 Objection Filed Date:

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

AJ5809NP
No. 36-11044

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/12/99
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY BARGA	03/31/1976	DOMESTIC	01-01 12-31	0.04 CFS	
C	WILFRED L BARGA					
	PO BOX 525			TOTAL DIVERSION:	0.04 CFS	
	JEROME ID 83338					
	(208) 324-2008					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T08S R17E S09

NWNWNE

JEROME County

Place of use Legal Description for: DOMESTIC

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 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	: 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 Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
08S	17E	9	: D	:	:	:	:	:	:	:	:	:	:	:	:

POU County: JEROME

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

36-14829 A36-11044 A36-14829

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 PARCEL NO. RL 08S17E090025.

Dates: Exam Made Date: Verified Date: 10/23/1996 Objection Filed Date:

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

AJ5809NP
No. 36-14829

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/12/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TIM PETTERSON	12/10/1979	STOCKWATER	01-01 12-31	0.02 CFS	
C	REBECCA L PETTERSON		DOMESTIC	01-01 12-31	0.04 CFS	
	231 E 200 N					
	JEROME ID 83338					
	(208) 324-2431			TOTAL DIVERSION:	0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T08S R17E S09

NWNE

JEROME County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE												
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENE		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
---	---	---	:	---	---	---	:	---	---	---	:	---	---	---	:	---	---	---	:	---	---	---	:	---
08S	17E	9	:		S		:				:				:							:		

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE												
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENE		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
---	---	---	:	---	---	---	:	---	---	---	:	---	---	---	:	---	---	---	:	---	---	---	:	---
08S	17E	9	:		D		:				:				:							:		

POU County: JEROME

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

36-11044 A36-11044 A36-14829

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 PARCEL NO. RL08S17E090025
STOCKWATER 50 CATTLE

Dates: Exam Made Date: Verified Date: 11/07/1996 Objection Filed Date:

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

Water Right Number - 36-08532

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

PETTERSON

W C

1 - 248 E 200 N

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-3331

PETTERSON

DONNA

1 - 248 E 200 N

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-3331

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +

04/10/1990

17 SOUTHERN

L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
-----	-----	-----	-------	-----	------	--------	----------------	----------------	---------------

08S	17E	4	SE SW		(53)	JEROME			
			SW SE		(53)	JEROME			

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.180	13.80
43 - DOMESTIC		01/01	12/31	0.040	1.20

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.180	15.00	0.180	0.0	

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	17E	4	SW SE			04	STOCKWATER	(53) JEROME

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

GEN Right 36-14856 is also diverted through the SESW point of diversion described above.
This right when combined with Right 36-14856 shall not exceed a diversion rate of .18 cfs.
Stockwater use is for 30 horses and 1000 range cattle.
Domestic use is for 1 home.

Water right number - 36-08532

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - 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

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

+ - - Audit Fields - 05/10/90 BALDWIN 05/17/90 CURTIS 05/21/90 CURTIS 08/02/90 CURTIS 08/03/90 CURTIS
09/03/93 GUSTAFSD 08/21/95 ABATES 08/22/95 ABATES 09/18/95 BCHAPMAN 09/19/95 BCHAPMAN
02/06/98 CLEARFLD

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 09/01/1993	Field Exam Made - 07/28/1995	Field Exam Fee - R
Approved/Denied - 08/13/1990	Protested Date - 00/00/0000	Swan Falls - C
Proof Made Date - 08/30/1993	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 08/22/1995	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 10/02/1995	Appl Received - 04/10/1990	Transfer/Amended -
Presumption Flag -	Name Connector - AND/OR	POU Ownership Flag- Y
SRBA Decreed Flag -		

Water Right Number - 36-08533

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

PETTERSON

TIM

1 - 231 E 200 N

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-2431

PETTERSON

REBECCA L

1 - 231 E 200 N

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-2431

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/11/1990 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

Point of Diversion							Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County			
08S	17E	4	SE SW		(53)	JEROME			
		9	NW NE		(53)	JEROME			
			NE NW		(53)	JEROME			

Water Use					
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.100	22.70
10 - COMMERCIAL		01/01	12/31	0.100	19.30
43 - DOMESTIC		01/01	12/31	0.040	1.20

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.100 43.20 0.0

Place of Use								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	17E	9	NW NE			04	STOCKWATER	(53) JEROME
08S	17E	9	NE NW			04	STOCKWATER	(53) JEROME
08S	17E	9	NW NE			10	COMMERCIAL	(53) JEROME
08S	17E	9	NE NW			10	COMMERCIAL	(53) JEROME
08S	17E	9	NE NW			43	DOMESTIC	(53) JEROME

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

Water right number - 36-08533

Prefix Translation: WATER RIGHT

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

GEN The total instantaneous diversion of water from all points of
diversion under Transfer 5286 shall not exceed 0.10 cfs,
nor total combined annual volume of 43.2 af.
Right 36-08532 is also diverted through the well located in the
SESW, Sec. 4, T8S, R17E.
Commercial use is for a dairy.
Domestic use is for 1 home.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

- 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.
- T17 - Prior to diversion of water under this approval, the right holder
- shall provide a means of measurement acceptable to the Department
- from all authorized points of diversion which will allow
- determination of the total rate of diversion.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

Date: 07/14/1995 User Id: SCURTIS Subject: Proof of Beneficial Use Rcvd

Proof of Beneficial Use Rcvd

Date: 04/26/1996 User Id: ABATES Subject: Field Exam

FIELD EXAM COMPLETED BY DALLAS TRYON

Date: 12/04/1998 User Id: PSKAGGS Subject: TRANSFER 5286

Transfer 5286 adds a point of diversion & changes the place of use under Right 36-08533.

+ - - Audit Fields - 05/10/90 BALDWIN 05/17/90 CURTIS 05/18/90 BALDWIN 05/21/90 CURTIS 08/02/90 CURTIS
08/03/90 CURTIS 07/14/95 COMMENTS 08/01/95 JYARBROU 09/18/95 BCHAPMAN 04/05/96 ABATES
04/26/96 ABATES 11/20/97 SCURTIS 11/21/97 SCURTIS 11/26/97 SKEEN 06/24/98 MBALDWIN
12/04/98 PSKAGGS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	- R
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	- C
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- S021041	Water District	-
Licensed Date	- 11/26/1997	Appl Received	- 04/29/1998	Transfer/Amended	- J
Presumption Flag	-	Name Connector	-	POU Ownership Flag	- Y
SRBA Decreed Flag	-				

FROM: Allen Merritt *AM*
TO: Transfer File No. 5368
Water Right(s): 36-07460 Part

DATE: March 8, 1999

In the Name of: Petterson

SUBJECT: Review and Recommendation

This transfer converts another portion of the Branchflower right from irrigation to uses in an existing dairy. The dairy currently is covered by other rights (See Transfer 5286 for license 36-08533) but this right when moved in will allow for expansion of the facility. The transfer is based on drying up 27.7 acres of the Branchflower right to cover the expansion. The transfer was filed based on allowing 3.0 afa CU volume for each acre dried up. (See Skinner's memo dated 12/30/98 for details.) Note that although Brockway was advised to identify PU for the waste and include same in application they did not feel this was appropriate so did not include this defined PU as part of this transfer.

This transfer was advertised without protest.

OVERLAP OF RIGHTS FROM SAME POINTS OF DIVERSION

There appears to be four interconnected wells; the following three are proposed to be associated with this transfer.

SESESW S04	Drilled around 1930
NWNE S09	Drilled 03/20/1976
NWNE S09	Drilled 12/12/1979

There are numerous water rights listing the subject three wells as points of diversion. Included are numerous D&S decrees; however field review finds that the number of claims far exceed the actual number of houses at the site. I resolve that several of the rights are for the same houses and there are mistakes in recent decrees. The following list should clarify some of the confusion:

On parcel RL08S17E090025 (NWNE S09) there exists 1 house and 1 well. The well was drilled by Barga and finished 03/20/1976 (See log). This parcel is presently owned by Tim Petterson who purchased it from Wilford Barga in 1990 (See Deed). This 1 domestic use is covered by the following decrees:

36-11043	W Barga	Well SESESW S04	12/31/1930
36-11044	W Barga	Well NWNWNE S09	03/31/1976
36-14829	T Petterson	Well NWNE S09	12/10/1979

On parcel RL08S17E092425 (NENW S09) there exists 1 house and 1 well. The well was drilled by W. Brent Petterson and finished 12/12/1979. This parcel is presently owned by Tim Petterson who purchased it from W. Brent Petterson in 1985. This 1 domestic use is covered by the following decrees:

36-14830	T Petterson	Well NENW S09	03/20/1976
----------	-------------	---------------	------------

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R36-14856 WC Petterson Well SESESW S04 03/01/1930**
** 1 of 3 homes hooked to this well other uses
including stockwater in S04.
L36-08533 T Petterson All three wells 04/11/1990*
* 1 home and water for dairy.

On parcel RL08S17E044801 (SESW, SWSE S04) there exists 2 (SWSE) houses and two wells. One well SESW and other SWSE. These lands were owned by WC Petterson but were sold to Giltner in 1996 (See Deed).

R36-14856 WC Petterson Well SESESW S04 03/01/1930**
** 2 of 3 homes hooked to this well plus stockwater
L36-08532 WC Petterson Both Wells S04 04/10/1990*
* 1 home and water for stock

Additionally Right 36-08533 is out of the same three wells and is limited to 0.10 cfs when combined with all rights.

BASED ON THIS OVERLAP REVIEW IT APPEARS THAT 36-14856 SHOULD ONLY BE HISTORICALLY RECOGNIZED FOR 1 HOUSE IN SWSE S04; THE OTHER HOUSE IN SWSE S04 IS RECOGNIZED UNDER 36-08542. ADDITIONALLY 36-14829 SHOULD BE FORFEITED OR VOIDED DUE TO OVERLAP AND 36-14830 SHOULD HAVE THE PRIORITY ADVANCED TO 12/12/1979.

RECOMMENDATION

I recommend the transfer be approved subject to the following conditions:

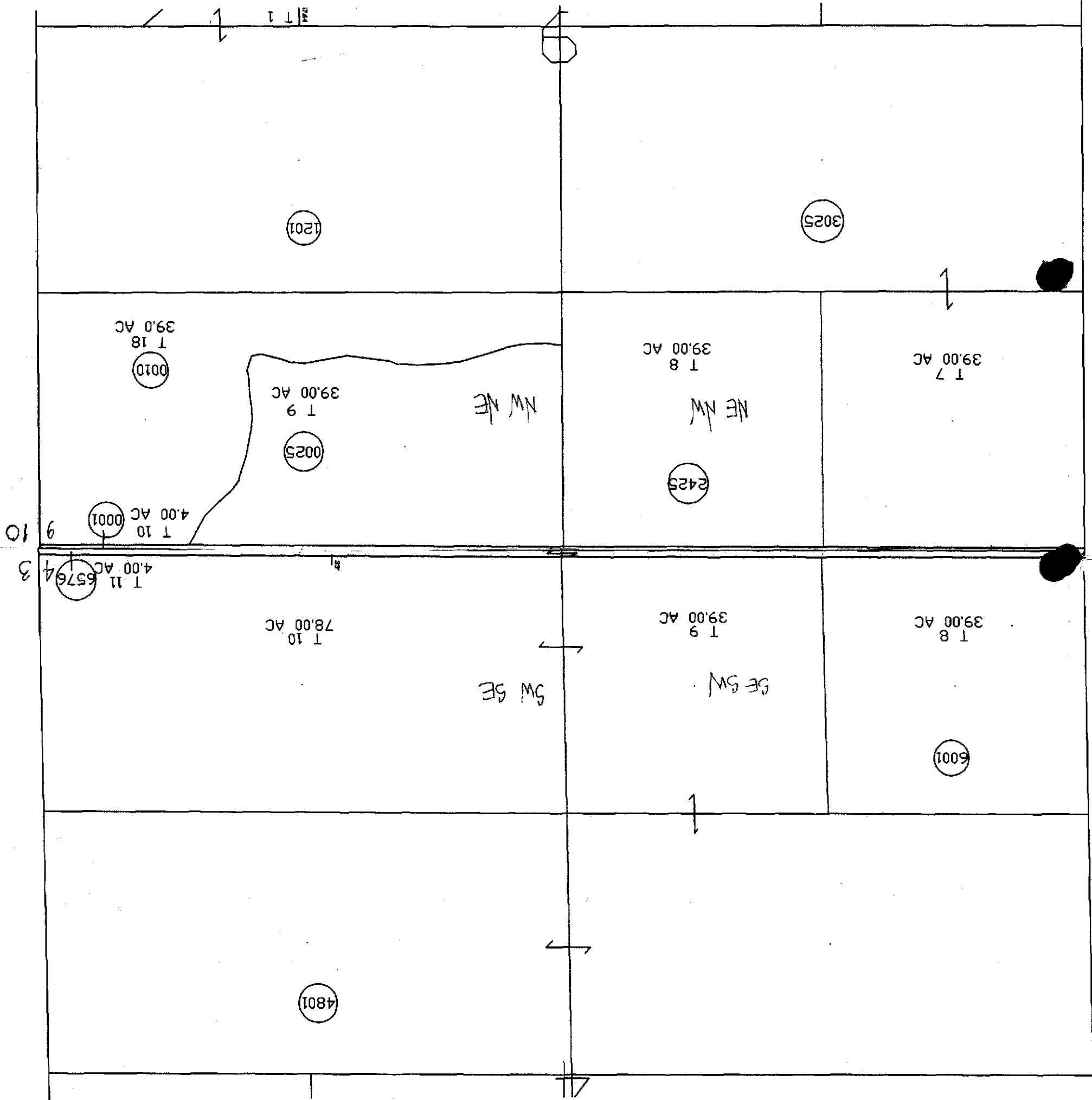
- No new wells authorized to be drilled under this approval.
- Place of Use for Commercial dairy within NW $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, Twp.08S, Rge.17E, B.M. (Does not include waste disposal site.)
- All three wells shall have measuring devices installed and subject to measuring and reporting of use through West ESPA Measurement District.
- Other rights out of same portion of system include: 36-08532, 36-08533, 36-11043, 36-11044, 36-14830. **ASSUMING 36-14829 FORFEITED OR VOIDED.
- The capacity of the three subject wells is limited to 0.10 cfs plus 0.49 cfs or 0.59 cfs. WHEN THE FOURTH WELL IS ADDED IN UNDER RIGHTS 36-08532 & 36-14856 THE LIMIT SHOULD BE 0.67 CFS IN TOTAL.
- The total annual diversion volume from the three wells should be (2 houses - 2.4 afa; existing dairy - 42.0 afa; plus water from this transfer - 83.1 afa) = 127.5 afa. This would be the use on the south side of the road. WHEN THE USE ON THE NORTH SIDE IS ADDED IN INCLUDING THE FOURTH WELL THERE COULD BE AN ADDITIONAL 15 AFA FROM 36-08532 AND ASSUMING MAX HISTORICAL OF ANOTHER 15 AFA BUT THE HISTORICAL HAS NOT BEEN DETERMINED.
- When 36-11044 & 36-11043 combined shall not exceed 1 home. When 36-08532, 36-08533, 36-14830 & 36-14856

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combined shall not exceed 3 homes.

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(4801) WD 962353 6/94 GILTER
 (2425) OLD 290262 5-31-85 PETERSON
 (0025) WD 320090 3/90 " "

QCD 290262. 5-31-85

W. BRENT to Tim

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JUN 24 1999

WELL IN NENW SECTION 09

0.06 cfs (36-14830)

WELL IN SESW SECTION 04

0.18 cfs (36-08532)

← can also be diverted out
of well in SWSE section 04

0.07 cfs (36-14856)

0.04 cfs (36-11043)

WELL IN NWNE SECTION 09

0.06 cfs (36-14829)

0.04 cfs (36-11044)

0.10 cfs (36-08533)

can be diverted out of any/all
of the three above wells

0.49 cfs (T36-07460 AJ)

can be diverted out of any/all
of the three above wells

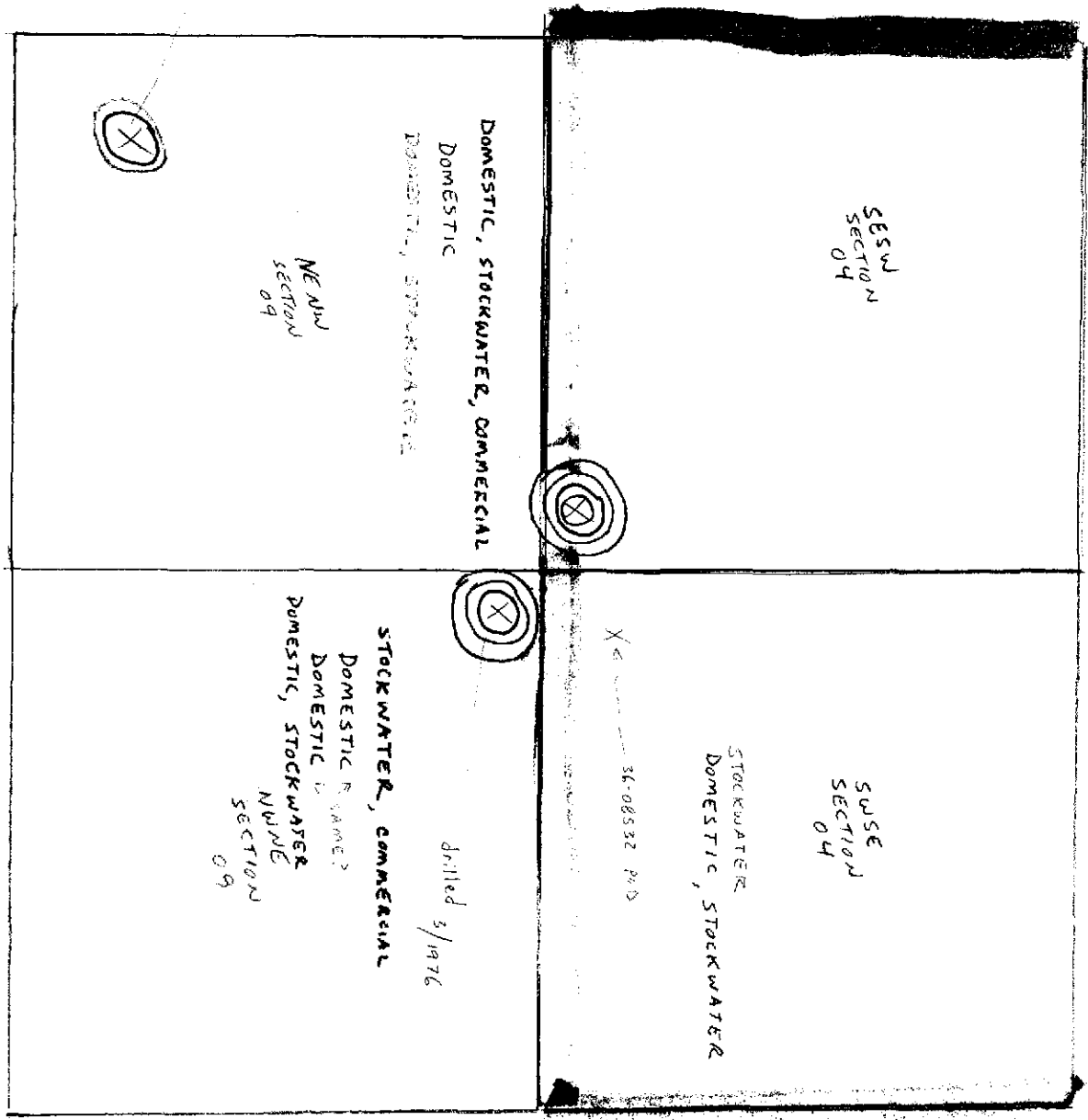
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R17E

T08S

12/1979



36-08532. WC, DONNA PETERSON

36-08533. Rebecca and Tim Peterson

* 36-14829. Rebecca & Tim Peterson

* 36-14830. Rebecca & Tim Peterson

36-11043. WILFRED & MARY SARGA

36-14856. WC, DONNA PETERSON

* 36-11044. WILFRED & MARY SARGA

* probable well locations

now owned by Giltner

Owned by Rebecca and Tim Peterson

RANGE 17 EAST

JEROME COUNTY

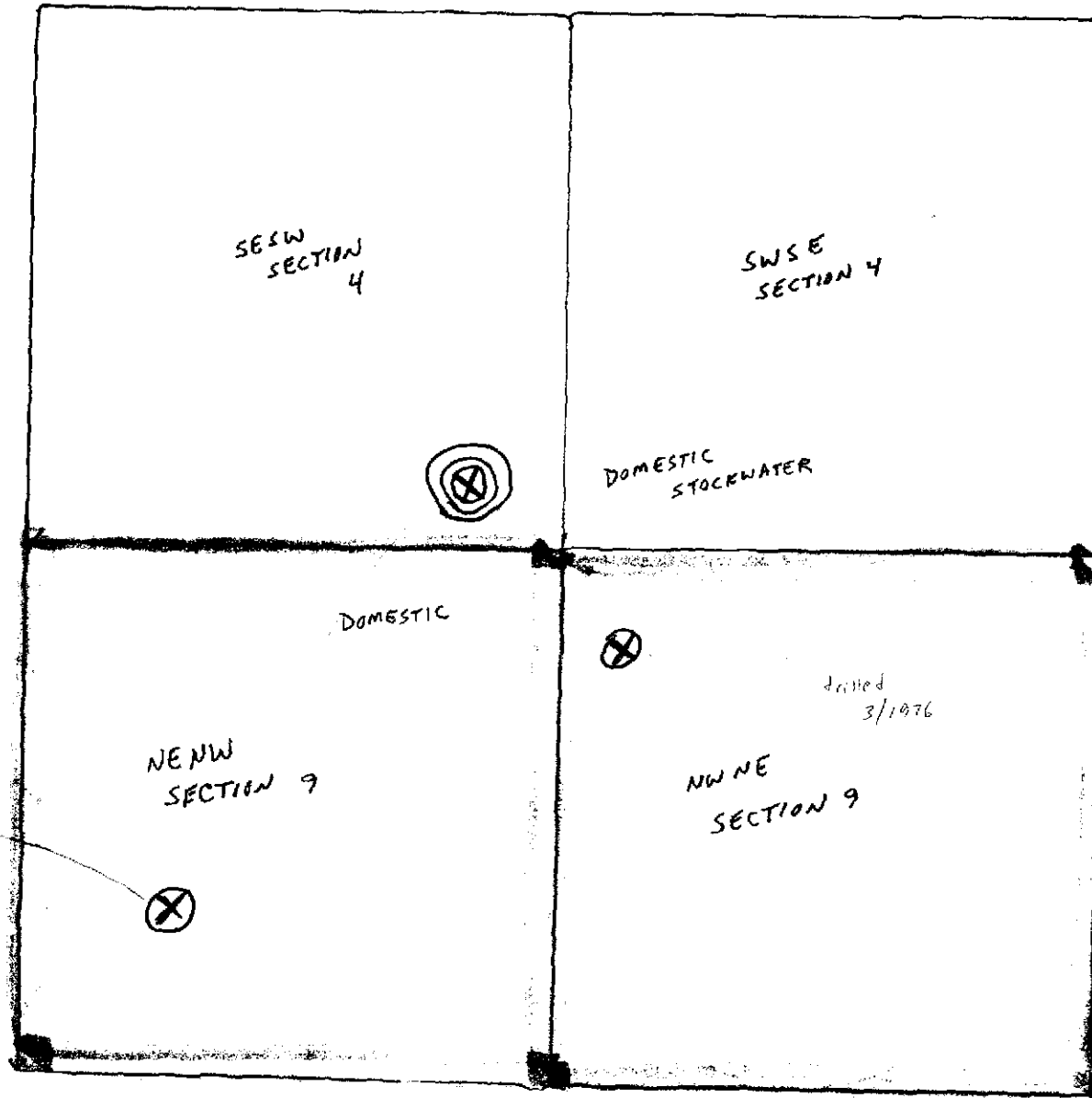
need
* map(s)
showing
parcels

* and ~~land~~
ownership
of parcels

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TOWNSHIP
08
SOUTH



drilled
12/1979

Rebecca Petterson
Tim

36-08533 36-14856
36-08532 36-11043

REC'D JUN 24 1989

NE NW

320090

4801

6/96

WD 962353

6/96

Patterson

WD320090

2925 NENN 9

0025 NWNE 9

3/90

QUITCLAIM DEED

For Value Received

W. BRENT PETTERSON and CAROL PETTERSON, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

TIM L. PETTERSON and REBECCA PETTERSON, husband and wife

Hereinafter called the grantee, the following described premises, in Jerome County, Idaho
to-wit:NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 9, Township 8 South,
Range 17 E.B.M., Jerome County, Idaho,
together with 38 $\frac{1}{2}$ shares of stock in
the North Side Canal Co., Ltd.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated:

W. Brent Peterson

W. BRENT PETTERSON

Carol Peterson

CAROL PETTERSON

STATE OF TEXAS, County of Dallas

On this 20th day of May, 1985,
before me, a notary public in and for said State, personally appearedW. BRENT PETTERSON and
CAROL PETTERSON, husband
and wifeknown to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Residing at

Blindfold Kurt
*misquite*Notary Public
TexasRECORDED AT THE REQUEST
of *Billy Peterson*
May 31 8 45 AM '85
JEROME CO. ID. 15740
FEES \$20.00 SEP 16

290262

MICROFILMED

JUN 24 1999

38305SM
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

***** SPACE ABOVE FOR RECORDER *****

WARRANTY DEED

FOR VALUE RECEIVED W.C. PETTERSON, ALSO KNOWN AS W.C. (CHUCK) PETTERSON ALSO KNOWN AS WILLIAM CHARLTON PETTERSON, A MARRIED MAN DEALING WITH HIS SOLE AND SEPARATE PROPERTY, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto WILLIAM C. GILTNER AND SUZANNE J. GILTNER, husband and wife, hereinafter called grantee, whose address is: PO Box 36 Jerome Idaho 83338, the following described premises, in Jerome County, Idaho, to-wit:

PARCEL NO. 1

Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho
Section 4: SE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM that portion deeded to the State of Idaho by Right of Way Deeds recorded June 5, 1939, in Book 121, page 27 as Instrument No. 73704, and recorded July 24, 1939, in Book 121, page 40 as Instrument No. 74086; and recorded January 14, 1941, in Book 121, page 195 as Instrument No. 78839, Jerome County records.

PARCEL NO. 2

Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho
Section 4: SW $\frac{1}{4}$ SW $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 29, 1996

W.C. Peterson

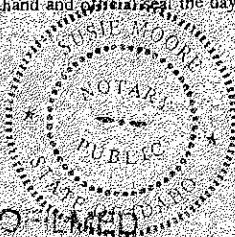
W.C. PETTERSON

STATE OF IDAHO
County of Twin Falls

On this 29th day of MAY, 1996, before me, a Notary Public in and for said State, personally appeared W.C. PETTERSON, A MARRIED MAN DEALING WITH HIS SOLE AND SEPARATE PROPERTY, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Suzanne Moore
Notary Public for Idaho
Residing in: Twin Falls
Commission Expires: 11-28-96 5-16-2000



JUN 24 1996

FURNISHED BY Land Title and Escrow, Inc.

J-16541

WARRANTY DEED

For Value Received

WILFRED L. BARGA, an unmarried man And
 ROBERT L. BARGA, as Personal Representative of the Estate of MARY CATHERINE BARGA,
 deceased
 Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 TIM PETERSON and BECKY PETERSON, husband and wife AKA TIM L. PETERSON and REBECCA
 whose address is: 231 East 200 North Jerome, Idaho 83338 PETERSON

Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho,
 to-wit:

TOWNSHIP 8 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
 JEROME COUNTY, IDAHO

Section 9: N&NEX:

EXCEPTING THEREFROM that part of the N&NEX deeded
 to the State of Idaho for public highway by Right
 of Way Deed recorded July 24, 1939 in Book 121 Page
 39 as Instrument Number 74085, Jerome County
 records.

AND EXCEPTING THEREFROM that part of the N&NEX
 deeded to the State of Idaho for public highway by
 Right of Way Deed recorded January 14, 1941 in Book
 121 Page 192 as Instrument Number 78837, Jerome
 County records.

TOGETHER WITH ^{36.9} shares of North Side Canal Company Water Stock Limited And
^{41.1} shares of North Side Pumping Company Water Stock

SUBJECT TO THE FOLLOWING:

See attached Exhibit A

RECORDED
 OF LAND TITLE & ESCROW, INC.
 MAR 21 4 14 PM '90
 JEROME COUNTY, IDAHO
 RES. & CO. DEP.

320090

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
 and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
 and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
 free from all incumbrances except as above described and that Grantor will warrant and defend the
 same from all lawful claims whatsoever.

Dated: March 6, 1990 1600 HR.

WILFRED L. BARGA by ROBERT L. BARGA, his
 Attorney-In-Fact

ROBERT L. BARGA, as Personal Representative
 of the Estate of MARY CATHERINE BARGA, deceased

California

STATE OF IDAHO, COUNTY OF Santa Clara
 On this 6TH day of March, 1990

before me, a notary public in and for said State, per-
 sonally appeared Robert L. Barga, known or
 identified to me to be the person whose
 name is subscribed to the within instru-
 ment as the attorney in fact of WILFRED
 L. BARGA and acknowledged to me that he
 subscribed the name WILFRED L. BARGA as
 as principal, and his own name as attorney
 in fact.

Lillian Almy Baldur
 OFFICIAL SEAL
 LILLIAN ALMY BALDUR
 Notary Public-California
 SANTA CLARA COUNTY
 My Comm. Exp. 1-1-1995

State of California, County of Santa Clara

On this 6TH day of March, 1990, before me,
 a notary public in and for said State, per-
 sonally appeared ROBERT L. BARGA, known or
 identified to me to be the person whose name
 is subscribed to the within instrument as
 Personal Representative of the Estate of MARY
 CATHERINE BARGA, deceased, and acknowledged to
 me the he executed the same as such Personal
 Representative of the Estate of MARY CATHERINE
 BARGA, deceased.

Lillian Almy Baldur
 OFFICIAL SEAL
 LILLIAN ALMY BALDUR
 Notary Public-California
 SANTA CLARA COUNTY
 My Comm. Exp. 1-1-1995
 JUN 24 1990

Taxes for 1990 and subsequent years, which are not yet due and payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

Assessments of the North Side Pumping Company and the rights and powers of said Company as by law provided.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Well Agreement contained in Deed between Martin T. Larsen and Theresa Larsen, husband and wife, and Hyrum L. Humphries and Q. Corbett Humphries, dated August 14, 1926, recorded October 22, 1930 as Instrument Number 45418, Jerome County records.

Conditions and restrictions for Right of Way for State Highway contained in Right of Way Deed given by Q. Corbett Humphries and Leo Humphries, husband and wife, to the State of Idaho, dated June 12, 1939, recorded July 24, 1939 in Book 121 Page 39 as Instrument Number 74085, Jerome County records.

Conditions and restrictions for Right of Way for State Highway contained in Right of Way Deed given by Q. Corbett Humphries, a widower, to the State of Idaho, dated December 9, 1940, recorded January 14, 1941 in Book 121 Page 192 as Instrument Number 78637, Jerome County records.

Warranty Deed given by Q. Corbett Humphries, also known as Q. Corbett Humphries), a widower, to Wilfred L. Barga and Mary Barga, husband and wife, dated May 2, 1942, recorded May 8, 1942 in Book 121 Page 491 as Instrument Number 83800, Jerome County records, pertaining to a one quarter interest in a community well and an easement over a strip of land 10 feet in width from said well to the county road.

Agreement for irrigation water contained in Release between Wilfred L. Barga and Mary Barga, husband and wife, to Idaho Farms Company, dated February 1, 1947, recorded February 4, 1947 in Book 134 Page 237 as Instrument Number 98615, Jerome County records.

Terms and conditions of an Agreement by and between Wilfred Barga and Mary Barga, husband and wife, and Eugene Fredericksen and Judy Fredericksen, husband and wife, dated June 12, 1975, recorded July 18, 1975 in Book 189 Page 724 as Instrument Number 213163, Jerome County records, pertaining to the rerouting of water through a different headgate and pipeline.

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WELL DRILLER'S REPORT

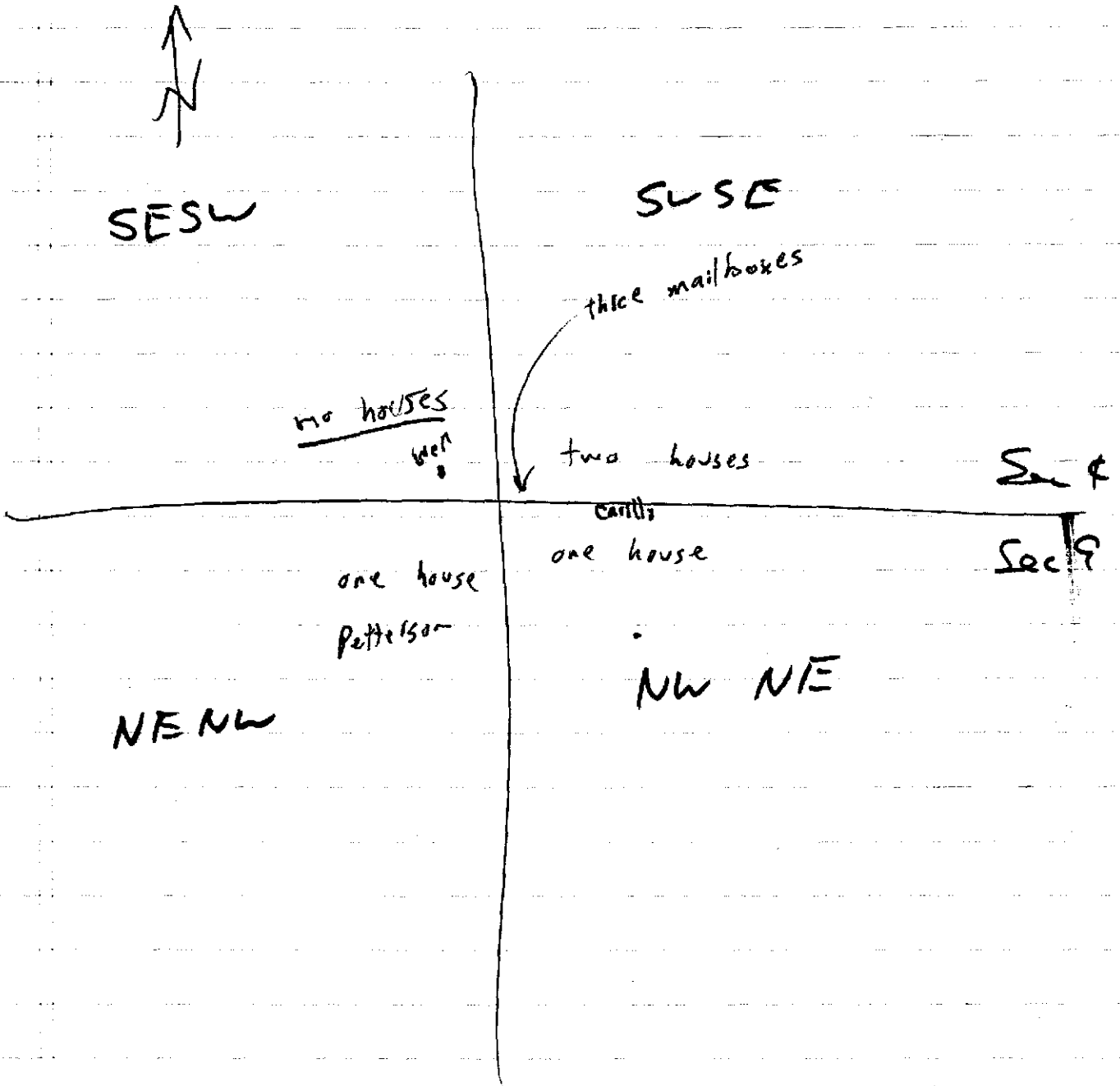
State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

RECEIVED
SOUTHERN DISTRICT OFFICE
BOJESBY, IDAHO
APR 26 1976

1. WELL OWNER Name <u>Wilford Barga</u> Address <u>Route 1 Jerome</u> Owner's Permit No. _____	7. WATER LEVEL Static water level <u>338</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. <u>16</u> Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																																																																																																																																																																				
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☒ Other <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Draw Down</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td>Approx 50</td> <td>None</td> <td>1</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Discharge G.P.M.	Draw Down	Hours Pumped	Approx 50	None	1																																																																																																																																																																																																																																														
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____ ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Hole Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>8</td> <td>0</td> <td>9</td> <td>Top Soil</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>9</td> <td>12</td> <td>Hard Gray Basalt w/small breaks</td> <td></td> <td></td> </tr> <tr> <td>8/6</td> <td>12</td> <td>29</td> <td>Hard Gray Basalt</td> <td></td> <td></td> </tr> <tr> <td>6</td> <td>29</td> <td>32</td> <td>Broken Rock Lost return</td> <td></td> <td></td> </tr> <tr> <td></td> <td>32</td> <td>41</td> <td>Hard Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>41</td> <td>59</td> <td>Hard Rock large breaks</td> <td></td> <td></td> </tr> <tr> <td></td> <td>59</td> <td>60</td> <td>Crevice</td> <td></td> <td></td> </tr> <tr> <td></td> <td>60</td> <td>89</td> <td>Hard Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>89</td> <td>91</td> <td>Broken Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>91</td> <td>96</td> <td>Hard Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>96</td> <td>99</td> <td>Broken Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>99</td> <td>116</td> <td>Hard Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>116</td> <td>119</td> <td>Broken Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>119</td> <td>146</td> <td>Hard Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>146</td> <td>148</td> <td>Hard w/small breaks</td> <td></td> <td></td> </tr> <tr> <td></td> <td>148</td> <td>155</td> <td>Broken Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>155</td> <td>157</td> <td>Crevice</td> <td></td> <td></td> </tr> <tr> <td></td> <td>157</td> <td>173</td> <td>Hard w/small breaks</td> <td></td> <td></td> </tr> <tr> <td></td> <td>173</td> <td>178</td> <td>Broken Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>178</td> <td>195</td> <td>Hard Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>195</td> <td>200</td> <td>Broken Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>200</td> <td>208</td> <td>Hard w/small breaks</td> <td></td> <td></td> </tr> <tr> <td></td> <td>208</td> <td>217</td> <td>Broken</td> <td></td> <td></td> </tr> <tr> <td></td> <td>217</td> <td>222</td> <td>Hard</td> <td></td> <td></td> </tr> <tr> <td></td> <td>222</td> <td>230</td> <td>Hard w/large breaks</td> <td></td> <td></td> </tr> <tr> <td></td> <td>230</td> <td>270</td> <td>Hard w/small breaks</td> <td></td> <td></td> </tr> <tr> <td></td> <td>270</td> <td>271</td> <td>Crevice</td> <td></td> <td></td> </tr> <tr> <td></td> <td>271</td> <td>276</td> <td>Hard w/small breaks</td> <td></td> <td></td> </tr> <tr> <td></td> <td>276</td> <td>289</td> <td>Hard</td> <td></td> <td></td> </tr> <tr> <td></td> <td>289</td> <td>296</td> <td>Med Hard w/small breaks</td> <td></td> <td></td> </tr> <tr> <td></td> <td>296</td> <td>308</td> <td>Hard</td> <td></td> <td></td> </tr> <tr> <td></td> <td>308</td> <td>315</td> <td>Hard w/small breaks</td> <td></td> <td></td> </tr> <tr> <td></td> <td>315</td> <td>336</td> <td>Soft Rock</td> <td></td> <td></td> </tr> <tr> <td></td> <td>336</td> <td>342</td> <td>Hard Rock</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>342</td> <td>346</td> <td>Hard w/small breaks</td> <td>X</td> <td></td> </tr> <tr> <td></td> <td>346</td> <td>355</td> <td>Hard Gray Basalt</td> <td></td> <td>X</td> </tr> <tr> <td></td> <td>355</td> <td>360</td> <td>Broken Gray Basalt</td> <td>X</td> <td></td> </tr> <tr> <td></td> <td>360</td> <td>396</td> <td>Hard Gray Basalt/small breaks</td> <td>X</td> <td></td> </tr> <tr> <td></td> <td>396</td> <td>400</td> <td>Broken Gray Basalt</td> <td>X</td> <td></td> </tr> </tbody> </table>	Hole Diam.	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5. WELL CONSTRUCTION Diameter of hole <u>6</u> inches Total depth <u>400</u> feet Casing schedule: ☒ Steel ☒ Concrete <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>250</u> inches</td> <td><u>6 5/8</u> inches</td> <td><u>1</u> feet</td> <td><u>-19</u> feet</td> </tr> <tr> <td><u>Concrete</u></td> <td></td> <td><u>0</u> feet</td> <td><u>-340</u> feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>18</u> Material used in seal ☐ Cement grout ☒ Puddling clay ☐ Well cuttings Sealing procedure used ☐ Sherry pit ☐ Temporary surface casing ☒ Overbore to seal depth	Thickness	Diameter	From	To	<u>250</u> inches	<u>6 5/8</u> inches	<u>1</u> feet	<u>-19</u> feet	<u>Concrete</u>		<u>0</u> feet	<u>-340</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	11. DRILLERS CERTIFICATION SMITH DRILLING & PUMP CO., INC. Firm Name _____ Firm No. <u>11</u> Address <u>328 West Avenue A</u> Date <u>3/23/76</u> Signed by (Firm Official) <u>[Signature]</u> and (Operator) <u>[Signature]</u>																																																																																																																																																																																																																
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6. LOCATION OF WELL Sketch map location must agree with written location. 36 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">N</td> <td style="text-align: center;">W</td> <td style="text-align: center;">E</td> <td style="text-align: center;">S</td> </tr> <tr> <td style="text-align: center;">[Sketch Map]</td> <td></td> <td></td> <td></td> </tr> </table> Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Jerome</u> NW <u>4</u> NE <u>4</u> Sec. <u>9</u> T. <u>BS</u> N/S. R. <u>17E</u> BME/W	N	W	E	S	[Sketch Map]				FORWARD THE WHILE FOR THE DEPARTMENT																																																																																																																																																																																																																																												
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MICROFILMED

JUN 24 1999



MICROFILMED
JUN 24 1999

ACTION REQUIRED

FROM: Allen

TO: Covey

Could you create a plot map showing existing wells, houses ect & relate it to the numerous water rights & decrees. This appears to be so intertwined I don't get a clear picture yet. It appears several of the decrees are for the same thing.

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

12/29/98 16:43:51
Page 1

Water Right Number - 36-11043

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
BARGA

WILFRED

1 - PO BOX 525
2 -
3 -

City- JEROME
Phone - 208-324-2008

State- ID Zip- 83338

BARGA

MARY

1 - PO BOX 525
2 -
3 -

City- JEROME
Phone - 208-324-2008

State- ID Zip- 83338

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/31/1930 ERROR IN REGION D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County Diversion Name

08S 17E 4 SE SE SW (53) JEROME

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

08S 17E 9 NW NE 43 DOMESTIC (53) JEROME

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - SEE A36-11044.

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

EXP PARCEL NO. RL 08S17E090025.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

OVERLAPPING
POINT OF
DIVERSION →

Water right number - 36-11043

Prefix Translation: WATER RIGHT

+ - - - - 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.

+ - - - - Decree Plaintiff - - - +
STATE OF IDAHO

+ - - - - Decree Defendant - - - +
UNITED STATES ET AL

+ - Decree Date - +
07/07/1998

+ - - Audit Fields - 10/24/96 DSHAFF 10/28/96 DS1-PROD 09/01/98 PD-DSHAF

+ - - - - Comments - - - - - +

Date: 08/26/1991 User Id: SMITH Subject: COPIED FROM REMARKS
THIS SAME WELL SHARED WITH W. C. PETTERSON & TIM PETTERSON FAMILIES.
Date: 10/28/1996 User Id: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME". CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

+ - - - - 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	- 12/28/1988	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	- S005256	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/29/98 16:42:44
Page 1

Water Right Number - 36-11044

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
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2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-2008

BARGA

WILFRED L

+ - - Priority Date - - +
03/31/1976

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

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PROBABLE
OVERLAPPING
POINT OF
DIVERSION

BARGA WELL
LOG SAYS
WELL DILLED
03/1976

Water right number - 36-11044

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N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

STATE OF IDAHO

UNITED STATES ET AL

11/22/1996

+ - - - - Comments - - - - - +
Date: 10/14/1996 User Id: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME". CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

+ - - Audit Fields - 10/18/96 DSHAFF 10/23/96 JROBERTS 11/27/96 PD-DSHAF 04/30/98 DECREED

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 10/23/1996	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Presumption Flag -	Name Connector - AND/OR	POU Ownership Flag- Y
SRBA Decreed Flag - D		

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/29/98 16:43:02
Page 1

Water Right Number - 36-14829

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
PETTERSON

TIM

1 - 231 E 200 N
2 -
3 -

State- ID Zip- 83338

City- JEROME
Phone - 208-324-2431

PETTERSON

REBECCA L

1 - 231 E 200 N

2 -
3 -

State- ID Zip- 83338

City- JEROME
Phone - 208-324-2431

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/10/1979 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

08S 17E 9 NW NE (53) JEROME

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S 17E 9 NW NE 04 STOCKWATER (53) JEROME
08S 17E 9 NW NE 43 DOMESTIC (53) JEROME

+ - - Diversion Means - 6"X 400' WELL, PUMP

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use -

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

EXP PARCEL NO. RLO8S17E090025
STOCKWATER 50 CATTLE

PROBABLE
OVERLAPPING
POINT OF
DIVERSION

Matches "Barga Well" well log

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/29/98 16:43:02
Page 2

Water right number - 36-14829

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - 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.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

STATE OF IDAHO

UNITED STATES ET AL

12/13/1996

+ - - - - -Comments- - - - - +

Date: 10/02/1996 User Id: D&S-DSHA Subject: D&S CONDITION CODE UPDATE
CONDITION CODE N11 ADDED

CONDITION CODE N13 ADDED

+ - - Audit Fields - 09/30/96 DSHAFF 10/02/96 D&S-DSHA 11/07/96 FHITCHCO 12/13/96 PD-DSHAF 03/05/98 DECREED

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 11/07/1996	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Presumption Flag	-	Name Connector	- AND	POU Ownership Flag	- Y
SRBA Decreed Flag	- D				

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/29/98 16:43:23
Page 1

Water Right Number - 36-14830

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
PETTERSON

REBECCA L

1 - 231 E 200 N

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-2431

PETTERSON

TIM

1 - 231 E 200 N

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-2431

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/20/1976 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

08S 17E 9 NE NW (53) JEROME

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

04 - STOCKWATER

01/01

12/31

0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

08S 17E 9

NE NW

04 STOCKWATER

(53) JEROME

08S 17E 9

NE NW

43 DOMESTIC

(53) JEROME

+ - - Diversion Means - 6"X 400' WELL, PUMP

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use -

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

EXP PARCEL NO. RL08S17E092425
STOCKWATER 5 HORSES

Matches 12/1979 Peterson well log

PROBABLE
OVERLAPPING
POINT OF
DIVERSION

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/29/98 16:43:23
Page 2

Water right number - 36-14830

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - 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.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

STATE OF IDAHO

UNITED STATES ET AL

12/13/1996

+ - - - - -Comments- - - - - +
Date: 10/02/1996 User Id: D&S-DSHA Subject: D&S CONDITION CODE UPDATE
CONDITION CODE N11 ADDED CONDITION CODE N13 ADDED

+ - - Audit Fields - 09/30/96 DSHAFF 10/02/96 D&S-DSHA 11/07/96 FHITCHCO 12/13/96 PD-DSHAF 03/05/98 DECREED

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 11/07/1996	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Presumption Flag -	Name Connector - AND	POU Ownership Flag- Y
SRBA Decreed Flag - D		

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/30/98 08:28:54
Page 1

Water Right Number - 36-08533

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
PETTERSON

TIM

1 - 231 E 200 N
2 -
3 -

City- JEROME
Phone - 208-324-2431

State- ID Zip- 83338

PETTERSON

REBECCA L

1 - 231 E 200 N
2 -
3 -

City- JEROME
Phone - 208-324-2431

State- ID Zip- 83338

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/11/1990 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

Point of Diversion						Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County		
08S	17E	4	SE SW			(53) JEROME		
		9	NW NE			(53) JEROME		
			NE NW			(53) JEROME		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.100	22.70
10 - COMMERCIAL		01/01	12/31	0.100	19.30
43 - DOMESTIC		01/01	12/31	0.040	1.20

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.100 43.20 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	17E	9	NW NE			04	STOCKWATER	(53) JEROME
08S	17E	9	NE NW			04	STOCKWATER	(53) JEROME
08S	17E	9	NW NE			10	COMMERCIAL	(53) JEROME
08S	17E	9	NE NW			10	COMMERCIAL	(53) JEROME
08S	17E	9	NE NW			43	DOMESTIC	(53) JEROME

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

OVERLAPPING
POINTS
OF
DIVERSION

OVERLAPPING
PLACE OF
USE

Water right number - 36-08533

Prefix Translation: WATER RIGHT

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

GEN The total instantaneous diversion of water from all points of diversion under Transfer 5286 shall not exceed 0.10 cfs, nor total combined annual volume of 43.2 af. Right 36-08532 is also diverted through the well located in the SESW, Sec. 4, T8S, R17E. Commercial use is for a dairy. Domestic use is for 1 home.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

- 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.
- T17 - Prior to diversion of water under this approval, the right holder - shall provide a means of measurement acceptable to the Department - from all authorized points of diversion which will allow - determination of the total rate of diversion.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 07/14/1995 User Id: SCURTIS Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd
Date: 04/26/1996 User Id: ABATES Subject: Field Exam
FIELD EXAM COMPLETED BY DALLAS TRYON
Date: 12/04/1998 User Id: PSKAGGS Subject: TRANSFER 5286
Transfer 5286 adds a point of diversion & changes the place of use under Right 36-08533.

+ - - Audit Fields - 05/10/90 BALDWIN 05/17/90 CURTIS 05/18/90 BALDWIN 05/21/90 CURTIS 08/02/90 CURTIS
08/03/90 CURTIS 07/14/95 COMMENTS 08/01/95 JYARBROU 09/18/95 BCHAPMAN 04/05/96 ABATES
04/26/96 ABATES 11/20/97 SCURTIS 11/21/97 SCURTIS 11/26/97 SKEEN 06/24/98 MBALDWIN
12/04/98 PSKAGGS

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee - R
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls - C
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number - S021041	Water District -
Licensed Date - 11/26/1997	Appl Received - 04/29/1998	Transfer/Amended - J
Presumption Flag -	Name Connector -	POU Ownership Flag- Y
SRBA Decreed Flag -		

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/29/98 16:42:26
Page 1

Water Right Number - 36-08532

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
PETTERSON

W C

1 - 248 E 200 N
2 -
3 -

City- JEROME
Phone - 208-324-3331

State- ID Zip- 83338

PETTERSON

DONNA

1 - 248 E 200 N
2 -
3 -

City- JEROME
Phone - 208-324-3331

State- ID Zip- 83338

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/10/1990 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

Point of Diversion							Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County			
08S	17E	4	SE SW SW SE		(53)	JEROME			
					(53)	JEROME			

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31	0.180	13.80
43 - DOMESTIC		01/01	12/31	0.040	1.20

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.180 15.00 0.180 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	17E	4	SW SE			04	STOCKWATER	(53) JEROME

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

GEN Right 36-14856 is also diverted through the SESW point of diversion described above. This right when combined with Right 36-14856 shall not exceed a diversion rate of .18 cfs. Stockwater use is for 30 horses and 1000 range cattle. Domestic use is for 1 home.

RIGHTS WITH
POINT OF DIVERSION
OR PLACE OF
USE
OVERLAPS

OVERLAPPING
POINT OF
DIVERSION

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/29/98 16:42:26
Page 2

Water right number - 36-08532

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - 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

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

+ - - Audit Fields - 05/10/90 BALDWIN 05/17/90 CURTIS 05/21/90 CURTIS 08/02/90 CURTIS 08/03/90 CURTIS
09/03/93 GUSTAFSO 08/21/95 ABATES 08/22/95 ABATES 09/18/95 BCHAPMAN 09/19/95 BCHAPMAN
02/06/98 CLEARFLD

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 09/01/1993	Field Exam Made - 07/28/1995	Field Exam Fee - R
Approved/Denied - 08/13/1990	Protested Date - 00/00/0000	Swan Falls - C
Proof Made Date - 08/30/1993	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 08/22/1995	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 10/02/1995	Appl Received - 04/10/1990	Transfer/Amended -
Presumption Flag -	Name Connector - AND/OR	POU Ownership Flag- Y
SRBA Decreed Flag -		

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

12/29/98 16:44:59
Page 1

Water Right Number - R36-14856

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
PETTERSON

DONNA

1 - 248B EAST 200 NORTH
2 -
3 -

City- JEROME State- ID Zip- 83338

Phone - 208-324-3331

PETTERSON

W C

1 - 248B EAST 200 NORTH

2 -

3 -

City- JEROME

State- ID Zip- 83338

Phone - 208-324-3331

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/01/1930 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

08S 17E 4 SE SE SW (53) JEROME

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.070
04 - STOCKWATER 01/01 12/31 0.070

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.070 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S 17E 4 SW SE 04 STOCKWATER (53) JEROME
08S 17E 4 SW SE 43 DOMESTIC (53) JEROME
08S 17E 9 NE NW 43 DOMESTIC (53) JEROME

+ - - Diversion Means - 350'X 6" WELL, 5 HP PUMP; TIED INTO COMMON SYSTEM

+ - - Non-Irrigation Use - 3 HOMES

+ - - Other Rights for Same Use - NONE

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

EXP STOCKWATER, 1000 BEEF

OVERLAPPING
POINT OF
DIVERSION

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

12/29/98 16:45:36
Page 2

Water right number - R36-14856

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - 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.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 09/30/96 DSHAFF 10/02/96 D&S-DSHA 11/07/96 FHITCHCO 11/11/96 FHITCHCO

+ - - - - Comments - - - - - +
Date: 02/19/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS
2 WELLS SUPPLY WATER TO OPERATION AS ONE SYSTEM. THIS WELL ACTS AS A SUPPLEMENTAL WELL AND IS TIED TOGETHER WITH A 2ND
WELL THAT WAS DRILLED IN 1979 WITH AN APPLICATION FILED 4/12/1990.
IDWR NOTE TWO PERMITS FOR OTHER WELLS ARE TIED TOGETHER WITH THIS WELL INTO ONE SYSTEM. PERMIT NOS. 36-08532 & 36-08533.
Date: 10/02/1996 User Id: D&S-DSHA Subject: D&S CONDITION CODE UPDATE
CONDITION CODE N11 ADDED CONDITION CODE N13 ADDED

+ - - - - 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	- 11/11/1996	Old Judicial District	-
Claim Received Date	- 04/11/1990	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	- S011977	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

T# 5368

APPLICANT: Patterson, Tim

WATER RIGHT NO. 36-07460 PT

INIT.	DATE	COMMENT
MB	8/5/98	Staffed to Corey.
PS & ADM	EARLY SEPTEMBER	CALLED CHUCK JR. AND EXPRESSED CONCERN OVER APPLICATION.
		HE SAID HE WOULD GET BACK TO US.
PS	12/21/98	^{RETURNED} ~~RECEIVED~~ CALL ~~FROM~~ ^{TO} CHUCK JR. PETERSONS HAVE DECIDED TO BUY REST OF BRANCHFLOWER RIGHT FOR THEIR DAIRY. HOW MUCH IS LEFT?
PS	12/28/98	CHUCK JR. DROPPED OFF APPLICATION REVISIONS
PS	12/30/98	CALLED CHUCK JR. EXPRESSED SOME CONCERN OVER APPLICANT, PROOF OF OWNERSHIP, DOMESTIC OVERCAPS, MAYBE CLARIFYING PART 2C, AND LACK OF IDENTIFYING WHERE LAND APPLICATION WILL OCCUR. CHUCK JR. NOT REAL CONCERNED. ~~HE~~ ^{HE} & OR WILL PROVIDE EXTRA INFORMATION. GAVE APPLICATION TO MARY FOR ADVERTISING.
MB	12/31/98	Data entry: Adv. Sch. GL & NSN 1/14 & 1/21/99;
MB	1/28/99	Pub. off rec. from GL & NSN (1/25/99)
CS	2/3/99	2nd Request for Ownership info Rtr Sen
CS	2/10/99	TALKED WITH MIKE BRANCHFLOWER REGARDING PROOF OF OWNERSHIP FOR PETERSON TRANSFER. ALSO DISCUSSED STATUS OF PENDING TRANSFERS BASED ON 36-07460.
PS	2/24/99	RECEIVED OWNERSHIP STUFF FOR TRANSFER. APPLICATION GOOD FOR FINAL REGIONAL REVIEW.
MB	2/25/99	to ADM for reg. signoff
ADM	4/1/00	t. AJ

MICROFILMED
JUN 24 1999

MICROFILMED
JUN 24 1999

IDWR TRANSFER ANALYSIS SHEET

APPLICANT PETTERSON, REBECCA E/OR TRANSFER NO. 5368
TIM

1. Right number(s) 36-07460 (PART)

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

3. Purpose of transfer ☒ Change P/D ☐ Add P/D ☒ Change P/U ☒ Change N/U ☐ Change Source ☒ Split Right
☒ Other: CHANGE PERIOD OF USE

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 A PORTION OF
RECORD X36-07460U. (ENTIRE PORTION OF
T36-07460 AJ)

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

☒ Also see attached memo for more analysis information

- a. ☐ All of right T36-07460 AJ
- b. ☒ Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant) X36-07460U
- 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
- h. ☒ Expansion in use of right - Comments: NONE APPARENT

NOTE LAND APPLICATION
AREA NOT INDICATED.

RECEIVED

APR 14 1999

Department of Water Resources

OK rec'd 4/14/99
NEED
P.S.

i. X Existing rights from same source, on land water is being transferred to; right number(s): SEE ATTACHED

MEMO.

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) BASE RIGHT IS PART OF MIKE

BRANCHFLOWER'S PORTION OF 36-07460

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
SRBA SUPERVISOR REVIEW BY KKC
PUBLICATION REVIEW BY _____

DATE 12/30/1998
DATE 4-13-99
DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ✓ Yes 1/5/99 (1236 pm)

2. COMMENT LETTERS Copy of Pg 1 to AJ ✓ Yes 1/4/99

Watermaster recommendation requested on _____, Received on _____

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

3. Transfer published correctly? X Yes _____ No

4. Affidavit of publication received? X Yes _____ No

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

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

RECOMMENDED ACTION

1. X Approve

2. _____ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

X Also see attached memo for recommendation dated: 4/1/99

4. By ABR

Date 4/1/99



TWIN FALLS
TITLE & ESCROW
COMPANY

Please do not confuse this with
the Branchflower Property
Which is unMorgaged.
Any Problems, please call
Chuck Brockway Jr.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

RECEIVED

ALTA LOAN POLICY

FEB 04 1999

SCHEDULE A

Department of Water Resources
Southern Region

FILE NO.	POLICY NO.	DATE OF POLICY	AMOUNT	PREMIUM
J-26946	F89-849798	June 22, 1998 at 3:49 P.M.	\$700,000.00	\$2,055.00

1. Name of Insured: NORTHWEST FARM CREDIT SERVICES, ACA
2. The estate or interest in the land which is encumbered by the insured Mortgage is:

fee simple

3. Title to the estate or interest in the land is vested in:

Tim L. Petterson, also known as Tim Petterson, and Rebecca L. Petterson, also known as Becky Petterson, also known as Rebecca Petterson, husband and wife

4. The insured Mortgage and assignments thereof, if any, are described as follows:

A Mortgage to secure payment of a note for \$700,000.00, and any other amounts as therein provided, together with interest and any other obligations secured thereby:

Recorded: June 11, 1998 as Instrument No. 983674, records of Jerome County, Idaho.

Dated: June 5, 1998

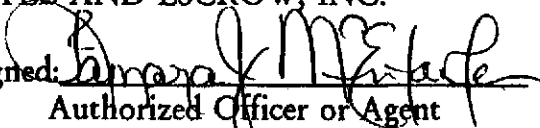
Mortgagor: Tim L. Petterson, same person as Tim Petterson and Rebecca L. Petterson, same person as Becky Petterson and same person as Rebecca Petterson, husband and wife

Mortgagee: Northwest Farm Credit Services, ACA

5. The land referred to in this Policy is described as set forth in the insured Mortgage, is situated in the County of Jerome, State of Idaho, and is identified as follows:

SEE ATTACHED SCHEDULE A, PAGE 2

LAND TITLE AND ESCROW, INC.

Countersigned: 

Authorized Officer or Agent

This Policy is valid only if Schedule B is attached.

MICROFILMED

JUN 24 1999

CONTINUATION

SCHEDULE A

Policy Number: F89-849798

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 9: That part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ lying North and West of the North Side Canal Company Limited "M" Canal.

EXCEPTING THEREFROM that part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ deeded to the State of Idaho for public highway by Right of Way Deed recorded July 24, 1939 in Book 121 Page 39 as Instrument Number 74085, Jerome County records.

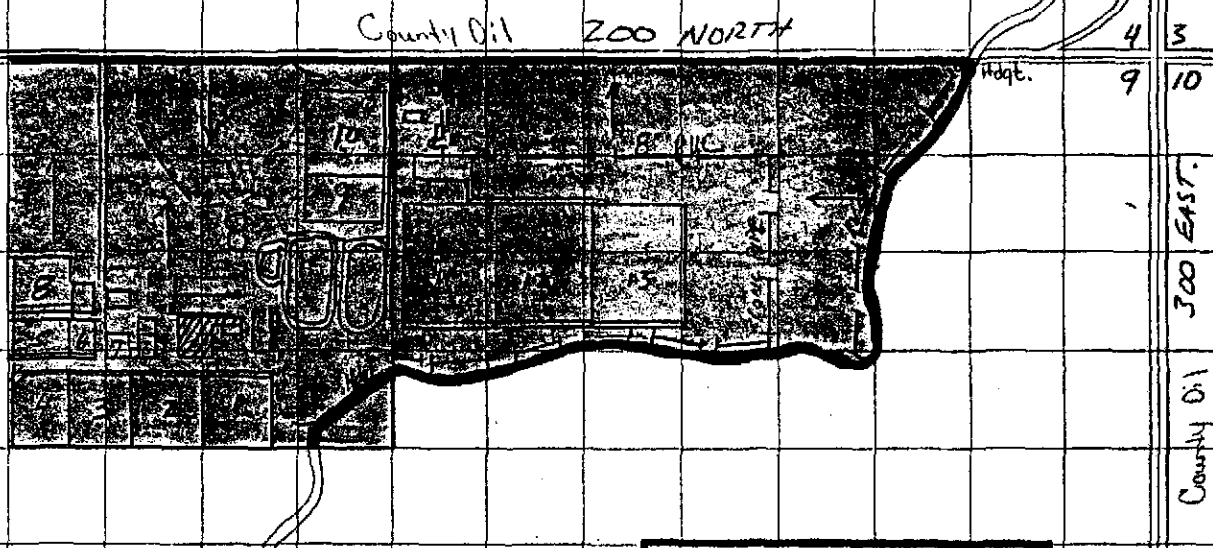
AND EXCEPTING THEREFROM that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ deeded to the State of Idaho for public highway by Right of Way Deed recorded January 14, 1941 in Book 121 Page 192 as Instrument Number 78837, Jerome County records.

PARCEL NO. 2:

TOWNSHIP 8 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 9: NE $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes by Right of Way Deed recorded June 5, 1939 in Book 121 Page 25 as Instrument Number 73703, Jerome County records.

MICROFILMED
JUN 24 1999



TP. <u>8S</u>	RGE <u>17E</u>
JEROME COUNTY	
IDAHO STATE	
SCALE 1" = <u>660'</u>	
PLATTED BY <u>BLS/LF</u>	VERIFIED BY
TITLE REPORT DESCRIPTION	
VERIFIED BY	

MICROFILMED

JUN 24 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

February 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

REBECCA L PETTERSON &/OR
TIM PETTERSON
231 E 200 N
JEROME ID 83338

RE: APPLICATION FOR TRANSFER NO. 5368 (36-07460 Part)

SECOND REQUEST

Dear Applicants:

Legal advertising has been completed on the above referenced application with no protests filed against the application.

As requested in our correspondence dated 1/5/99, evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. is needed before the application can be forwarded to our state office for approval.

Failure to supply the requested information within 30 days from the date of this letter could result in a regional recommendation that the application be declared void.

If you have any questions or if this office can be of further assistance, please feel free to contact this office.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

cc:

CHARLES G BROCKWAY
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

MICROFILMED

JUN 24 1999

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho }
County of Gooding } ss.

JAN 25 1999

Department of Water Resources
Southern Region

Patty Nance, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in supplement; that the date of the first publication of said advertisement was on the 14th day of January, 1999 and that date of the last publication was on the 21st day of

January, 1999
On this 21st day of January in the year of 1999, before me, a Notary Public, personally appeared Patty Nance, 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 acknowledge to me that she executed the same.

Norma De Voe
Notary Public for Idaho
Residing at Jerome, Id

My commission expires: 3/6/01

6984/24532
GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at _____ 7¢/Pica

495 Lines straight at 29.70 6¢/Pica

495 Subsequent lines at 24.75 5¢/Pica

Affidavit Fee 2.25

TOTAL COST 56.70

Pettersson

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

COPY OF NOTICE

NOTICE OF PROPOSED CHANGES OF WATER RIGHT

Notice is hereby given that REBECCA L AND/OR TIM PETTERSON, 231 E 200 N; JEROME ID 83338 have filed an application for changes to a water right with the Department of Water Resources. PRESENTLY, several pending Applications for Transfer involving portions of this water right are awaiting Departmental action &/or decisions. Licensed Water Right No. 36-07460 with a priority date of 03/25/1974 is authorized for diversion of groundwater for irrigation use within Gooding County. Transfer No. 5368 proposes to divert a combined total of 0.49 cfs from three wells within SE1/4SW1/4, S04; NE1/4NW1/4 & NW1/4NE1/4, S09; for stockwater use (0.49 cfs) and commercial dairy use (0.49 cfs); all T08S, R17E; Jerome County, the site of an existing dairy that is being expanded. A total of 24532 PUE will be dried up at the original place of use for this proposed change. 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 February 2, 1999 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.

PUE will be dried up at the original place of use for this proposed change. 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 February 2, 1999 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. Dreber, Director

PUB: 1/14 - 1/21 G24532

MICROFILMED

JUN 24 1999

AFFIDAVIT of PUBLICATION

State of Idaho } ss.
County of Jerome }

Patty Nance, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 14th day of January, 1999, and the date of the last publication was on the 21st day of January, 1999

On this 21st day of January, in the year of 1999, before me, a Notary Public, personally appeared Patty Nance, 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/she executed the same.

Norma DeVoe

Notary Public for Idaho

Residing at Jerome, Id

My commission expires: 3/6/01

7843/24531

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at _____ 7¢/Pica

495
Lines straight at 29.70 6¢/Pica

495
Subsequent lines at 24.75 5¢/Pica

Affidavit Fee: 2.25

TOTAL COST 56.70

COPY OF NOTICE

(Paste Here)

Petterson

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGES OF WATER RIGHT

Notice is hereby given that REBECCA L AND/OR TIM PETTERSON, 231 E 200 N; JEROME ID 83338 have filed an application for changes to a water right with the Department of Water Resources. PRESENTLY, several pending Applications for Transfer involving portions of this water right are awaiting Departmental action &/or decisions. Licensed Water Right No. 36-07460 with a priority date of 03/25/1974 is authorized for diversion of groundwater for irrigation use within Gooding County. Transfer No. 5368 proposes to divert a combined total of 0.49 cfs from three wells within SE1/4SW1/4, S04; NE1/4NW1/4 & NW1/4NE1/4, S09; for stockwater use (0.49 cfs) and commercial dairy use (0.49 cfs); all T08S, R17E; Jerome County, the site of an existing dairy that is being expanded. A total of 27.7 acres will be dried up at the original place of use for this proposed change. 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 February 2, 1999 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. Dreber, Director

PUB: 1/14 - 1/21 29 N24531

RECEIVED

JAN 25 1999

Department of Water Resources
Southern Region

**NOTICE OF PROPOSED CHANGES
OF WATER RIGHT**

Notice is hereby given that **REBECCA L. AND/OR TIM PETTERSON**, 231 E 200 N; JEROME ID 83338 have filed an application for changes to a water right with the Department of Water Resources. **PRESENTLY**, several pending Applications for Transfer involving portions of this water right are awaiting Departmental action &/or decisions. Licensed Water Right No. 36-07460 with a priority date of 03/25/1974 is authorized for diversion of groundwater for irrigation use within Gooding County. **Transfer No. 5368** proposes to divert a combined total of 0.49 cfs from three wells within SE1/4SW1/4, S04; NE1/4NW1/4 & NW1/4NE1/4, S09; for stockwater use (0.49 cfs) and commercial dairy use (0.49 cfs); all T08S, R17E; Jerome County, the site of an existing dairy that is being expanded. A total of 27.7 acres will be dried up at the original place of use for this proposed change. 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 February 2, 1999 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 Gooding County
Leader & North Side News on 01/14 &
01/21/99.

MICROFILMED

JUN 24 1998



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE STREET-SUITE #200
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

January 5, 1999

LEGALS DEPT
MAGIC VALLEY PUBLISHING CO
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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
Sr. Secretary

Enclosure

MICROFILMED
JUN 24 1999

NOTICE OF PROPOSED CHANGES OF WATER RIGHT

Notice is hereby given that REBECCA L AND/OR TIM PETTERSON, 231 E 200 N; JEROME ID 83338 have filed an application for changes to a water right with the Department of Water Resources.

PRESENTLY, several pending Applications for Transfer involving portions of this water right are awaiting Departmental action &/or decisions. Licensed Water Right No. 36-07460 with a priority date of 03/25/1974 is authorized for diversion of groundwater for irrigation use within Gooding County.

Transfer No. 5368 proposes to divert a combined total of 0.49 cfs from three wells within SE1/4SW1/4, S04; NE1/4NW1/4 & NW1/4NE1/4, S09; for stockwater use (0.49 cfs) and commercial dairy use (0.49 cfs); all T08S, R17E; Jerome County, the site of an existing dairy that is being expanded. A total of 27.7 acres will be dried up at the original place of use for this proposed change.

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 February 2, 1999 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 Gooding County Leader & North Side News on 01/14 & 01/21/99.

MICROFILMED

JUN 24 1999

43~



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE STREET-SUITE #200
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

January 5, 1999

REBECCA L PETTERSON AND/OR
TIM PETTERSON
231 E 200 N
JEROME ID 83338

Re: Application for Transfer No. 5368 (36-07460 Part)

Dear Applicant(s):

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

Since the applications proposes a change in County for the point of diversion, this office has scheduled advertising the applications in both the Gooding County Leader & North Side News for 01/14 and 01/21/98. A period of ten days following the second publication will be allowed for the submittal of protests with the final protest date on February 02, 1999.

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.

Before we can forward your application to our state office for approval, we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and a notarized statement from any lien holder on the property agreeing to the proposed change.

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.

Sincerely yours,

Corey Skinner, E.I.T.
Safety of Dams Engineer

cs:mb

cc:
CHARLES G BROCKWAY
BROCKWAY ENGINEERING
2016 NORTH WASHINGTON ST-STE 4
TWIN FALLS ID 83301

MICROFILMED

JUN 24 1999

MEMORANDUM

TO: Rebecca and Tim Petterson Transfer (part of 36-07460) File
FROM: Corey Skinner *CS*
DATE: December 30, 1998
SUBJECT: Staff Review

The enclosed transfer application was filed by Brockway Engineering on behalf of their clients, Rebecca and Tim Petterson. The transfer application proposes modifying a portion of the Mike Branchflower portion of base water right 36-07460. As of this date, the last approved split of Mr. Branchflower's portion of this base right is X36-07460U, resulting from approved Transfer #5098. There are several transfer applications pending based on this particular right, so the base right for the enclosed transfer could be viewed as record X36-07460U or T36-07460AJ (remaining portion after the John Toledo transfer application).

The enclosed transfer seeks to convert a 0.49 cfs and 27.7 acre portion of Mr. Branchflower's irrigation water right to stockwater and commercial use in an existing dairy, and for future expansion of the dairy. The transfer application is a basic irrigation to dairy conversion and should be pretty straightforward. However, there may be a few items that need further clarification.

The enclosed transfer application was originally submitted by Brockway Engineering on August 4th of this year. The initial application proposed converting a 15.9 acre portion of the irrigation water right to a 61.0 acre-feet per annum (Afa) stockwater and commercial water right for use at a dairy operation. This conversion was based on an analysis that estimated the consumptive use at the dairy facility (estimated at 78.9% of the dairy diversion volume). However, this conversion was contrary to the recent administrative direction of considering dairy water use as 100% consumptive, which results in basing the conversion on the consumptive irrigation requirement instead of the field headgate requirement. Using the 100% consumptive direction, 15.9 acres of irrigation would equate to 47.7 Afa of dairy water use. Charles G. Brockway, of Brockway Engineering, was notified of this potential problem after a preliminary review of the initial application. Mr. Brockway said that he would get back to us regarding the application.

MICROFILMED

JUN 24 1999

Page 2
Petterson Transfer (36-07460 part) Memo
December 30, 1998

Apparently, Mr. Brockway met with Department administration in Boise to discuss dairy water uses. On December 28th, Mr. Brockway stopped by the office and submitted some revisions to the initial application.

Brockway Engineering provided a new estimate of the water use at the dairy (see enclosed Livestock Confinement Operations Water Requirements and Consumptive Use Worksheet). This new Brockway Engineering estimate results in a required diversion volume of 123.6 Afa at the dairy facility. Accounting for an existing water right (36-08533) at the dairy, a diversion volume of 81.6 Afa would be needed to satisfy the estimated 123.6 Afa estimated water use. The Brockway water use worksheet estimated the consumptive use at the dairy at 84.4% of the diversion volume. However, the application revisions were based on Department administration direction that dairy water use is 100% consumptive. Therefore, the application revisions reflect removing 27.7 acres of irrigation in order to provide 83.1 Afa of water for the dairy operation (based on a consumptive irrigation requirement of 3.0 Afa per acre). This 83.1 Afa is slightly more than the estimated 81.6 Afa from the Brockway water use worksheet.

Mr. Brockway appeared confident that the revised estimated water use at the dairy could be on the high side, and that the Pettersons may not actually end up using that much water. Comparison of the Brockway estimate of dairy water use reveals that the water amounts are comparable to other dairy water use estimates that have been acceptable to the Department. Therefore, it does not appear that expansion of the water right will result with the application revisions.

It should also be noted that neither the original transfer application, or the recently submitted revisions, address the location of the land application of the waste water from the dairy. Previous Department administration direction was that the forty acre tracts where waste water application would occur should be identified. I spoke with Mr. Brockway this morning letting him know that the waste water land application areas were not identified on the transfer application. Mr. Brockway said that they had discussed this matter with Department administration in Boise. Mr. Brockway said that he was not going to worry about identifying these areas, because they are subject to change(s), and he did not think it was a good idea to identify this particular element on a water right.

MICROFILMED

JUN 24 1999

As previously mentioned, water right 36-08533 currently exists at the dairy facility involved with the enclosed transfer application. Water right 36-08533 was involved with recently approved transfer #5286, and authorizes the diversion of 22.7 Afa of water for stockwater use and 19.3 Afa of water for commercial use. This water is diverted from the same three wells and used at the same dairy described on the enclosed transfer application. The enclosed transfer application proposes converting 83.1 Afa to "stockwater/commercial" use (Note that the specific amounts for stockwater and commercial use are not identified on the application). This would bring the total amount of water authorized to be diverted from the three wells and used at the dairy under right 36-08533 and the right involved with the enclosed transfer to 125.1 Afa (22.7 + 19.3 + 83.1). In addition, there appears to be several domestic and stockwater rights that list points of diversion that correspond to the three wells listed under 36-08533 and the enclosed transfer application. A brief summary of the rights listing points of diversion that could correspond to the three wells is as follows:

Well in SESW $\frac{1}{4}$ of Section 4

36-08532
36-11043
36-14856

Well in NWNE $\frac{1}{4}$ Section 9

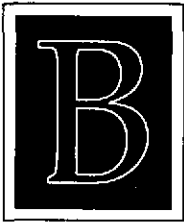
36-11044
36-14829

Well in NENW $\frac{1}{4}$ of Section 9

36-14830

In summary, it appears that the enclosed transfer application is fairly straightforward, and probably approvable. Adequate approval conditions (combination limits, measuring & reporting, etc.) should be implemented if the application is approved.

MICROFILMED
JUN 24 1999



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

December 28, 1998

Mr. Corey Skinner
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Application for Transfer for X36-07460
Petterson Dairy

Dear Corey:

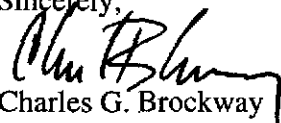
The Pettersons have decided to purchase the remainder of Mike Branchflower's irrigation right for use in the existing dairy and for future expansion of the dairy. Mr. Branchflower indicated he had 11.6 acres remaining in the NE1/4 SE1/4 Sec. 28, T. 7 S., R. 14 E. You indicated that your records agree with this amount, plus 0.2 acres in the SW1/4 NE1/4 Sec. 28, T. 7 S., R. 14 E. I am enclosing modified Parts 1 and 2 of the transfer application to indicate this change. Please replace the new pages I am sending with the ones you already have.

The Pettersons are now purchasing 27.7 acres. Based on a meeting with Norm Young and other IDWR staff in Boise recently, the Pettersons have agreed to use 3.0 ac-ft/ac/year as a conversion rate from irrigated acres to stock/commercial use. The total volume transferred would therefore be 83.1 acre-feet and the proportional diversion rate is 0.49 cfs. I have included a copy of our recently-developed water use worksheet, which shows a maximum of 123.6 acre-feet are required for the expanded dairy. The Petterson's existing license covers 42.0 acre feet, so a total of 125.1 acre-feet would be available for use after the transfer.

Also note that I have expressed the beneficial use as "Stock / Commercial" rather than splitting it into two components. This approach was discussed with Norm Young, and he agreed that specifying individual volumes for stock and commercial uses effectively constrains the user to a specific number of cows and prevents the future implementation of more efficient commercial equipment. Until there is a separate, recognized beneficial use called "Commercial Dairy," or something similar, I believe this is the best approach.

Please process this modified transfer as soon as possible.

Sincerely,


Charles G. Brockway

enclosures
cc: Becky Petterson

MICROFILMED

JUN 24 1999

T # 5368

CHARLES E.
BROCKWAY,
PH.D., P.E.

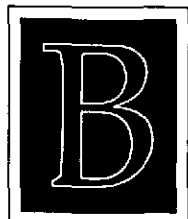
CHARLES G.
BROCKWAY,
PH.D.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

AUG 04 1998

**Department of Water Resources
Southern Region**

August 3, 1998

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Water Right Transfer of X36-07460R (Mike Branchflower)
Petterson Dairy

Dear Allen:

Enclosed is an application for transfer to move water from irrigated land south of Wendell to the Petterson dairy east of Jerome. The intent is to provide additional water to allow expansion of the existing dairy, which is now fully covered by license 36-08533.

I understand that IDWR is in the process of altering its policy toward water right transfers from irrigation use to dairy use. From now on, apparently, IDWR will assume that water used for a dairy is 100% consumed, so that the number of acres to remove from irrigation to compensate for the dairy usage is determined by dividing the dairy diversion volume by the allowable irrigation consumptive use (3.0 af/ac in this case). According to Glen Saxton, an official memo from the state office is pending, but has not been signed or issued.

While I understand the political reasoning behind such an approach, the 100% consumptive assumption does not adequately reflect reality. Consumptive components of dairy usage include evaporation from the cow and/or barn washing sprinklers, animal perspiration, direct ground-to-air evaporation, and evaporation from the waste lagoons. These are the components which are estimated in the IDWR dairy water use worksheet, and normally account for about 15% to 25% of the total diversion volume. The remainder of the water is usually disposed of by mixing the waste water with other irrigation water and applying it to a crop through a sprinkler system. Seasonal evapotranspiration varies according to the type of crop, but usually averages about 75% of the applied water volume. Thus, a typical dairy, viewed as an entire facility including waste disposal, will consume about 80% of the total volume diverted, not 100% as IDWR is apparently now assuming. For example, suppose a dairy diverts 100 ac-ft in a year. About 20 ac-ft is consumed in the dairy proper, the remaining 80 ac-ft is applied to a crop and about 60 ac-ft is consumed on the field by evapotranspiration. The total consumptive use is therefore $20 + 60 = 80$ ac-ft.

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JUN 24 1999

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

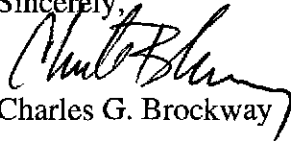
T # 5368

In the Petterson Dairy case, license 36-08533 covers all of the existing dairy usage, but only 42.0 of the anticipated 103.0 ac-ft to be diverted for the expanded facility, leaving a shortfall of 61.0 ac-ft. Consumptive use in the expanded dairy proper is 16.3 ac-ft, according to the IDWR dairy worksheet. The remaining 86.7 ac-ft will be applied to land near the dairy. Of the 86.7 ac-ft applied, it is estimated that 65.0 ac-ft will be consumed. The total facility consumptive use is therefore 81.3 ac-ft, or 78.9% of the total diversion volume. Using the same analysis for the existing dairy yields a total consumptive use of 33.6 ac-ft. The increase in consumptive use will therefore be $81.3 - 33.6 = 47.7$ ac-ft. Dividing this by the allowable 3.0 ac-ft/ac for irrigation consumptive use yields 15.9 acres which must be removed from irrigation.

If the Department desires to compute the equivalent irrigated acres by some other method than simply dividing by 4.0 as in the past, the new method ought to be based on sound estimates of actual water usage rather than an arbitrary assumption. The approach as outlined above does not result in an increase in diversion volume, diversion rate, or consumptive use, and therefore should be sufficient to allow approval of the transfer.

Give me a call if you have any questions.

Sincerely,



Charles G. Brockway

cc: Mike Branchflower
Tim and Becky Petterson

MICROFILMED
JUN 24 1999

IDAHO DEPARTMENT OF WATER RESOURCES

DAIRIES: WATER USE WORKSHEET

FILE # or NAME -----

Pettersen Dairy - EXPANDED

REVIEWER -----

CGB

DATE -----

04-Mar-98

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE ---
 NUMBER OF NONMILKING CATTLE -----
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
 IF ANAEROBIC, ENTER ZERO -----
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) -----
 ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, OR 3 IF
 SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS -
 NUMBER OF MILKINGS PER DAY -----

1280

320

2.2

4

3

2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS): ****

MILKING CATTLE @35 GPD/HD ----- 0.83
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.84
 NONMILKING CATTLE @12 GPD/HD ----- 0.07
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.09
 TOTAL (BASED UPON ROUNDED NUMBERS) ----- 0.93

DIVERSION VOLUME (AF/YEAR):

STOCKWATER

MILKING CATTLE @35 GPD/HD -----
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ---
 NONMILKING CATTLE @12 GPD/HD -----
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ---
 TOTAL (BASED UPON ROUNDED NUMBERS) -----

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT -----
 PARLOR FLOOR AND MILKHOUSE FLOOR -----
 CATTLE WASHING BASED UPON METHOD OF WASHING -----
 TOTAL -----

TOTAL DIVERSION VOLUME -----

Dev.: M Sterling

Mod.: ADM & KKC

Mod.: 8/5/94 DRJ

Format only modified by C.E. Brockway P.E. 10/15/94

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JUN 24 1999

THEORETICAL FLOW ESTIMATION

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
		Emerg.	Emerg.
PUMP HORSEPOWER (HP) -----	5.0		
LIFT (FT) -----	350		
DISCHARGE PRESSURE (PSI) -----	30		
FRICTION LOSSES (FT) -----	2.0		

CALCULATIONS

THEORETICAL FLOW RATE (CFS) ** -----	0.07	0	0
DIVERSION VOLUME (AFA) *** -----	52.9	0.0	0.0

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

** PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

*** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY DAY OF THE YEAR.

**** BASED ON 2 HOUR DIVERSION TO MEET VOLUME

50.2 CONSUMPTIVE USE VOLUME (AF/YEAR):

51.0

4.3

5.4

56.4

0.4

0.1

46.2

46.7

103.0

STOCKWATER

MILKING -----

NONMILKING -----

TOTAL -----

COMMERCIAL

TOTAL CONSUMPTIVE USE -----

EQUIVALENT IRRIGATED ACREAGE-DIVERSION

NORMAL IRRIGATION DIVERSION RATE MINERS INCHES /ACRE	1
AREA SEASONAL IRRIGATION DIVERSION VOL. AF/ACRE	4.9
EQUIVALENT IRRIGATED ACREAGE ACRES	21.03
MAXIMUM EQUIVALENT DIV. RATE	21.03 IN. OR CFS= 0.42

EQUIVALENT IRRIGATED ACREAGE-CONSUMPTIVE USE

AREA AVG. ALFALFA CONSUMPTIVE USE INCHES/YEAR	39.4
EQUIVALENT ALFALFA ACREAGE C.U. FOR DAIRY C.U.-ACRES	4.98

T-#5368

IDAHO DEPARTMENT OF WATER RESOURCES

DAIRIES: WATER USE WORKSHEET

FILE # or NAME ----- Petterson - CURRENT
 REVIEWER ----- CGB
 DATE ----- 30-Jun-98

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE --- 800
 NUMBER OF NONMILKING CATTLE ----- 160
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
 IF ANAEROBIC, ENTER ZERO ----- 1.0
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) ----- 4
 ENTER 1 FOR MANUAL COW WASHING, 2 FOR AUTOMATIC, R AUTOMATIC, OR 3 IF
 SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COWS - 2
 NUMBER OF MILKINGS PER DAY ----- 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS): ****

MILKING CATTLE @35 GPD/HD ----- 0.52
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.52
 NONMILKING CATTLE @12 GPD/HD ----- 0.04
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * 0.04
 TOTAL (BASED UPON ROUNDED NUMBERS) ----- 0.56

DIVERSION VOLUME (AF/YEAR):

STOCKWATER

MILKING CATTLE @35 GPD/HD -----
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * ---
 NONMILKING CATTLE @12 GPD/HD -----
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) *
 TOTAL (BASED UPON ROUNDED NUMBERS) -----

COMMERCIAL

WASHING OF BULK TANK AND RELATED EQUIPMENT -----
 PARLOR FLOOR AND MILKHOUSE FLOOR -----
 CATTLE WASHING BASED UPON METHOD OF WASHING
 TOTAL -----

TOTAL DIVERSION VOLUME -----

Dev.: M Sterling
 Mod.: ADM & KKC
 Mod.: 8/5/94 DRJ
 Format only modified by C.E. Brockway P.E. 10/15/94

THEORETICAL FLOW ESTIMATION

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2 Emerg.	PUMP 3 Emerg.
PUMP HORSEPOWER (HP) -----	2.0		
LIFT (FT) -----	22		
DISCHARGE PRESSURE (PSI) -----	50		
FRICTION LOSSES (FT) -----	2.0		

CALCULATIONS

THEORETICAL FLOW RATE (CFS) ** -----	0.09	0	0
DIVERSION VOLUME (AFA) *** -----	63.9	0.0	0.0

* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.

** PUMP EFFICIENCY WAS ASSUMED TO BE 70%.

*** DIVERSION VOLUME IS THE ABSOLUTE MAXIMUM VOLUME BASED ON THE THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY EVERY DAY OF THE YEAR.

**** BASED ON 2 HOUR DIVERSION TO MEET VOLUME

31.4 CONSUMPTIVE USE VOLUME (AF/YEAR):

32.0

2.2

2.7

34.7

STOCKWATER

MILKING -----

NONMILKING -----

TOTAL -----

COMMERCIAL -----

0.4

0.1

8.1

8.6

EQUIVALENT IRRIGATED ACREAGE-DIVERSION

43.2

NORMAL IRRIGATION DIVERSION RATE MINERS INCHES /ACRE

AREA SEASONAL IRRIGATION DIVERSION VOL. AF/ACRE

EQUIVALENT IRRIGATED ACREAGE ACRES

MAXIMUM EQUIVALENT DIV. RATE

8.82 IN. OR CFS=

EQUIVALENT IRRIGATED ACREAGE-CONSUMPTIVE USE

AREA AVG. ALFALFA CONSUMPTIVE USE INCHES/YEAR

EQUIVALENT ALFALFA ACREAGE C.U. FOR DAIRY C.U.-ACRES

4.6

0.0

4.6

4.0

8.6

1

4.9

8.82

0.18

39.4

2.63

895568

Livestock Confinement Operations

Water Requirements and Consumptive Use Worksheet

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COMPLETE BLUE HIGHLIGHTED SECTIONS ONLY

Prepared for: **Petterson Dairy**
231 E. 200 N.
Jerome, ID

Revision: 9801

Run Date: 11/27/98

Herd Information - User Input

Number of milking cows 1280
Number of dry cows 320
Number of other adult dry animals 0

Breed: Large

Calves at age:
1 month 0
2 months 0
3 months 0
4 months 0

Heifers at age:
5 months 0
15 - 18 months 0
18 - 24 months 0

Average body weight 1400 lbs
Milk fat percentage 3.5 %
Average days dry 70
Annual milk yield per animal 21388 lbs/year
Percent dry matter in ration 90 %

Nearest weather station Jerome
Number of milkings/day 2

Check: Total herd size based on days dry 1669
HERD SIZE OK

Lagoon Information - User Input

Lagoon Number	Top width	Top length	SS (h:v)	Max depth	Average depth factor	% days with water	Top Area	Bottom Area	Average Area
1	140	280	3	14	0.5	5	39200	23324	31262
2	160	310	3	14	0.5	50	49600	31624	40612
3	42	60	3	8	0.5	100	2520	648	1584
4	42	60	3	8	0.5	100	2520	648	1584
5	90	360	3	8	0.5	80	32400	22176	27288
6a	36	167	3	6	0.5	100	6012	2682	4347
6b	36	100	3	8	0.5	100	3600	912	2256
7	125	180	3	10	0.5	5	22500	14250	18375
	0	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0	0
TOTAL ACRES							3.64	2.21	2.92

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10/23/98

T# 4.368

Facility Information - User Input

	Holding Pen 1	Holding Pen 2	
Holding pen active	1	1	(0 = not used or nonexistent)
Number of sprinklers in pen	56	56	
Average line pressure	20	20	psi
Sprinkler nozzle size - primary	5/32	5/32	inches
Sprinkler nozzle size - secondary	3/32	3/32	(enter 0 for single-nozzle sprinklers)
Daily operation time of sprinklers	40	60	minutes
Percent of days per year cows are washed	100	100	%

Number of free stalls	0
Length of each free stall	1000 feet
Width of each free stall	50 feet

Is the feeding area flushed to lagoon?	No
Is this housing area flushed to lagoon?	No

	Barn	Feeding	Housing
Flushing recycle rate	0	0	0

PER-MILKING CLEANING VOLUME DEFAULTS (MODIFY IF MANUFACTURER VOLUMES ARE KNOWN)

(both barns)

Cleaning parlor floor	6600 gal	Cleaning pipeline	500 gal
Cleaning milkroom	20 gal	Cleaning equipment	100 gal
Cleaning bulk tank	405 gal		

Land Application Information - User Input

Type of system	Center Pivot
Predominant cropping	Alfalfa

Percent of waste water which goes to meet crop irrigation requirement	90 %
---	------

WORKSHEET
JAN 24 1999

Stockwater Component

Drinking Water Calculation for Lactating Cows

4% fat-corrected milk yield	19783.9 lbs/year
Daily average FCM yield	67.06 lbs/day
Daily average milk yield	72.50 lbs/day
Estimated DMI	48.23 lbs/day

METHOD 1: Kertz

Estimated total water intake (TWI)	285.6 lbs/day or 34.2 gal/day
As-fed feed daily intake	53.6 as-fed lb/day
Water content of feed	5.36 lb/day in feed
Drinking water intake	280.2 lb/day or 33.6 gal/day
Drinking water requirement for lactating cows	43009 gal/day 48.2 ac-ft/year

METHOD 2: Holter and Urban

Regression equation with DMI, milk production, and dry matter %

Drinking water intake	102.0 liters/day 26.9 gal/day
	34478 gal/day 38.6 ac-ft/year

Maximum drinking water requirement 48.2 ac-ft/year

Drinking Water Calculation for Dry Cows

Estimated DMI	26.6 lbs/day
Average drinking water intake	13 gal/day

Average drinking water requirement 4160 gal/day
4.7 ac-ft/year

Drinking Water Calculation for Replacement Herd (Calves and Heifers)

Age	GPD	Ac-Ft/year
1 mo	0	0.00
2 mo	0	0.00
3 mo	0	0.00
4 mo	0	0.00
5 mo	0	0.00
15-18 mo	0	0.00
18-24 mo	0	0.00

Drinking water requirement 0 0.00
for replacement herd gpd ac-ft/year

TOTAL STOCKWATER COMPONENT 52.8 AC-FT/YEAR

4050-10MEU

10/24/98

Commercial Component

Milking Parlor Water Usage Calculation

Volume needed *per milking* in each parlor for:

Cleaning parlor floor	6600 gal	Cleaning pipeline	500 gal
Cleaning milkroom	20 gal	Cleaning equipment	100 gal
Cleaning bulk tank	405 gal	Cleaning cows	640 gal

Total milking parlor volume	16530 gal/day
Second milking parlor volume	16530 gal/day
Recycled water	0 gal/day
	37.03 ac-ft/year

Holding Pen Water Usage Calculation

	Pen 1	Pen 2
Output of primary nozzle	3.17	3.17 gpm
Output of secondary nozzle	1.14	1.14 gpm
Holding pen flushing volume	3000	3000 gal
Sprinkler volume	9654	14482 gal/day
Total holding pen volume	12654	17482 gal/day
Recycled water	0	0 gal/day

33.76 ac-ft/year

Other Flushing Water Calculation

Daily volume needed for:

Feeding area flushing	0 gal/day
Housing area flushing	0 gal/day
Total other flushing volume	0 gal/day
Recycled water	0
	0.00 ac-ft/year

TOTAL COMMERCIAL COMPONENT 70.8 AC-FT/YEAR

600-401-1150

603-811-811

Consumptive Use Calculation

A. Lagoon Evaporation

Annual reference ET (Allen & Brockway , 1983)	4.51 feet	
Annual open water coeff (Kohler Nordenson Fox)	0.90	
Annual open water (lagoon) evaporation	4.06 feet	
Manual override: Input annual lagoon evap	feet	
Total lagoon water surface area at full	158352 sq. ft.	
Total lagoon bottom area	96264 sq. ft.	
Average surface area when water is present	54389 sq. ft. =	1.25 ac
Total lagoon evaporation	5.07 ac-ft/year	

B. Animal usage: milk, metabolism, and excretion loss

	Milking	Dry
Waste excretion volume per cow	1.3	1.3 ft ³ /day/1000lb
Water content	87.5	88.4 %
Total water volume in excrement	15247	3851 gal/day
Percent of excrement flushed to lagoons	15 % (based on areas which are flushed)	
Consumptive use (evap.) of water in excrement	85 %	
Consumptive use (evap.) volume	16234 gal/day	
Excrement c.u. attributable to drinking water	15929 gal/day	
Total milk production - assume 100% leaves site	92802 lbs/day or	11127 gal/day
Water content of milk	9681 gal/day	
Water content attributable to drinking water	9499 gal/day	
Water use for animal metabolism	19212 gal/day	
Metabolism water attributable to drinking water	18852 gal/day	
Consumptive use - replacement herd (100%)	0 gal/day	
Total animal consumptive use from drinking water	44280 gal/day or	49.6 ac-ft/year
Percent of drinking water intake	93.9 %	

C. Parlor/holding pen cleanup

Average sprinkler washing system evap loss	2 %	
Free stall total area	0 sq. ft. =	0.00 acres
Length of time free stall concrete is wet	1 hr/day	
Average evaporation from wet concrete	0.15 in./day	
Sprinkler system loss volume	0.22 ac-ft/year	
Free stall evaporation volume	0.00 ac-ft/year	
Total cleanup loss	0.22 ac-ft/year	

D. Land application site

Crop evapotranspiration	3.29 ac-ft/ac/year	
Irrigation diversion volume	4.11 ac-ft/ac/year	
System efficiency	80 %	
Waste water volume to lagoons	73.8 ac-ft/year	
Waste water volume available for land application	68.7 ac-ft/year	
Total crop consumptive use of waste water	49.5 ac-ft/year	

Summary

Drinking Water

Milking herd	48.2
Non-milking herd (dry cows)	4.7
Replacement herd (calves and heifers)	0.0

Total drinking water volume	52.8 ac-ft/year
-----------------------------	-----------------

Commercial

Milking parlor	37.03
Holding pen and cleanup	33.8
Other flushing water	0.00

Total commercial volume	70.8 ac-ft/year
-------------------------	-----------------

TOTAL DIVERSION VOLUME REQUIREMENT	123.6 AC-FT/YR
------------------------------------	----------------

Consumptive Use

Lagoon evaporation	5.07
Animal milk, excretion, & metabolism	49.6
Parlor and holding pen cleanup	0.22
Crop consumptive use on land application	49.5

Total consumptive use	104.4 ac-ft/year
-----------------------	------------------

Percent of diversion volume consumed	84.4 %
--------------------------------------	--------

Annual crop consumptive use - IDWR allowable	3.0 afa
--	---------

Equivalent irrigated acres	34.8 acres
----------------------------	------------

Diversion volume to acres conversion factor	3.55 ac-ft/ac
---	---------------

PETTERSON TRANSFER OVERLAP ANALYSIS

08/28/98 BY G. SKINNER

TOBS, RITE SECTION 09 NW NE

<u>✓ AJQ4</u>	<u>✓ AJQ5</u>	<u>✓ WRQ4</u>	<u>✓ WRQ5</u>
R 36-11043 ✓	36-14829 ✓	36-14829 ✓	36-14829 ✓
36-11044 ✓	36-11044 ✓	36-11044 ✓	36-08533 ✓
36-14829 ✓		36-08533 ✓	36-11044 ✓

TOBS, RITE SECTION 09 NE NW

<u>✓ AJQ4</u>	<u>✓ AJQ5</u>	<u>✓ WRQ4</u>	<u>✓ WRQ5</u>
R 36-14856 ✓	36-14830 ✓	36-14830 ✓	36-08533 ✓
36-14830 ✓		36-08533 ✓	36-14830 ✓
		36-08533 ✓	36-08533 ✓

TOBS, RITE SECTION 04 SE SW

<u>✓ AJQ5</u>	<u>✓ WRQ5</u>
R 36-11043 ✓	36-08533 ✓
R 36-14856 ✓	36-08533 ✓
	36-08532 ✓

SRBA RECORDS

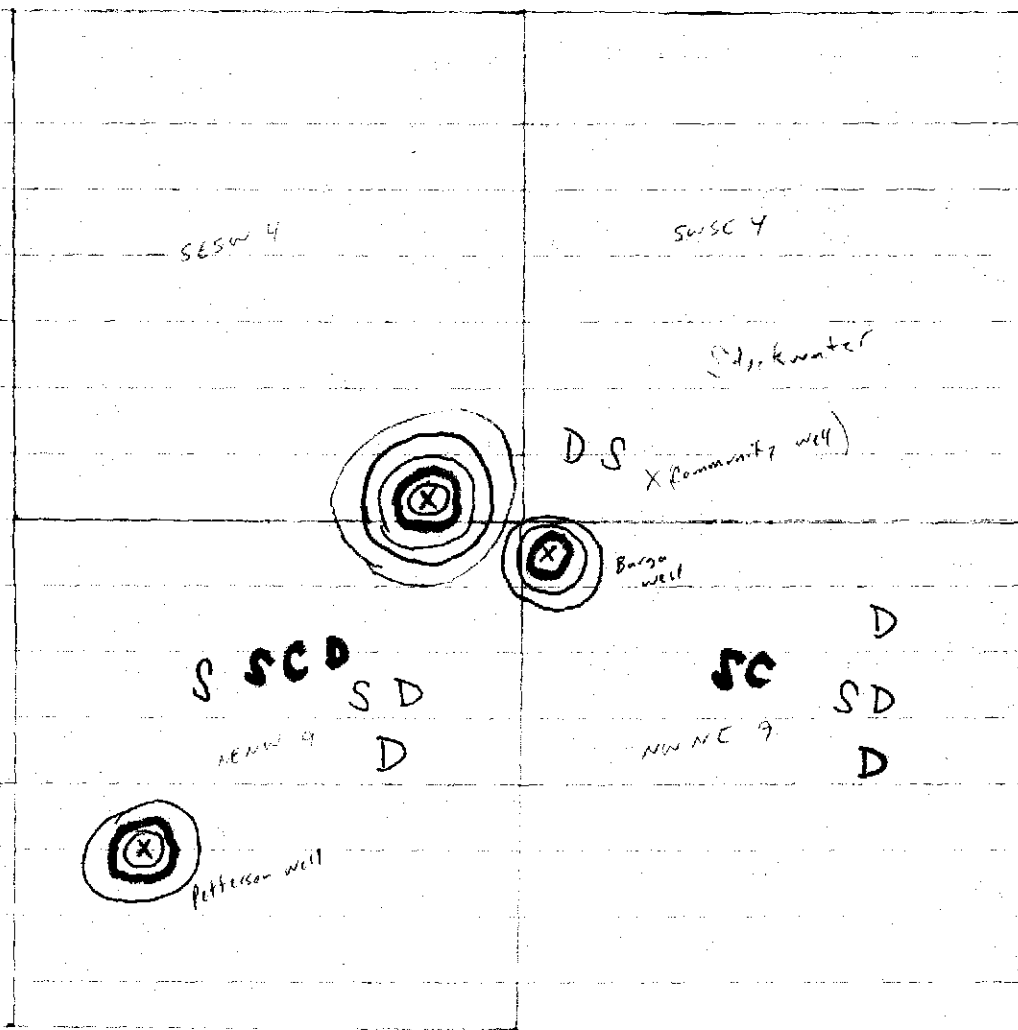
✓ 36-11043 ✓
 ✓ R 36-11043 ✓
 ✓ 36-11044 ✓
 ✓ 36-14829 ✓
 ✓ 36-14856 ✓
 ✓ R 36-14856 ✓
 ✓ 36-14830 ✓

WR RECORDS

✓ 36-14829 ✓
 ✓ 36-11044 ✓
 ✓ 36-08533 ✓
 ✓ 36-08533 ✓
 ✓ 36-14830 ✓

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JUN 24 1999



* 36-08533 PETERSON

~~36-08533~~

(PENDING TRANSFER # 5286)

* 36-14830 PETERSON

* 36-14829 PETERSON

? 36-11044 BARGA

36-14856 DONNA, WC PETERSON

36-11043 BARGA

36-08352 WC & DONNA PETERSON

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JUN 24 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Rebecca L. and Tim Petterson Phone (208) 324-2431

Post Office address 231 E. 200 N., Jerome, ID 83338

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☒ Other Split right
2. Describe the reason for the proposed changes Additional water is needed for a dairy facility.

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

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|-------------|------------------------------|------------------|----------------------|
| X36-07460R | 3/25/1974 | 0.28/33.7 | Stockwater | 1/1 to 12/31 |
| X36-07460R | 3/25/1974 | 0.28/27.3 | Commercial | 1/1 to 12/31 |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred | 0.28 | cubic feet per second and/or | 61.0 | acre-feet per annum. |
| 3. Source of water | Groundwater | tributary to | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

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JUN 24 1999
Department of Water Resources
Southern Region

PART 1**6. General Information:**

- a. Description of diversion system 2 primary wells and backup well to dairy barn and corrals.

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

☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

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

Land will no longer be irrigated.

- d. Remarks:

See attached water balance calculations. Five other transfers are pending to split this right.

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 _____.

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JUN 24 1989

6/23/98

PART 2

TRANS NO.

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. X36-07460R

(SPLIT BY APPROVED TRANSFER # 5098)

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	10.39 CFS	2338.0 AF

SOURCE

GROUNDWATER

Priority: 03/25/1974

LOCATION OF POINT(S) OF DIVERSION:

SWNWSE , Sec. 21, Township 07S, Range 14E
SWNWNE , Sec. 28, Township 07S, Range 14E
NWSWSE , Sec. 28, Township 07S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	14E	20	SESE 33	NESE 33	NWSE 33	33
		21	SWSW 33	SESE 33		
			SWSE 33	SENE 39	NWNW 33	165
		28	SWNE 17	SENE 13	NESW 35	
			SWNW 35	SESW 26		
			NWSW 38	SWSE 36		353.5
			NESE 34.1	NWSE 21.4		33
		29	NENE 33			

Total number of acres irrigated: 584.5

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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JUN 24 1999

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 0.28/63.6 for Stockwater purposes from 1/1 to 12/31 A.S.
 (cfs/ac-ft)
 Amount 0.28/63.6 for Irrigation purposes from 4/1 to 10/31
 (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
	SW	NW	SE	21	07S	14E	Gooding	Well and pump
	SW	NW	NE	28	07S	14E	Gooding	Well and pump
	NW	SW	SE	28	07S	14E	Gooding	Well and pump

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	
07S	14E	28				7.7									8.2				15.9

Total acres 15.9

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

1. Amount 10.11/2274.4 for Irrigation purposes from 4/1 to 10/31
 (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
	SW	NW	SE	21	07S	14E	Gooding	Well and pump
	SW	NW	NE	28	07S	14E	Gooding	Well and pump
	NW	SW	SE	28	07S	14E	Gooding	Well and pump

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	
07S	18E	20																33.0	33.0
07S	18E	21											33.0		33.0	33.0	33.0	33.0	165.0
07S	18E	28			17.0	31.3			33.0	35.0	13.0	35.0	38.0	26.0	26.0	25.9	21.4	36.0	337.6
07S	18E	29	33.0																33.0

Total acres 568.6

RECEIVED
FEB 17 1983
Department of Water Resources
District Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7460 Priority March 25, 1974 Amount 14.2 cfs

THIS IS TO CERTIFY, that Janss Investment Corp.
of Thousand Oaks, California, has complied with the terms and conditions of Permit
No. 36-7460 issued pursuant to Application for Permit dated March 25, 1974
and has submitted proof to the Department of Water Resources on February 2, 1979
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 14.2 of water from a groundwater source
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>14.2</u> cfs and	<u>3600.0</u> acre feet
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 14.2 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3600.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21; NW $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28; Twp. 7S, Rge. 14E in the County of Gooding

Description and location of 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 $\frac{1}{4}$	
7S	14E	20																	33
		21											40	40	33	33	40	33	219
		28	33	40	38	39	40	40	40	40	40	38	35	39	40	35	39	39	615
		29	33																33

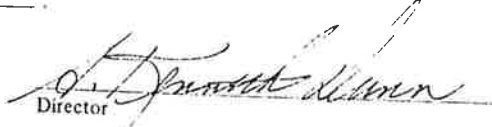
Total number of acres irrigated 900

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of January, 19 83.

Director



36-7460

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
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WATER RIGHT
NUMBER

NAME

CFS

36-07460

Split into 36-07460A & B.

36-07460A

Split into 36-07460C & D by Trans. #3767.

36-07460B

BRANCHFLOWER , MIKE

1.04

36-07460C

JANSS INVESTMENT CORP.

12.72

36-07460D

BRANCHFLOWER , MIKE

0.44

WR5747NP

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WATER RIGHT
NUMBER

NAME

CFS

T36-07460G2 BRANCHFLOWER , MIKE

0.19

pending xfer

WR5747NP

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WATER RIGHT
NUMBER

NAME

CFS

X36-07460E	BRANCHFLOWER , MIKE	0.13
X36-07460F	BRANCHFLOWER , MIKE	0.12
X36-07460G	BRANCHFLOWER , MIKE	0.19
X36-07460H	JANSS FARMS	9.06
X36-07460J	BRANCHFLOWER , MIKE	1.38

water right database (not adj.) reflection
of transfers approved since Director's report
was prepared.

Post-It® Fax Note	7671	Date 8/8	# of pages 4
To Mary		From [Signature]	
Co/Dept.		Cc.	
Phone #		Phone #	
Fax #		Fax #	