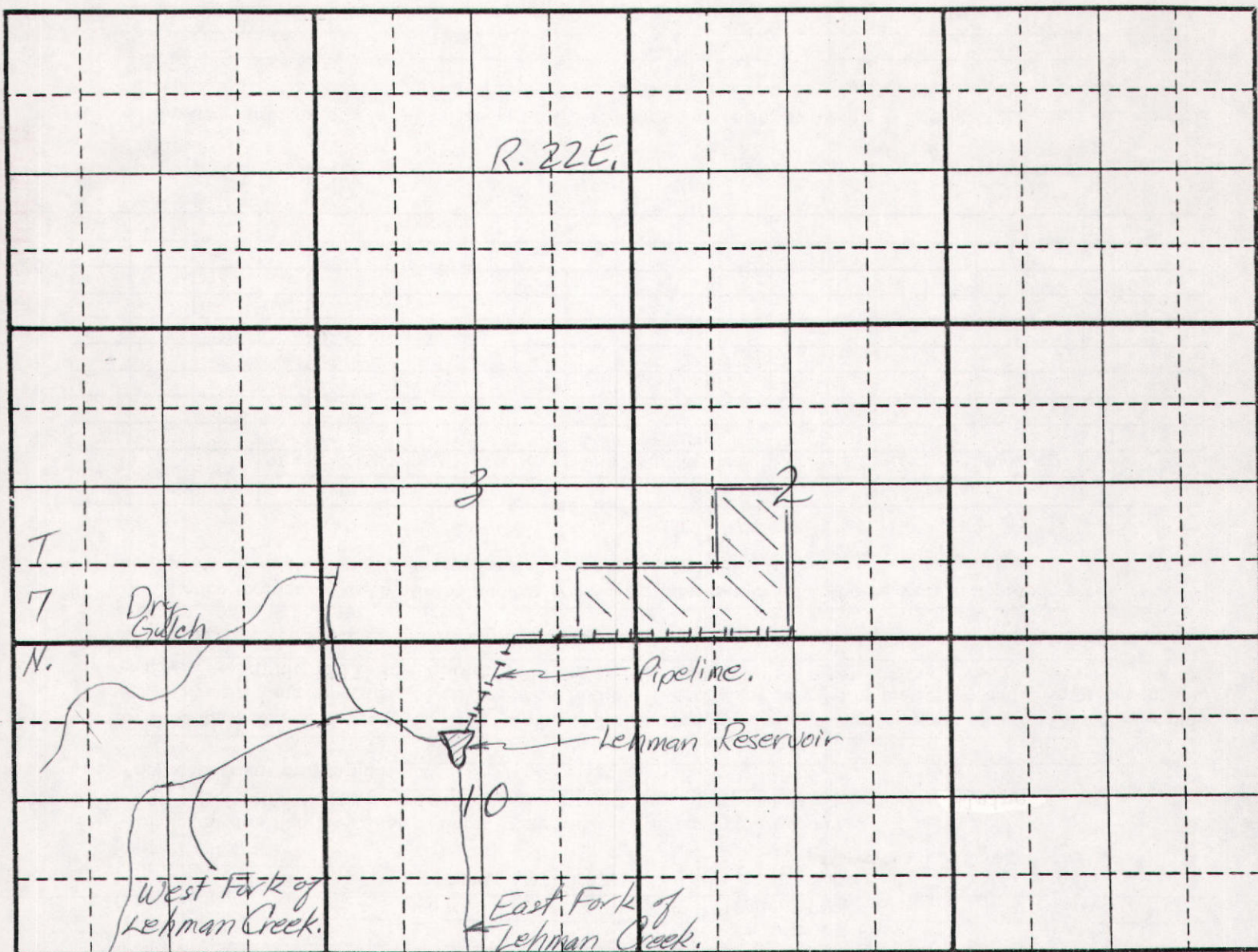


(3) Remarks Claimant has decreed and claimed natural flow rights out of Lehman Creek, which are supplemented by storage from the reservoir when natural flow declines.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Keith Rauland
(Claimant)

Sworn to before me this 13 day of January, 1981.

Kathryn Walker
Notary Public
Residing at Idaho Falls

My commission expires 2/15/83

FOR DEPARTMENT USE ONLY

Received by EMC Date 1-13-1981 Exception filed by: _____ Date _____
Prelim. check by HWS Date 1-14-81
\$0.00 fee received by KW Date 1-13-81 #16166
Published in Co. Pub. Co.
Dates 2/29/81 2/05/81 4/02/81 4/09/81

NOTICE

Notice is hereby given that a
Claim to a Water Right No. 30
4068 in the name of Keith Row-
land was advertised incorrectly
on January 29 and February 5,
1981. The place of use was adver-
tised as being within the NESW,
SESW, Sec. 02, T. 07N, R. 22E,
SESE, Sec. 03, T. 07N, R. 22E for
150 acres.

Whereas, the actual place of
use is within the NESW, SWSW,
SESW, Sec. 02 T. 07N, R. 22E,
SESE, Sec. 03, T. 07N, R. 22E.
for 150 acres.

Any exception to any claim of
water right may be filed with the
Director of the Idaho Depart-
ment of Water Resources, 150
Shoup Ave., Idaho Falls, Idaho,
83401.

C. STEPHEN ALLRED
Director

pub. 4/2 & 4/9/81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5382
WATER RIGHT NO(S). 34-00472/34-04068

This is to certify that: ANDREW DIKE GOODWIN
PO BOX 418
MACKAY ID 83251

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 34-00472 :			
IRRIGATION	05/01 to 10/15	2.52 CFS	441.0 AF
RECREATION	01/01 to 12/31	0.12 CFS	21.0 AF
Priority: 06/01/1880			
	SUBTOTAL:	2.64 CFS	462.0 AF
Right No. 34-04068 :			
IRRIGATION STORAGE	01/01 to 12/31		95.5 AF
IRRIGATION FROM ST	05/01 to 10/15		95.5 AF
RECREATION STORAGE	01/01 to 12/31		4.5 AF
Priority: 03/16/1923			
	SUBTOTAL:		100.0 AF
	TOTAL:	* 2.64 CFS	* 462.0 AF

SOURCE

LEHMAN CREEK

TRIBUTARY OF

SINKS

LOCATION OF POINT(S) OF DIVERSION:

SENW , Sec. 10, Township 07N, Range 22E
CUSTER 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>
07N	22E	2	NESW 30	SWSW 34	SESW 40	104
		3	SESE 22			22
Total number of acres irrigated:						* 126

PLACE OF USE: RECREATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>
07N	22E	3
		SESE

MICROFILMED

APR 13 1993

TRANSFER NO. 5382
WATER RIGHT NO(S). 34-00472/34-04068

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- * 6. Rights 34-00472 and 34-04068 when combined shall not exceed a total annual maximum diversion volume of 441.0 af at the field headgate for the irrigation of 126.0 total acres, and a total annual maximum diversion volume for all uses of 462.0 af.
- * 7. The first year that water is diverted for recreation storage use, the irrigation use under Rights 34-00472 and 34-04068 shall be limited to 114.9 acres, 2.30 cfs and 402.2 afa.
8. The reduction of irrigation during the first year will provide the additional storage volume to fill the pond when combined with the 21.0 af associated with the 6.0 acres no longer irrigated.
9. Irrigation storage capacity is 54.0 af.

Dated this 12th day of April, 1999.


Chief, Water Allocation Bureau

MICROFILMED
APR 13 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4334
WATER RIGHT NO(S). 34-00472/34-04068

This is to certify that: **RONOLD VON HAGEN**
C/O JAMES P SPECK
PO BOX 987
KETCHUM ID 83340

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 34-00472 :			
IRRIGATION	05/01 to 10/15	2.64 CFS	* 462.0 AF
Priority: 06/01/1880			
Right No. 34-04068 :			
IRRIGATION STORAGE	01/01 to 12/31		100.0 AF
IRRIGATION FROM ST	05/01 to 10/15		* 100.0 AF
Priority: 03/16/1923			

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEHMAN CREEK	SINKS

LOCATION OF POINT(S) OF DIVERSION: SENW , Sec. 10, Township 07N, Range 22E
CUSTER 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>
07N	22E	2	NESW 30	SWSW 34	SESW 40	104
		3	SESE 28			28

Total number of acres irrigated: 132

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

SEP 21 1994

TRANSFER NO. 4334
WATER RIGHT NO(S). 34-00472/34-04068

CONDITIONS/REMARKS:

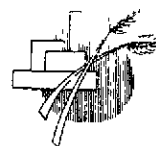
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. Use of combined Right Nos. 34-00472 and 34-04068 is limited to a total combined diversion rate of 2.64 cfs, a total combined annual consumptive use volume of 330 af, total combined diversion volume of 462.0 af and to the irrigation of a combined total of 132 acres in a single irrigation season.

Dated this 6th day of September, 1994.


Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that KEITH ROWLAND

(Name of Claimant)

Rt. #4, Box 238 Idaho Falls, Idaho

83401

Telephone No. 522-5844

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows.

- (1) Date of priority: (When was the water first applied to a beneficial use) May 1, 1925

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Lehman Creek tributary to Warm Springs Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>54 AFA</u>	Use <u>Storage for Irrigation</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity		Use	Period of Use From	To
Quantity	<u>100 AFA</u>	Use <u>Irrigation from Storage</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 100 AFA TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion. (Location of point where water is diverted from its source)

SE ¼ NW ¼, Sec. 10 Twp. 7N Rge. 22E B.M., County of Custer

Additional points of diversion:

B) Describe means of diversion of water. (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities be as specific as possible. Describe any changes in the system and give the date of the change. Earth fill dam about 100 ft. wide and 15 ft. high

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	22E	2									40		40	40					120
		3															30		30

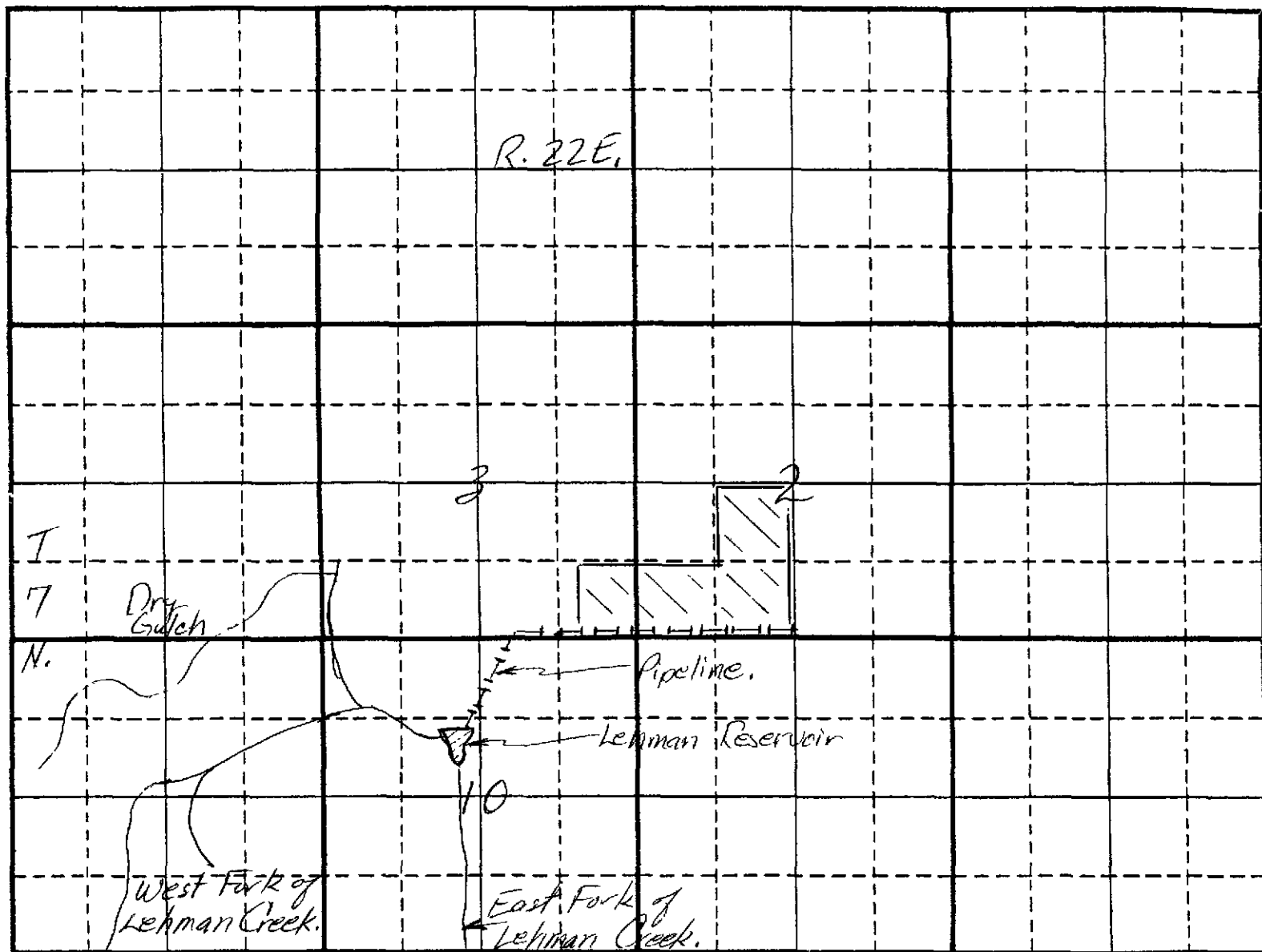
No. of acres 150

B) If water is used for other than irrigation, fully describe that use, being as specific as possible.

NOTE. Include here the type and number of stock watered.

- (7) If you are claiming water as a member of an organization, list name of organization.

Remarks Claimant has decreed and claimed natural flow rights out of Lehman Creek, which are supplemented by storage from the reservoir when natural flow declines.



Scale 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Keith Rauland
(Claimant)

Sworn to before me this 13 day of January, 1981.

Kathryn Walker
Notary Public
Residing at Idaho Falls

My commission expires 2/15/83

FOR DEPARTMENT USE ONLY

Received by GMC Date 1-13-1981 Exception filed by _____ Date _____
Prelim. check by HWJ Date 1-14-81 Forwarded to claimant by _____ Date _____
\$30.00 fee received by KW Date 1-13-81 #16166
Published in Water & Power Pub. Co.
Dates 1/24/81 2/05/81 4/02/81 10/01/81

MICROFILMED

THIS INDENTURE, Made this

12

day of February

in the year of our Lord one thousand nine hundred and Seventy-six

between

CARL LEHMAN, a widower, of the County of Ada, State of Idaho, and RONALD D. LOWE and RENEE'LOWE, husband and wife,
of the County of Bonneville State of Idaho

the parties of the first part, and KEITH ROWLAND and WANDA ROWLAND, husband and wife, whose mailing address is Route 4, Idaho Falls, Idaho 83401

of the County of Bonneville State of Idaho

the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
-----TEN AND NO/100 (\$10.00) ----- DOLLARS,
lawful money of the United States of America, to them in hand paid by the said parties of
the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and
by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second
part, and to their heirs and assigns forever, all the following described real estate situated in

the County of Custer State of Idaho, to-wit:

CUSTER COUNTY, IDAHO

Township Seven (7) North, Range Twenty-Two (22), E.B.M.

Section Two (2) East Half of the Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$)

and Southwest Quarter of the South-
west Quarter ($SW\frac{1}{4}SW\frac{1}{4}$)

Section Three (3) South Half of the Southeast Quarter ($S\frac{1}{2}SE\frac{1}{4}$)

SUBJECT TO all conditions, restrictions, reservations, easements, rights, rights-of-way, road rights-of-way, zoning ordinances and governmental regulations of record, ditches and ditch rights, but together with all tenements, hereditaments and appurtenances thereunto belonging and appertaining, and further together with all ditches, ditch rights, water and water rights, or otherwise, belonging to the above described real property, for use in connection therewith, including, but not limited to the right of use of all water rights the subject of that certain decree entered in the United States District Court in and for the District of Idaho, Eastern Division, in that certain action entitled The Utah Construction Company, a corporation, Plaintiff, vs. John F. Abbott, et al, Defendants, said Decree being signed by the Honorable Frank S. Dietrich, Judge of said United States District Court, on October 21, 1925, which Decree provided for a water priority of June 1, 1880, and further provided for 4.0 cubic feet per second to be diverted from Lehman Creek through a private ditch having its point of diversion on the land constituting the place of use of said water, for the irrigation of those certain lands particularly described as: The East Half of the Southwest Quarter ($E\frac{1}{2}SW\frac{1}{4}$) and the Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}SW\frac{1}{4}$) of Section Two (2), and the South Half of the Southeast Quarter ($S\frac{1}{2}SE\frac{1}{4}$) of Section Three (3), all in Township Seven (7) North, Range Twenty-two (22); together with all range and range rights, grazing and grazing rights appertaining thereto, including any and all Taylor Grazing rights, Forest rights, State rights, or BLM rights, and in particular, but not limited necessarily thereto, BLM rights for 150 head of sheep for the period of May 16 through July 31, and October 1 through October 31, grazing rights for eight horses covering the period of May 22 through June 5, together with Copper Basin Cattle Association

RECORDED



United States Department of the Interior

IN REPLY REFER TO
I-04479 (943)

BUREAU OF LAND MANAGEMENT

Idaho State Office
Federal Building
550 W. Fort Street
Box 042
Boise, Idaho 83724

APR 1 5 1980

DECISION

Keith Rowland and	:	
Wanda Rowland	:	Right-of-Way Grant
	:	I-04479
	:	

Transfer of Right-of-Way Approved

Keith Rowland and Wanda Rowland have requested the transfer of Right-of-Way Grant I-04479 from Carl Lehman to them.

They have submitted documents evidencing their purchase of the lands to which the subject right-of-way attaches. They have filed a statement agreeing to abide by the terms and conditions of the original grant.

The transfer documents appear to be in order and acceptable.

The transfer of this right-of-way to Keith Rowland and Wanda Rowland is hereby approved.

Vincent S. Strobel

Vincent S. Strobel, Chief
Branch of L&M Operations

MICROFILMED

RECEIVED

APR 13 1981

Department of Water Resources
Eastern District Office

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss

I, MARGARET PARKS

Publisher of the Challis Messenger,
a weekly newspaper, published at
Challis, Idaho, do solemnly swear
that the notice hereto attached and
made a part hereof, was published
in the regular and entire issue of
the Challis Messenger for 2
consecutive weeks, commencing with
the issue dated Apr 2
19 81 and ending with the issued
dated Apr 9 19 81..

Margaret Parks

Subscribed and sworn to before
me this 6 day of April
19 81

Donald M. Jensen

Notary Public, residing at Challis,
Idaho. My commission expires on

April 30, 1983 ..

NOTICE OF CORRECTION

Notice is hereby given that
Claim to a Water Right No. 34-
4068 in the name of Keith Row-
land was advertised incorrectly
on January 29 and February 5,
1981. The place of use was adver-
tised as being within the NESW.
SESW, Sec. 02, T. 07N, R. 22E,
SESE, Sec. 03, T. 07N, R. 22E for
150 acres.

Whereas, the actual place of
use is within the NESW, SWSW,
SESW, Sec. 02 T. 07N, R. 22E,
SESE, Sec. 03, T. 07N, R. 22E.
for 150 acres.

Any exception to any claim of
water right may be filed with the
Director of the Idaho Depart-
ment of Water Resources, 150
Shoup Ave., Idaho Falls, Idaho,
83401.

C. STEPHEN ALLRED
Director
pub. 4/2 & 4/9/81

RECEIVED

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss.

I, MARGARET PARKS

Publisher of the Challis Messenger,
a weekly newspaper, published at
Challis, Idaho, do solemnly swear
that the notice hereto attached and
made a part hereof, was published
in the regular and entire issue of
the Challis Messenger for 2
consecutive weeks, commencing with
the issue dated Jan 27
1981 and ending with the issued
dated. Feb 5, 1981

..... Margaret Parks
Subscribed and sworn to before
me this 28 day of Mar
1981.

Andrew M. Jones
Notary Public, residing at Challis,
Idaho. My commission expires on

..... 4-30-83

**NOTICE OF CLAIMS
TO WATER RIGHTS**
Notice is hereby given that
the following claim (s) to water
right (s) have been established
by diversion and application to
beneficial use:

34-4068
ROWLAND, KEITH
RT. 4 BOX 238, IDAHO
FALLS, ID 83401
Source: LEHMAN CREEK
tributary to WARM SPRINGS
CREEK
Priority Date: 05/01/1925
Amount: 100.0 AC-FT
Diversion Point: SENW Sec
10 T 07N R 22E, CUSTER Co.
Use: IRRIGATION STOR-
AGE (54.0 AC-FT) from 01/01
to 12/31 IRRIGATION FROM
STORAGE (100.0 AC-FT) from
04/01 to 11/01.
Place of Use: NESW SESW
Sec 02 T 07N R 22E SESE Sec 03
T 07N R 22E FOR 150 ACRES
Diversion Means: EARTH
DAM.

Re-Ad
their
cost

34-4069
ROWLAND, KEITH
RT. 4 BOX 238, IDAHO
FALLS, ID 83401
Source: LEHMAN CREEK
tributary to WARM SPRINGS
CREEK
Priority Date: 10/28/1950
Amount: 1.60 CFS
Diversion Point: NWSW Sec
02 T 07N R 22E NWNE Sec 10 T
07N R 22E, CUSTER Co.
Use: IRRIGATION (1.60
CFS) from 04/01 to 11/01
Place of Use: NESW SESW
Sec 02 T 07N R 22E FOR 80
ACRES
Diversion Means: DAM,
DITCH & PIPELINE.

34-4070
MC AFFEE, SCOT T L.
P.O. BOX 282, MACKAY, ID
83251
Source: GROUNDWATER
Priority Date: 08/01/1961
Amount: 2.00 CFS
Diversion Point: NENE Sec
20 T 07N R 24E, CUSTER Co.
Use: IRRIGATION (2.00
CFS) from 04/01 to 11/01
Place of Use: SENE NESE
Sec 20 T 07N R 24E NWNW
SWNW NWSW Sec 21 T 07N R
24E FOR 85 ACRES
Diversion Means: WELL,
PUMP & COLLECTION BOX.
Any exception to any claim
of water right may be filed
with the Director of the Idaho
Department of Water Re-
sources, 150 Shoup Ave., Idaho
Falls, Idaho 83401.
C. STEPHEN ALLRED
Director
pub. 1/29 & 2/5/81

RECORDED

MEMORANDUM

TO: Files 34-00472 & 34-04068

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5382 *et*

DATE: April 9, 1999

Transfer 5382 changes the nature of use under a portion of Rights 34-00472 and 34-04068 to provide for development of a recreation pond. Although the application represents a splitting of the water rights, the proposal simply adds a new pond to an existing part of the system with irrigation water also passing through the pond as part of the delivery route to the irrigated land.

The 60.0 af pond is being developed on the six (6) acres of land that will no longer be irrigated. The permanent reduction of irrigation compensates for the consumptive use of the pond. In order to compensate for the initial fill of the pond, additional acres will have to taken out of irrigation for the first year.

$6 \text{ acres} \times 3.5 = 21.0 \text{ af}$ $60.0 \text{ af} - 21.0 \text{ af} = 39.0 \text{ additional af to fill pond}$
 $39.0 \text{ af} / 3.5 \text{ af} = 11.1 \text{ additional acres out the first year.}$
 $126.0 \text{ acres} - 11.1 \text{ acres} = 114.9 \text{ acres irrigation the first year the pond is filled}$

Other recommended conditions include watermaster control, measuring devices/lockable controlling works, irrigation overlap, combined right limits, first fill pond conditions/limits, and standard transfer conditions.

MICROFILMED

APR 13 1999

MEMORANDUM

TO: FILE 34-04068

FROM: PAM SKAGGS

RE: TRANSFER # 5382

DATE: 2-4-99

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 34-00472.

MICROFILMED
APR 13 1999

MEMORANDUM

TO: FILE 34-04068

FROM: PAM SKAGGS CS

RE: TRANSFER # 4334

DATE: 9-1-94

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 34-00472.

RECEIVED

SEP 21 1994

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

Right Number 34 4068 Applicant ~~Roland~~ Rowland

NOTE: 34-4068 IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

2/16 Re-Ad their cost
4/20

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date April 14, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Wausean Date 4/16/81

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

FEBRUARY 18, 1981

KEITH ROWLAND
RT. 4 BOX 238
IDAHO FALLS

ID 83401

RE: Claim No. 34-4068

Dear Claimant,

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

WR0749NP
No. T34-04068

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/02/94
PAGE: 2

=====

Dates: App. Received: Priority Date: 03/16/1923
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 34 Field Exam Fee:

Comments: Date: 04/23/1992 User-ID: DCARLSON Subject: CHANGED PRIORITY DATE TO 3-16-1923

Date: 05/10/1992 User-ID: THORNTON Subject: CHANGE IN RECOMMENDATION
CHANGE IN BASIS OF CLAIM FROM STATURORY CLAIM TO BENEFICIAL USE
MADE PER LYNN KROGH-HAMPE.

Date: 04/11/1994 User-ID: BODELL Subject: TRANSFER NO. 4334
In the SRBA, it has been determined a portion (17 acres) of the
historic place of use is BLM land. Applicant desires to
transfer this portion to his land. Applicant also requests a
change in point of diversion to confirm the "accomplished
transfer" recommended in the Director's Report.
STORAGE CAPACITY = 54.0 AF

Audit: 04/11/94 BODELL 09/02/94 PSKAGGS

WR0749NP
No. T34-04068

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/02/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RONOLD VON HAGEN C/O JAMES P SPECK PO BOX 987 KETCHUM ID 83340 (208) 726-4421	03/16/1923	IRRIGATION STORAGE IRRIGATION FROM STORAGE	01-01 12-31 05-01 10-15		100.00 AFA 100.00 AFA ----- 100.00 AFA
TOTAL DIVERSION:						

Water Source: LEHMAN CREEK

Tributary to: SINKS

Stage: BENEFICIAL USE

Point(s) of Diversion: T07N R22E S10 SENW CUSTER County

Place of use Legal Description for: IRRIGATION FROM STORAGE

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
07N	22E	2	:					:					:	30		34	40	:						:	
07N	22E	3	:					:					:					:				28		:	
																						TOTAL ACRES		132.0	

Pou County: CUSTER

Other Rights: 34-00472

Other Water Rights Listing Overlapping Place(s) of use:
34-00472 34-04068 34-04069 T34-00472

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 34.
- R01 - A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- R30 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
- T04 - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Remarks: Use of combined Right Nos. 34-00472 and 34-04068 is limited to a total combined diversion rate of 2.64 cfs, a total combined annual consumptive use volume of 330 af, total combined diversion volume of 462.0 af and to the irrigation of a combined total of 132 acres in a single irrigation season.

March 27, 1981

RE: Notice of Correction No. 34-4068 ROWLAND

Custer Publishing Company
P.O. Box 405
Challis, Idaho 83226

Gentlemen:

We are resubmitting a legal notice to be published on April 2 and 9, 1981. This notice was originally published in your paper on January 29 and February 5, 1981. Unfortunately, it was advertised incorrectly. As we had no way of checking the accuracy of this notice before it went to print we, therefore, request this be readvertised again at your expense.

To prevent future problems in this matter, please submit a galley proof before the first date of publication. If we have any corrections, we will notify you; otherwise, assume the notice is correct. If the administrative procedures of your paper will not allow time for making corrections by submitting a galley proof, we will be glad to review the notice with you by telephone prior to publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to this office by April 20, 1981. Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

Enclosure

CW:kw

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 34-4068 in the name of Keith Rowland was advertised incorrectly on January 29 and February 5, 1981. The place of use was advertised as being within the NESW, SESW, Sec. 02, T. 07N, R. 22E, SESE, Sec. 03, T. 07N, R. 22E for 150 Acres.

Whereas, the actual place of use is within the NESW, SWSW, SESW, Sec. 02, T. 07N, R. 22E, SESE, Sec. 03, T. 07N, R. 22E for 150 acres.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho, 83401.

C. STEPHEN ALLRED

Director

Published in the Custer County Publishing Company 4/02 and 4/09/81.

01/28/81

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE APT ACRES	BASIS FOR RIGHT
11-7220								
25-7241	MONROC P.O. BOX 1221 IDAHO FALLS ID 83401 SOURCE: GROUNDWATER OTHER USES: 1/COPE PRESTRESSED CONCRETE.	01-19-1981	INDUSTRIAL	01-01 12-31	.04 CFS	NEW S25 FOZK R37E	NEW S25 TOZK R37E	APPLICATION
			DOMESTIC	01-01 12-31	.04 CFS		SAME AS OTHER USE	
					* ---*APA * .04+CFS			
27-7259	MONROC P.O. BOX 1221 IDAHO FALLS ID 83401 SOURCE: GROUNDWATER OTHER USES: 1/CONCRETE PRODUCTION.	01-19-1981	INDUSTRIAL	04-01 09-30	1.00 CFS	FAZK S04 T03S R35E	SESW S43 T02S R35E	APPLICATION
29-4187	KROEGER, HERMAN KROEGER, JUSIE R. ARIMO ID 83214 SOURCE: LITTLE GAP CREEK	05-04-1910	IRRIGATION	04-01 09-01	.75 CFS	NEW S05 T10S R36E	SW1/4(10) NW1/4(10) STATRY CLM S05 T10S R36E	
			TRIBUTARY:	SINKS			* 20 ACRES*	
29-7575	LU VERN T. CLARK TRUST P.O. BOX 4168 PUCATELLU ID 83201 SOURCE: GROUNDWATER	01-14-1981	IRRIGATION	04-01 11-01	1.25 CFS	NEW S17 T06S R33E	NEW(40) NEW(24) APPLICATION S17 T06S R33E	
			TRIBUTARY:				* 64 ACRES*	
34-4068	ROWLAND, KEITH RT. 4 BOX 238 IDAHO FALLS ID 83401 SOURCE: LEHMAN CREEK	05-01-1975	IRRIGATION STORAGE	01-01 12-31	54.00 APA	NEW S10 T07E R22E		STATRY CLM
			TRIBUTARY:	WARM SPRINGS CREEK				
			IRRIGATION	04-01 11-01	100.00 APA		SAME AS OTHER USE	
			FROM STOR		* 100.00+APA * ---*CFS			
34-4069	ROWLAND, KEITH	10-28-1950	IRRIGATION	04-01 11-01		NEW S02	NEW(40) SESW(40) STATRY CLM	

February 19, 1981

RE: Claim to a Water Right No. 34-4068, 34-4069, and 34-4070
ROWLAND McAFFEE

Custer Publishing Company
P.O. Box 406
Challis, Idaho 83226

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on January 29 and February 5, 1981.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

KAY WALKER
Secretary

CW:kw

January 23, 1981

RE: Claims to Water Rights Nos. 34-4068 & 34-4069

Keith Rowland
Route #4, Box 238
Idaho Falls, ID 83401

Dear Mr. Rowland:

Attached herewith is Departmental Receipt No. 16166 in the amount of \$60.00 for the above referenced claims.

Sincerely,

KAY WALKER
Secretary

KW:k
Attachment

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

JANUARY 23, 1981

Custer County Publishing Co.
P. O. Box 405
Challis, Idaho 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before FEBRUARY 16, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

RECEIVED

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 1/29 & 2/05/81.

34-4068-

ROWLAND, KEITH

RT. 4 BOX 238, IDAHO FALLS, ID 83401

Source: LEHMAN CREEK tributary to WARM SPRINGS CREEK

Priority Date: 05/01/1925

Amount: 100.0 AC-FT

Diversion Point: SENW Sec 10 T 07N R 22E, CUSTER Co.

Use: IRRIGATION STORAGE (54.0 AC-FT) from 01/01 to 12/31
IRRIGATION FROM STORAGE (100.0 AC-FT) from 04/01 to 11/01

Place of Use: NESW SWSW SESE Sec 02 T 07N R 22E SESE Sec 03 T 07N R 22E
FOR 150 ACRES

Diversion Means: EARTH DAM.

MICROFILMED