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BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 69072)
OF WATER RIGHT 36-15625 RENUMBERED)
37-20612 IN THE NAME OF DOUG SLUDER,)
GLENDALE CONSTRUCTION)

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On October 26, 2001, the Department approved Application for Transfer 69072 with a condition that:

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

The right holder was granted an extension of time to complete the transfer on October 18, 2002. The time to accomplish the transfer was extended to October 26, 2003.

The right holder has notified the Department that the transfer has not yet been accomplished and will not be accomplished until mid-2004 due to circumstances beyond their control.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Right 37-20612 is granted an extension to October 26, 2004 in which to accomplish Transfer 69072.

IT IS FURTHER HEREBY ORDERED that this extension does not stay the accumulation of the 5-year period associated with forfeiture of a water right for non-use.

Dated this 13 day of August, 2003.

For


L. EVAN SPATON, P.E.
Division Administrator
Water Management Division

MICROFILMED

NOV 24 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 69072	)	
	)	
OF WATER RIGHT 36-15625 RENUMBERED	)	ORDER GRANTING
	)	EXTENSION OF TIME TO
37-20612 IN THE NAME OF DOUG SLUDER,	)	COMPLETE TRANSFER
	)	
GLENDAL CONSTRUCTION	)	
	)	

On October 26, 2001 the Department approved the above referenced Application for Transfer with a condition that:

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

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 69072 is granted an extension to October 26, 2003 in which to accomplish the transfer.

Dated this 18th day of October, 2002.

For 
L. ALLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

NOV 11 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69072

This is to certify that: DOUG SLUDER
GLENDALE CONSTRUCTION
164 GLENDALE RD
BELLEVUE ID 83313

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
36-4157E	AJC/Decreed	06/01/1956	0.24 cfs	47.6 af	11.9	11.9	GROUND WATER

Purpose of Transfer (Changes Proposed)

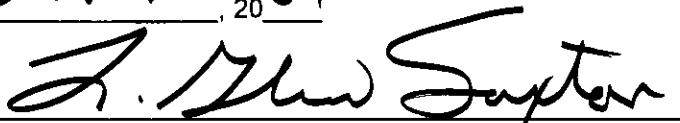
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-4157E	YES	YES	YES	NO	YES	YES

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-4157E*	36-15625	0.10 cfs	15.0 af	N/A	N/A	36-15624	0.14 cfs	27.6 af	N/A	6.9
TOTALS		0.10 cfs	15.0 af	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 26th day of October, 2001


Chief, Water Allocation Bureau

* Renumbered to 37-20612.

WATER RIGHT NO. 36-15624

As Modified by Transfer No. 69072

In accordance with the approval of Transfer No. 69072, Water Right No. 36-15624 is now described as follows.

Right Holder: DONNA ANDREWS And/Or
KEVIN S ANDREWS
1763 E 3000 S
WENDELL ID 83355

Priority Date: 06/01/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.14 CFS	27.6 AF
			0.14 CFS	27.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 3 SENWSW Sec. 30 Twp 07S Rge 15E GOODING County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	15E	30																	6.9
																			L3

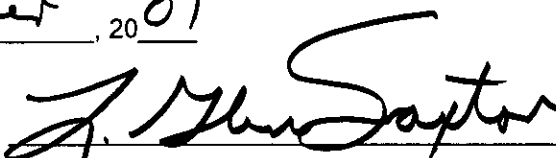
Total Acres: 6.9

CONDITIONS OF APPROVAL

1. 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.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 26th day of October, 2001


Chief, Water Allocation Bureau

MAILED

1000

WATER RIGHT NO. 36-15625
As Modified by Transfer No. 69072

In accordance with the approval of Transfer No. 69072, Water Right No. 36-15625 is now described as follows.

Right Holder: GLENDALE CONSTRUCTION INC
 CHARLES DOUGLAS SLUDER
 PO BOX 868
 BELLEVUE ID 83313

Priority Date: 06/01/1956

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
INDUSTRIAL	01/01	to 12/31	0.10 CFS	15.0 AF
			0.10 CFS	15.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 3 SWNE Sec. 31 Twp 06S Rge 14E GOODING County

GROUND WATER Lot 3 SWNE Sec. 31 Twp 06S Rge 14E GOODING County

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S 14E 31			X					X							X		

CONDITIONS OF APPROVAL

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The total instantaneous diversion of water from all points of diversion under Right 36-15625 shall not exceed 0.10 cfs, nor total combined annual volume of 15.0 af.
3. 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.
4. Industrial use is for a cement production facility.
5. The industrial use authorized under this approval shall comply with applicable county zoning and use ordinances.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

APPROVED
 NOV 14 1987

WATER RIGHT NO. 36-15625
As Modified by Transfer No. 69072

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 26th day of October, 2001


Chief, Water Allocation Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 13, 2003

ROBERTSON HEPWORTH SLETTE WORST & STOVER PLLC
GARY D SLETTE
PO BOX 1906
TWIN FALLS ID 83303-1906

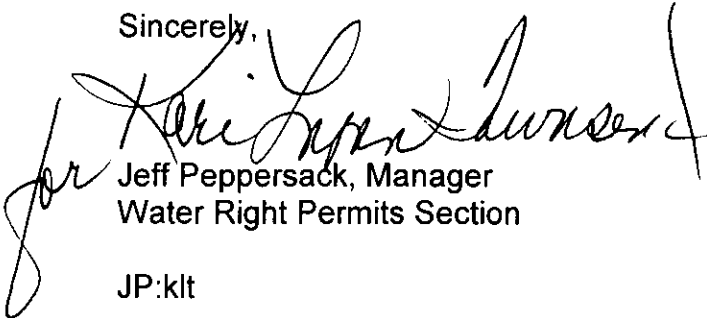
RE: Order In the Matter of Transfer 69072

Dear Mr. Slette:

Enclosed please find Order Granting Extension of Time to Complete Transfer issued by the department in reference to the above listed information.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
SEP 13 2003

**ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER,
P.L.L.C.
ATTORNEYS AT LAW**

J. EVAN ROBERTSON
JEFFREY J. HEPWORTH
GARY D. SLETTE
RICHARD J. "TUG" WORST
TIMOTHY J. STOVER

303 Shoshone Street North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041



GARY D. SLETTE
gslette@rdalawyer.com

August 12, 2003

RECEIVED

AUG 12 2003

Department of Water Resources

VIA FACSIMILE 208-327-7866

Attn: Permit Section
Idaho Dept. of Water Resources
P.O. Box 83720
Boise ID 83720-0098

RE: Transfer No. 69072/Water Right No. 37-20612

Dear IDWR Agent:

I represent Doug Sluder and Glendale Construction, Inc. They are the owners and holders of the above-numbered water right for industrial purposes in Gooding County, Idaho. My clients received an extension of time until October 26, 2003, in which to accomplish the transfer approved as Transfer No. 69072. At this point, Wood River Drilling has constructed the well and installed the pump on the property. However, due to circumstances beyond my clients' control, the cement plant which he was to purchase this fall will not be made available any time earlier than mid-2004.

In speaking with Doug Jones of the Twin Falls of the IDWR, he expressed his belief that only the construction of the diversion works was necessary to be accomplished during the extended time period. However, he suggested writing to you to confirm that issue. In the event a second extension of time is necessary because of my clients' inability to acquire the cement plant at this time, I would ask that this letter be treated as such an extension request for an additional one (1) year period. Please advise me at your earliest convenience.

Yours truly,

GARY D. SLETTE

GDS:rlm
cc: Glendale Construction, Inc.
IDWR - Twin Falls
rlw\gds\letter\IDWR Boise3

MICROFILMED
AUG 12 2003

**ROBERTSON, HEPWORTH, SLETTE,
WORST & STOVER,
P.L.L.C.
ATTORNEYS AT LAW**

J. EVAN ROBERTSON
JEFFREY J. HEPWORTH
GARY D. SLETTE
RICHARD J. "TUG" WORST
TIMOTHY J. STOVER

303 Shoshone Street North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041



GARY D. SLETTE
gslette@idlawyer.com

October 15, 2002

RECEIVED

OCT 16 2002

VIA FACSIMILE 208-327-7866

Department of Water Resources

Attn: Pam
Idaho Dept. of Water Resources
P.O. Box 83720
Boise ID 83720-0098

RE: Transfer No. 69072/Water Right No. 36-15625 (Renumbered 37-20612)

Dear Pam:

I represent Doug Sluder and Glendale Construction, Inc. The above-numbered transfer was approved with the condition that the changes be accomplished within one (1) year of the date of its approval, October 26, 2001. Due to circumstances beyond Mr. Sluder's control, the well driller has been unable to drill the well as had been planned. The driller will attempt to be there this week, but can make no assurances that everything will be completed by October 26, 2002. As a consequence, I would request that the IDWR issue its order extending the time for accomplishing the change to October 26, 2003.

If you have any questions or comments, please do not hesitate to contact me.

Yours truly,

GARY D. SLETTE

GDS:rlm
cc: Glendale Construction, Inc.
IDWR - Twin Falls
rlw\gds\letter\IDWR Boise2

** TOTAL PAGE.01 **

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OCT 18 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-20612

WATER RIGHT NUMBER: ~~37-20612~~

R+ 36-15625 changed to Basin 37 under Transfer 69072.

Owner Type Name and Address
 Current Owner GLENDALE CONSTRUCTION INC
 CHARLES DOUGLAS SLUDER
 PO BOX 868
 BELLEVUE, ID 83313

Priority Date: 06/01/1956

Basis: Beneficial Use

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	01/01 to 12/31	0.100 CFS	15.00 AF
	<u>Total Diversion:</u>	0.100 CFS	15.00 AF

Location of Point(s) of Diversion

GROUND WATER L3 SW1/4NE1/4 Sec. 31, Twp 06S, Rge 14E, B.M.
 GOODING County

GROUND WATER L3 SW1/4NE1/4 Sec. 31, Twp 06S, Rge 14E, B.M.
 GOODING County

Place of Use

INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S 14E 31			X					X							X		

Conditions of Approval:Remarks:

1. General

~~Change of basin by Transfer 69072 for Water Right 36-4157E that was split from a Directors Report recommendation for 36-4157.~~

Industrial use is for a cement production facility.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-20612

Comments:

Dates and Other Information:

Claim Received Date: 12/5/2001
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MICROFILMED
NOV 16 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 22, 2002

DOUG SLUDER
GLENDALE CONSTRUCTION
164 GLENDALE RD
BELLEVUE ID 83313

RE: Order In the Matter of Transfer No. 69072 - Water Right 36-15625 renumbered
to 37-20612

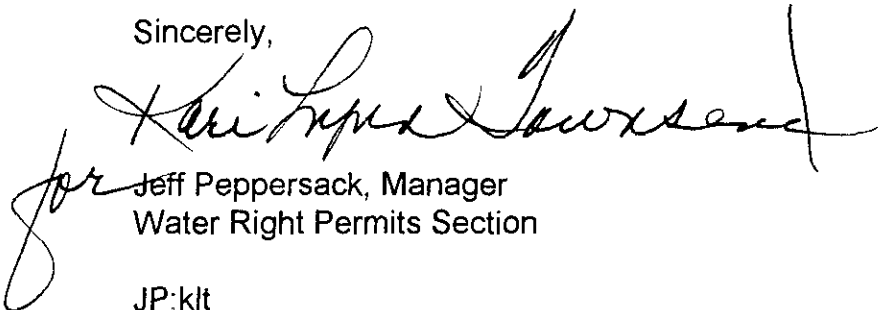
Dear Water Right Holder(s):

Enclosed please find Order Granting Extension of Time to Complete Transfer issued
by the department in reference to the above listed information.

You should be aware that any water right can be forfeited through five (5) years of non-
use including the years of non-use that may have accumulated prior to the approval of
the transfer.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

NOV 12 2002

MEMORANDUM

TO: FILE 36-15625

FROM: VAULT

RE: TRANSFER # 69072

DATE: 10.29.01

=====

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

FILE # 36-4157E

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