

P 234⁰⁰ X
16 ac po under
A24-02477

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-07215
Date Received: 3/12/1990
Receipt No: 11006213
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEIBAUR & WEST FARMS, PARTNERSHIP 208-226-2738
Address: C/O GRANT NEIBAUR
P.O. 4
AMERICAN FALLS, ID 83211

2. Date of Priority: JUN 12, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	31E	25	NW	NE	SE		POWER
		36	NE	SW	NE		POWER
	32E	19	SE	SE	NW		POWER
		30	NE	SW	NW		POWER
			NW	SW	NW		POWER

5. Description of diverting works:
5 WELLS DIVERT WATER INTO COMMON MAINLINE SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.780		

7. Total Quantity Appropriated is:
1.780 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-07215

Page 1

Date: 03/12/90

MICROFILMED
NOV 13 1992



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	31E	25	NE	NE		IRR	30.0
			NW	NE		IRR	2.0
			Section Acres				32.0
	32E	19	NE	SW		IRR	39.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			Section Acres				119.0
		30	NW	NW		IRR	39.0
			SW	NW		IRR	10.0
			Section Acres				49.0
			Total Acres				200.0

11. Place of use in counties: POWER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
29-02477 FROM SAME SYSTEM

14. Remarks:

SYSTEM WAS INTERCONNECTED IN APPROX. 1962. PRIMARY WELL
SERVICING THE LAND UNDER THIS NOTICE IS IN THE NW1/4 SW1/4 NW1/4
SEC. 30. NOTICE REFLECTS CAPABILITIES OF SYSTEM.
FROM ITEM 5:
WELL NO. 1: SWNE SEC. 36-450'X16" W/ 75HP PUMP & 50HP BOOSTER.
WELL NO. 2: SESE SEC. 25-ABANDONED IN 1963. REPLACED W/ #5
WELL NO. 3: NESE SEC. 25-600'X16" W/ 75HP PUMP & 50HP BOOSTER.
WELL NO. 4: NESWNW S. 30-300'X16" W/ 75HP PUMP.
WELL NO. 5: SENW SEC. 19-600'X16" W/ 100HP PUMP & 2 40HP BOOSTERS
WELL NO. 6: NWSWNW S. 30-900'X16" W/ 75HP PUMP & 50HP BOOSTER.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not y wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Partner of Neibaur & West Farms Title

Neibaur & West Farms that I have signed the foregoing Organization document in the space below as Partner Title of

Neibaur & West Farms and that the statements contained in the Organization foregoing document are true and correct.

Grant E. Neibaur
Signature of Authorized Agent

Partner Neibaur & West Farms
Title and Organization

3-12-90

Date

State of Idaho)
County of Power) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of March 19 90

[Signature]
Notary Public

Seal

Residing at Shelby Falls, ID

My Commission Expires 22 Aug 1997

A24-0721

-HALL LINE

NO 13 1992

Log for claim A29-07215

Spatial Dynamics AMH

6/16/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s31e	25	NENE	30	26	
07s31e	25	NWNE	2	0.3	
07s32e	19	NESW	39	39	
07s32e	19	NWSW	40	40	
07s32e	19	SWSW	40	40	
07s32e	30	NWNW	39	40	
07s32e	30	SWNW	10	6.3	
Totals:			200	191.6	

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORTDATE: 05/23/00
PAGE: 54

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NEIBAUR & WEST FARMS PARTNERSHIP C/O GRANT NEIBAUR PO BOX 4 AMERICAN FALLS ID 83211 (208) 226-2738	06/12/1974	IRRIGATION	04-01 11-01	1.780 CFS	
TOTAL DIVERSION:					1.780 CFS	
CONSUMPTIVE USE:						600.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T07S R31E S25 S36 R32E S19 S30	NWNESE NESWNE SESENW NESWNW	NWSWNW	POWER County POWER County POWER County POWER County

Place of use Legal Description for: IRRIGATION

NE										NW										SW										SE										
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	SUM											
07S	31E	25	:	30	02	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	32.0											
07S	32E	19	:	:	:	:	:	:	:	:	:	:	:	:	39	40	40	:	:	:	:	:	:	:	:	:	:	:	119.0											
07S	32E	30	:	:	:	:	:	:	:	:	39	10	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	49.0											
TOTAL ACRES																												200.0												

POU County: POWER

Non-Irrigation Uses: NONE

Other Rights: 29-02477 FROM SAME SYSTEM

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10567 29-10571 A29-02477 A29-10502 A29-10567 A29-10571Other Water Rights Listing Overlapping Place(s) of Use:
A29-02477

Remarks: GEN SYSTEM WAS INTERCONNECTED IN APPROX. 1962. PRIMARY WELL
SERVICING THE LAND UNDER THIS NOTICE IS IN THE NW1/4 SW1/4 NW1/4
SEC. 30. NOTICE REFLECTS CAPABILITIES OF SYSTEM.
FROM ITEM 5:
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WELL NO. 5: SENW SEC. 19-600'X16" W/ 100HP PUMP & 2 40HP BOOSTERS
WELL NO. 6: NWSWNW S. 30-900'X16" W/ 75HP PUMP & 50HP BOOSTER.

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

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

AJ5809NP
No. A29-07215

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/23/00
PAGE: 55

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Audit: 03/12/90 MOBILE3 07/26/94 THOMPSON 03/29/95 POST-STD 04/13/00 CVANDERM

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 29-7215 Priority June 12, 1974 Amount 1.78 cfs

THIS IS TO CERTIFY, that Neibaur & West Farms
of American Falls, Idaho, has complied with the terms and conditions of Permit
No. 29-7215 issued pursuant to Application for Permit dated June 12, 1974,
and has submitted proof to the Department of Water Resources on July 31, 1978,
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 1.78 cfs 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
Irrigation	from April 1 to November 1	at 1.78 cfs and	700.0 acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 1.78 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
700.0 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, Twp.
7S, Rge. 32E in the County of Power

Description and location of place of use:

Twp.	Range	Sec.	NEW				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	31E	25	30	42															32
7S	32E	19									39	40	40						119
		30					39	10											49

Total number of acres irrigated 200

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28TH day of
September, 19 82.

Acting for the Director

Roman C. Young

STATE OF IDAHO

LICENSING

RECEIVED

AUG 30 1982

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

To change the point of diversion and/or the place of use.

Comes now Neibaur & West Farms Phone _____
of (address) P.O. Box 4, American Falls, Idaho 83211, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 29-7215, and requests that the permit and permit map be changed as follows:

NO CHANGE
1. Point of diversion: _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M.,
County of _____. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 1.78 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	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	32E	19									39	40	40						119
		30						39	10										49
7S	31E	25	30	2															32

Total number of acres to be irrigated = 200

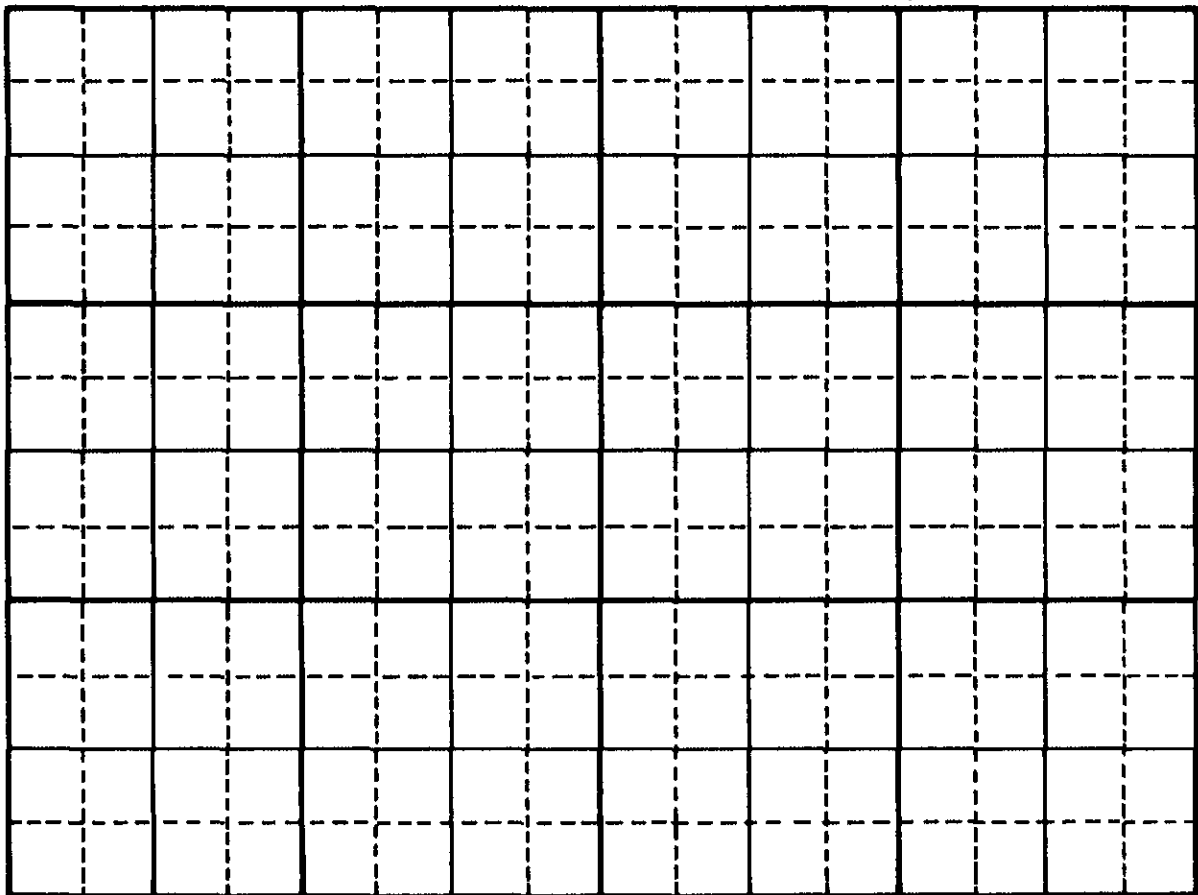
4. a. Who owns the property at the point of diversion? _____

b. Who owns the land to be irrigated or the place of use? _____

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.

NOT NECESSARY



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Am. Falls, Id., this 27 day of August, 19 82.

Shant E. Neubauer
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by Jim Fee = \$20.00

Received by af Date 9-1-82 # 24653

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby

APPROVE the above Application for Amendment of Permit No. 29-7215.

Witness my hand this 28TH day of September, 19 82.

Acting for the Norman C. Young Director

DET

Identification No. 35-7425

Application No. Remembered to
29-7215

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

Partnership

1. Name of applicant Neibaur & West Farms (Arthur W. & June N. West, Grant E. & Barbara Neibaur)
post office address P.O. Box 4, American Falls, Idaho 83211

2. Source of water supply ground water which is a tributary of - - -

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30 Township 7S
Range 32E B.M. Power County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 2.5 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)

(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. 2.5 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Deep well, turbine pump (probably 150 h.p.) discharging into mainline for sprinkler irrigation.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 18 inches; proposed depth of well is 900 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 4 years.

b. Estimated construction cost is \$ 50,000.00.

8. Description of proposed uses:

a. If water is not for irrigation: N.A.

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered: _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

35-7425

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	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	
7S	31E	24																15	15
"	"	25	30	2	5	30									3	5			75
7S	32E	30					30												30
		19									10	30	38	2					80

Total number of acres to be irrigated. 200

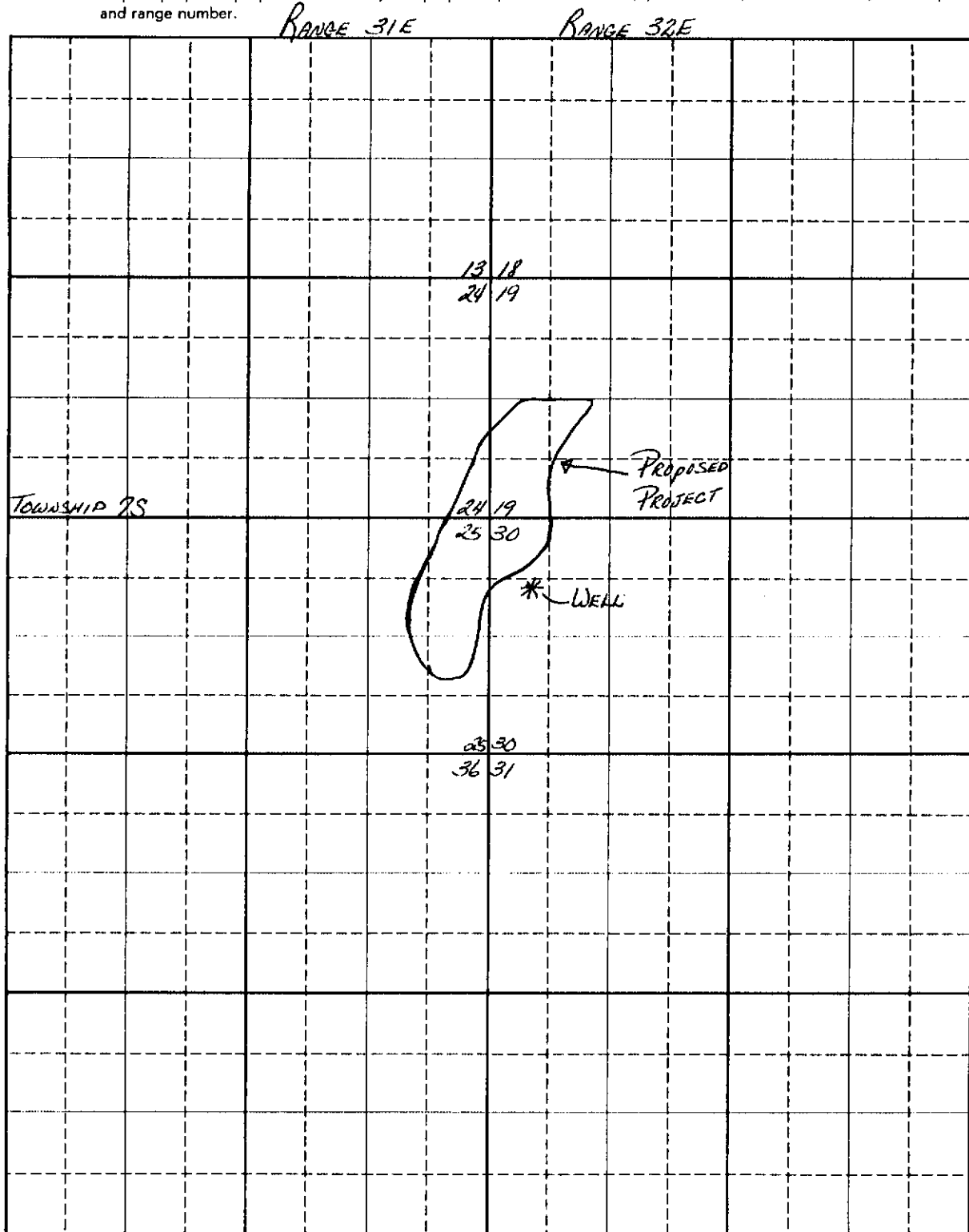
c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion Applicants
 b. Who owns the land to be irrigated or place of use Applicants
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks The well was originally intended and may still be used occasionally as a supplemental well to 4 existing irrigation wells. Problems have been experienced with some of these other wells.

New land to be irrigated is dry land.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Neibauer & West Farms, a partnership
by Grant E. Neibauer
(Applicant)

05 7425

Received by MB Date 5-9-74 Time 10:40A
 Preliminary check by NOY Fee \$ 45.00
 Receipted by MB Date 6-12-74 # 12913
 Publication prepared by RB Date 6/14/74
 Published in Lawyer County Press
 Publication dates 6/20 & 6/27/74
 Publication approved RB Date 7/6/74
 Priority reduced to 6/12/74 Reason NO FEE

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by PC JDE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

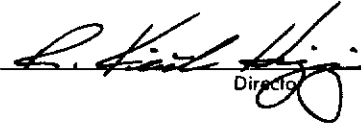
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7425, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 1978.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 15 day of _____ July 19 74.


 Director

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

1. Name of permit holder Newbauer & West Farms
Post office address P.O. Box 1, American Falls Phone _____
Person to contact _____ 226-2701, 226-2738, 226-5581 Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:
Amount 2.5 c.f.s. for irrigation _____
AF/Annum (nature of use)
Period of Use: from Apr 1 to Nov 1
(mo.-day) inclusive (mo.-day)
Amount _____ c.f.s. for _____
AF/Annum (nature of use)
Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)
Amount _____ c.f.s. for _____
AF/Annum (nature of use)
Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)
Other uses: _____

Permit No. 89-1215
Examination for 6/1

4. Total amount to be appropriated:
Max Rate of Diversion 2.5 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:
Township 7S N/S, Range 32E E/W, B.M., Section 30, Subdivision SW 1/4 NW 1/4 1/4 Power
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 1/4 _____
County _____
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 1/4 _____
County _____
Other Points of Diversions: 625 H

Description of diverting works: 625 Hp motor, turbine pump 12" mainline, sprinkler irrigation

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	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	
7S	32E	19									10	30	38	2					80
		30					30												30
1S	31E	25	30	2	5	30									3	5			75
		24															15		15

TOTAL ACREAGE 200

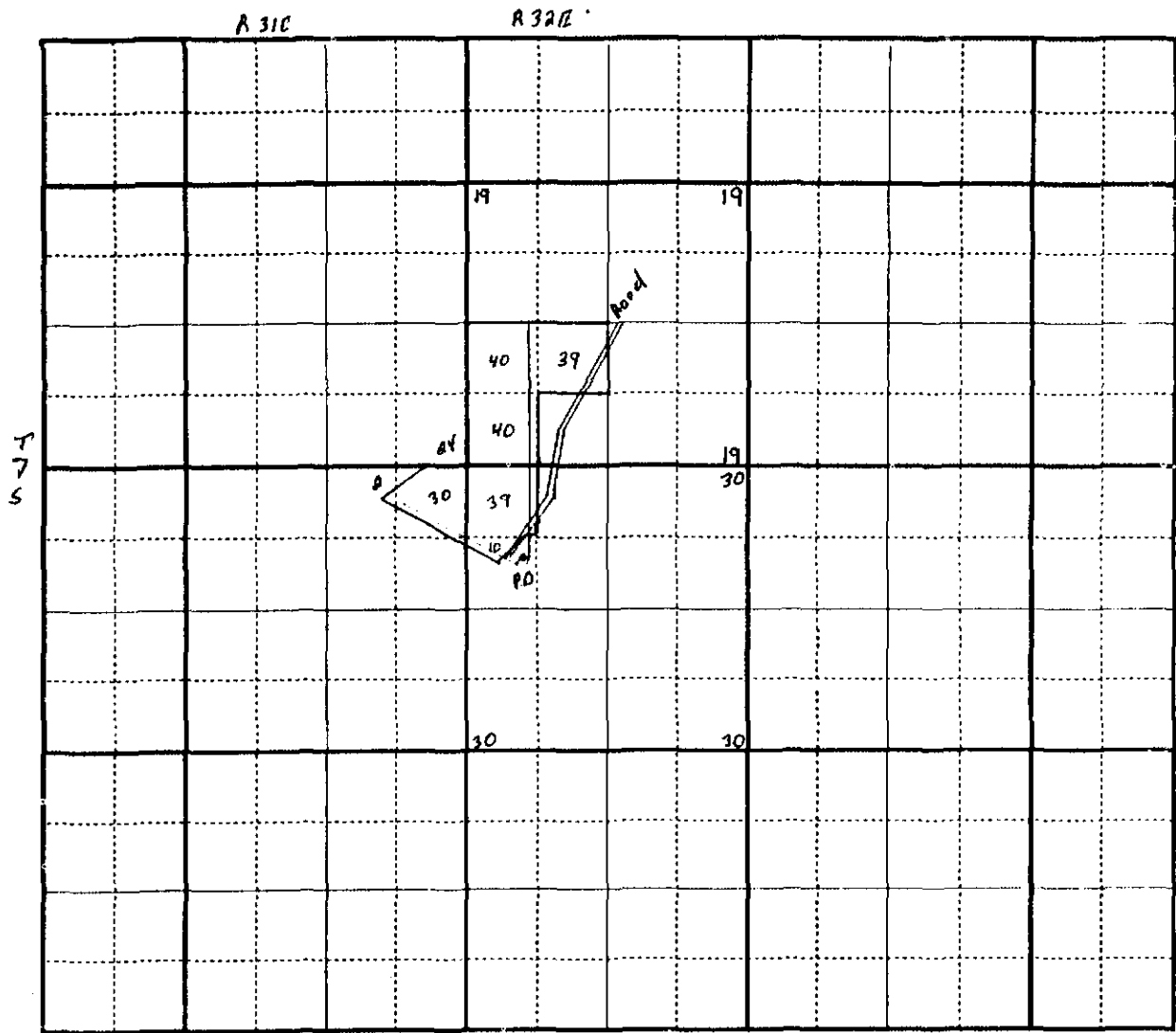
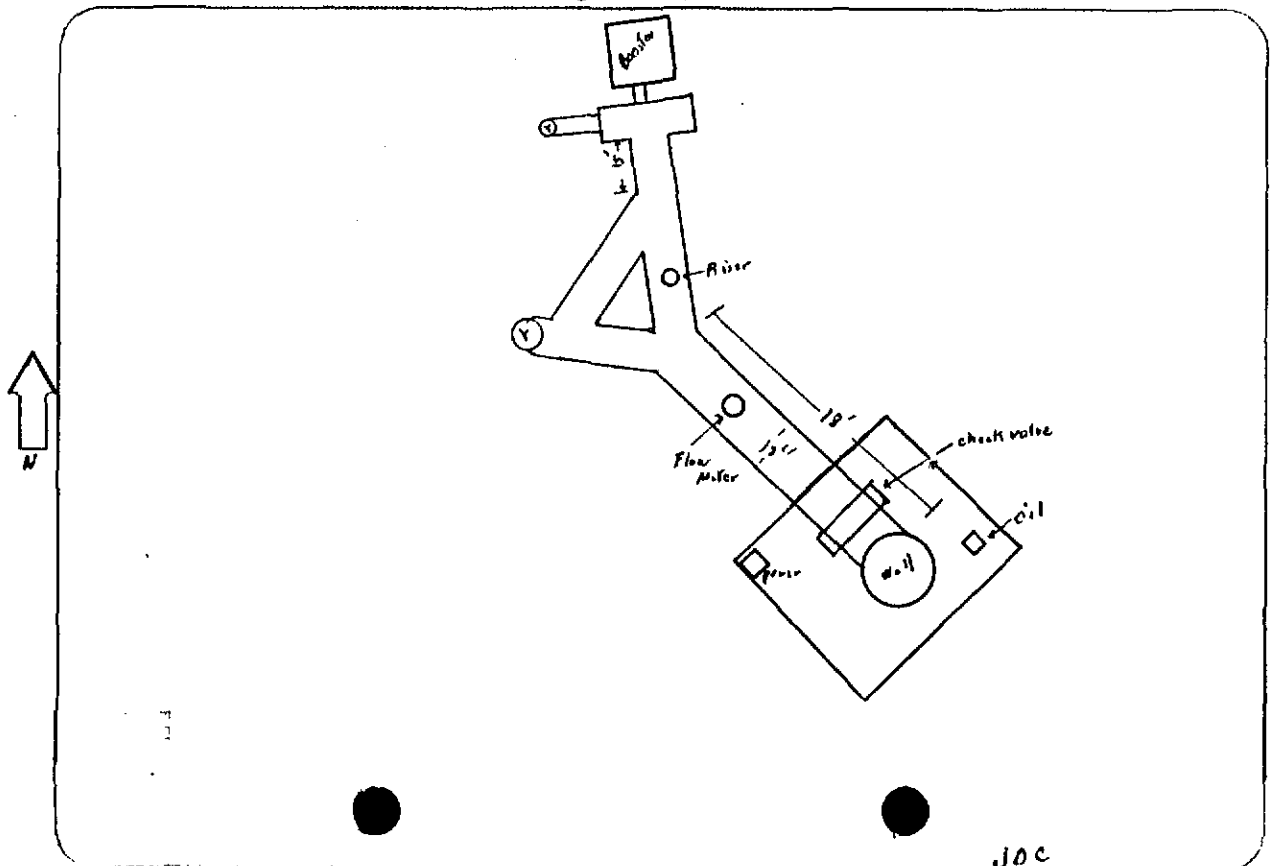


Diagram of System



DATE OF EXAM 5/31/79

ACREAGE
Found 200 ✓
Recommended 200

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 1.78 ✓ c.f.s. V = 700 ✓ AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: n/a
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: n/a
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: n/a
Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 1.78 cfs Method of measurement Flow Meter ✓

Total Q recommended 1.78 cfs Meter No. 73-10-392 Type McOmety Condition std

Total V recommended 700 AF/Ann.

Recommended Amendments:

Place of Use SW 1/4 Sec 19
Other _____
None _____

MEASUREMENT CALCULATION:

0.01 Ac Ft. in 245 sec = 435.6 ± 245 (1.78 cfs) = 798 gpm
V = 200 Ac x 3.5 AF/Ann. = 700 AF/Ann. 1.78 cfs x 1.9875 cfs AF/dy x 214 dy = 755.5 AF/Ann.

SYSTEM DESCRIPTION:

System is driven by a 2 P. Tri Clad induction motor 125 hp. Ser# FK1612165
n/a Johnson vertical turbine pump Ser# 6952 also on Auxiliary Power 40 hp Ser# 6084007
both irrigated by 4 1/2 inch hard line.

REMARKS:

System shown & described by Hunt Neilson
29-2427 no problem

Examiner's Signature John D. Carlson Date 3/12/80

Checked by Anthony R. Sizemore Date 4-7-80

Approved by John Date 6/23/82

No conflicting water rights John 7-9-82

