

BRENT T. ROBINSON
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KELLY ARTHUR ANTHON
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AREA CODE 208
TELEPHONE 436-4717
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May 28, 2004

RECEIVED
JUN 01 2004
Department of Water Resources

Candice M. McHugh
Deputy Attorney General, IDWR
Natural Resources Division
1301 North Orchard Street
Boise, Idaho 83706

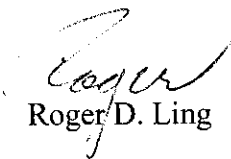
RE: Jernberg – SRBA Claim No. 31-11845

Dear Candice:

Enclosed please find the *Notice of Claim to a Water Right* of Ben D. Jernberg for filing. If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

LING, ROBINSON & WALKER


Roger D. Ling

RDL:bcl
Enclosure

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: 31-11845

Date Received: 6-01-04

Receipt No.: _____

Received By: [Signature]

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: Ben D. Jernberg Phone: (406) 252-6072

Mailing Address: P. O. Box 1442
Billings, MT 59103

2. Date of Priority: 04/23/1979

3. Source: Ground Water

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	34E	10	SE	SE	SW		Jefferson

Additional points of diversion if any:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	34E	10	SW	SE	SW		Jefferson

5. Description of diversion works:

6. Water is claimed for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.
IRRIGATION	04/15	10/15	8.83	

7. Total quantity claimed is:
8.83 (C.F.S.) (and/or) (Acre Feet)

8. Total consumptive use claimed is: _____ acre feet per annum.

9. Non-irrigation uses:

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Tributary to:

10. Description of place of use:

TWP	RNG	SEC	NE¼				NW¼				SW¼				SE¼				Total
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
07N	34E	15							34	39	40	39	40	40					232
07N	34E	16				40									39	24	33	40	176
07N	34E	21	40	27	23	40													130
07N	34E	22						40	40	40									120

Total number of acres irrigated: 658

11. In which county(ies) are lands listed above as place of use located: JEFFERSON

12. Do you own the property listed above as place of use? Yes ☒ No ☐

13. Other water rights used at the same place and for the same purposes as described above: 31-02395 None ☐

14. Remarks:

This claim was created after remand by the Court on 31-7311 to address the extent of beneficial use on the uncultivated land. The following remark was removed in the Amended Decree of 31-7311 and is the basis of this claim: "Water diverted under this right [31-7311], and an additional 4.99 cfs of ground water diverted from the points of diversion described above [for 31-7311] may also be diverted onto 663 acres of uncultivated pasture located in T07N R34E, Sections 15, 16, 21, and 22, but this additional use is not an appurtenance of the land upon which it occurs." The place of use shown in this claim record on 3-22-04 was greater than 663 acres but does not absolutely accurately represent the land owned by the claimant in the four sections that was not a part of 31-7311.

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 AND AFTER OCTOBER 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WTWAER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

15. Basis of Claim: ☐ Beneficial Use ☐ Posted Notice ☒ License ☐ Permit ☐ Decree
If applicable, provide IDWR Water Right No. _____
Court _____ Case No. _____ Decree Date _____
Plaintiff vs. Defendant: _____

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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Ben D Jernberg

Date May 25, 2004

Date

For Organizations: I do solemnly swear or affirm that I am of , that I have signed the foregoing document in the space below as of and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

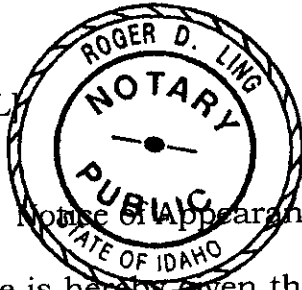
Date

State of Idaho or)

County of MINIDOKA) ss.

Subscribed and sworn (or affirmed) before me this 25th day of May, 2004.

[SEAL]



Roger D. Ling
Notary Public, State of Idaho

Residing at: Rupert, Idaho

My Commission expires: 10/30/08

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling, will be acting as attorney at law on behalf of the claimant signing the above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Roger D. Ling

Roger D. Ling

Address: LING, ROBINSON & WALKER

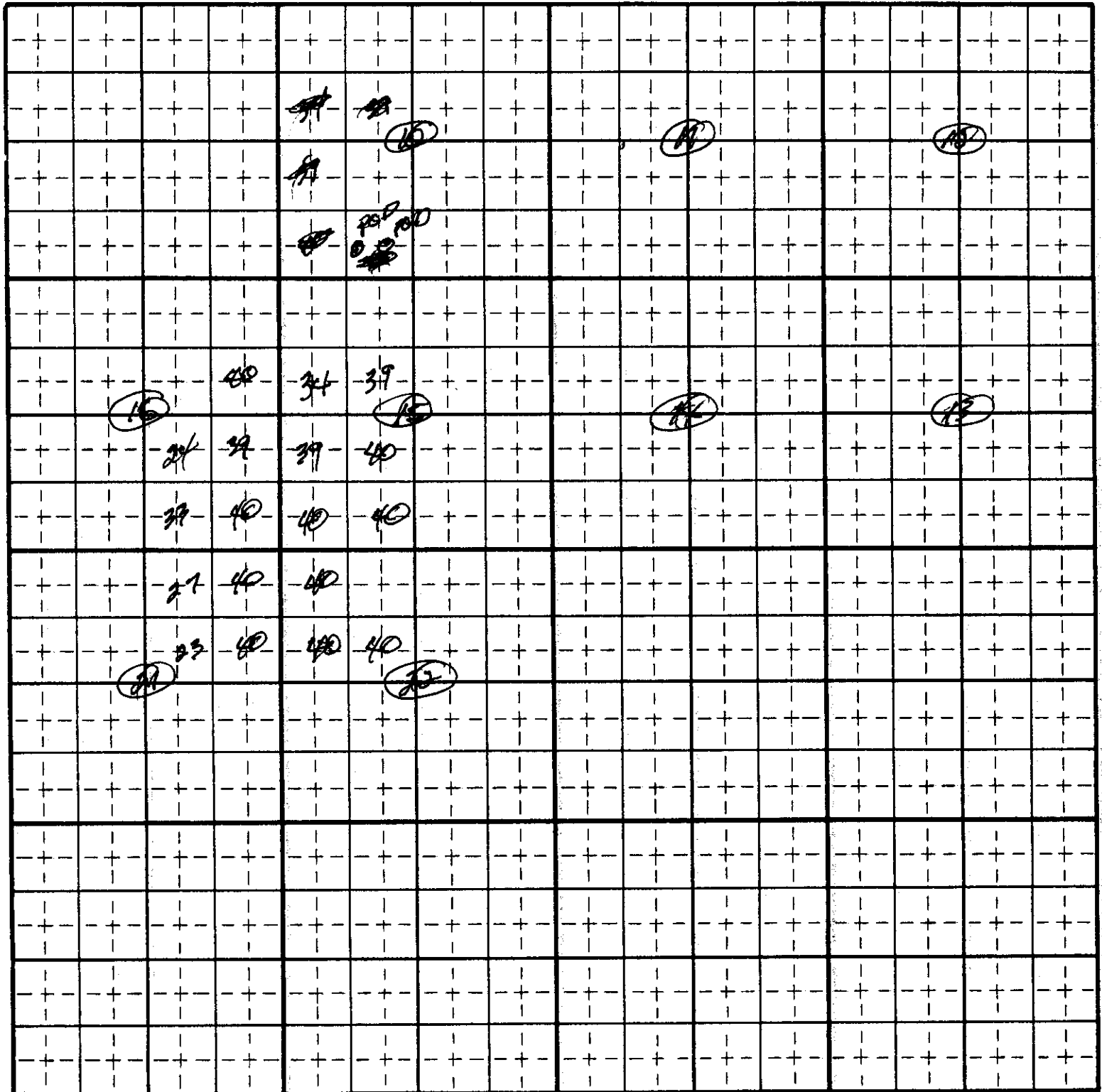
P. O. Box 396

Rupert, Idaho 83350-0396

Date: May 25, 2004.

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

Scale: 2 inches equals 1 mile



Last Name JERNBERG Ident No. 31-11845 Copies: White-State, Yellow-Claimant

