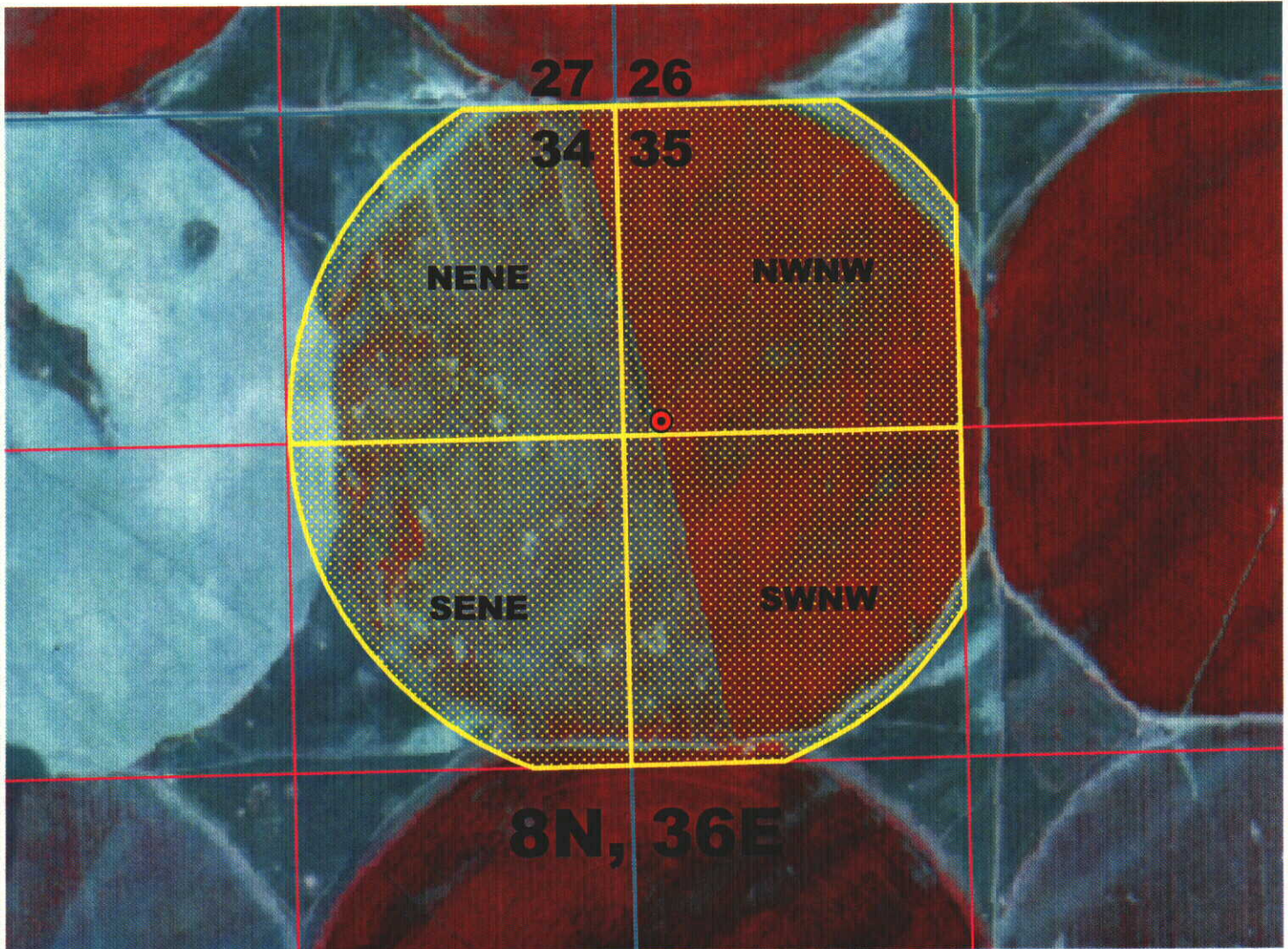




STATE OF IDAHO

Department of Water Resources
Eastern Region

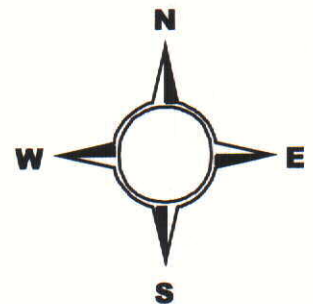
Water Right(s): 31-07024B



1320 0 1320 Feet

Total Irrigated Acres: 140

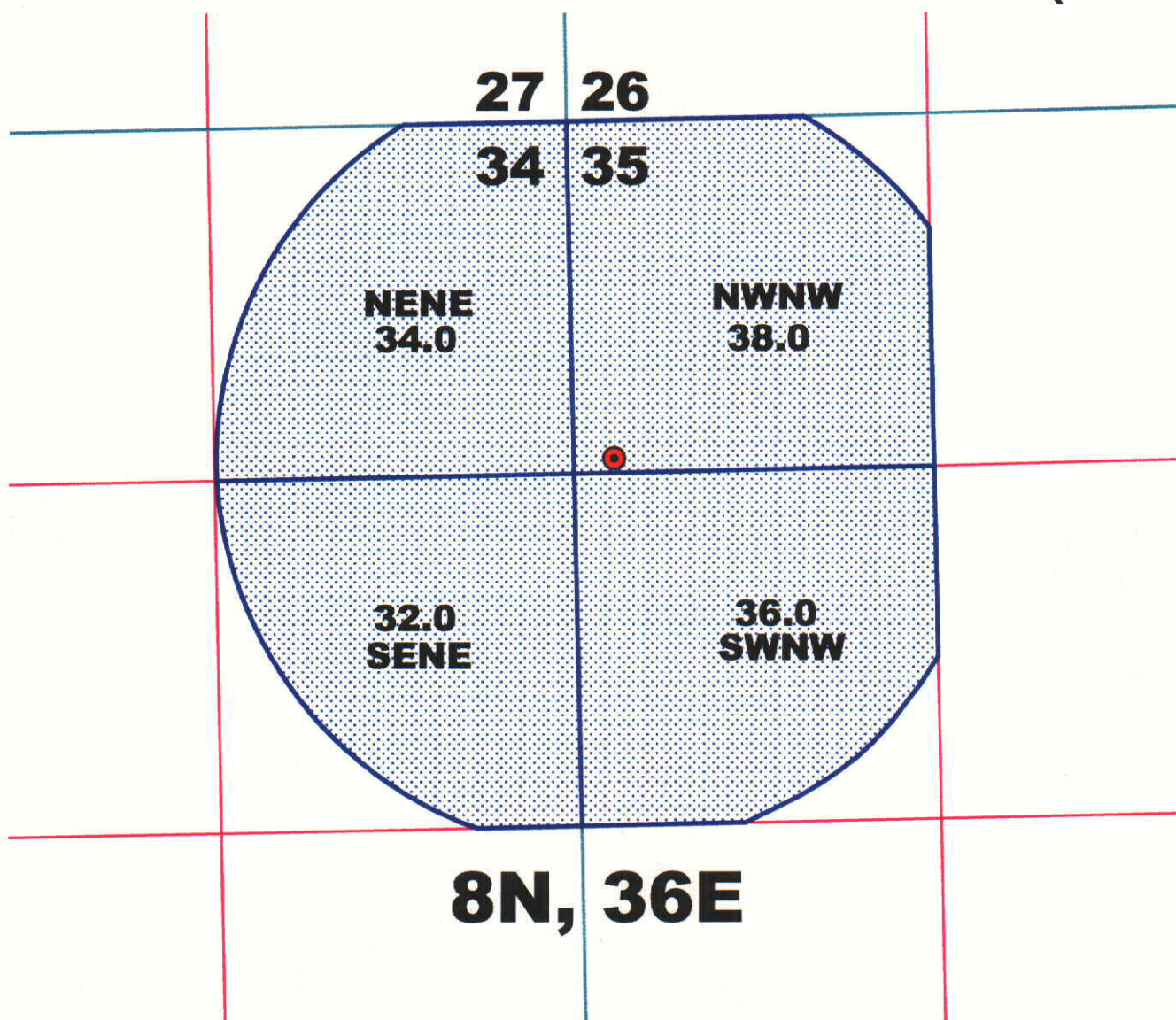
-  Point of Diversion
-  Place of Use
-  Quater Quarter
-  Sections



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: C. Saxton
Date: May 2000

WR#: 31-07024B

Claimant: Frank Jacobs (Kirk)



Total Irrigated Acres: 140

Acreage Distribution

**Prepared by: Craig Saxton
June, 2000**

01/09/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-7024B
NAME AND ADDRESS: KIRK M JACOBS
2576 E 2600 N
PO BOX 119
HAMER ID 83425

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: ~~1.86~~ 2.220 CFS
420.00 AFY

PRIORITY DATE: 06/20/1969

POINT OF
DIVERSION: T08N R36E S35 SWNNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 11/15	~~1.86~~ 2.220 CFS 420.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER 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.

PLACE OF USE: IRRIGATION Within JEFFERSON County

T08N R36E S34	NENE	34.0	T08N R36E S34	SENE	32.0
T08N R36E S35	SWNW	36.0	T08N R36E S35	NWNW	38.0

140 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM ~ License

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 31-7024B
Date Received: 11/21/88
Receipt No: E004241
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KIRK M JACOBS Phone: (208) 662-5415

2576 E 2600 N
PO BOX 119
HAMER ID USA 83425

2. Date of Priority: 06/20/1969

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08N	36E	35	SW NW NW	JEFFERSON	

5. Description of diverting works:

WELL, PUMP TO CENTER PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.86	

7. Total Quantity Appropriated is:
1.86 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres		
08N	36E	34	NE	NE	IRRIGATION	35		
			SE	NE	IRRIGATION	35		
			Section Acres					70
			Total Acres					140
08N	36E	35	NW	NW	IRRIGATION	35		
			SW	NW	IRRIGATION	35		
			Section Acres					70
			Total Acres					140

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

RIGHT SPLIT BY CHANGE IN OWNERSHIP
 Claim amended to add Kirk Jacobs as representative per request. Kirk actually owns the property now, but hasn't submitted a change of ownership request (csaxton 9-18-00)

15. Basis of Claim: License

09/19/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 31-7024B

NAME AND ADDRESS: FRANK H JACOBS
GERALDINE JACOBS
149 EAST 2ND SOUTH
REXBURG, ID 83440

SOURCE: GROUND WATER

QUANTITY: 1.86 CFS
420 AFY

PRIORITY DATE: 06/20/1969

POINT OF DIVERSION: T08N R36E S35 SWNWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-15 11-15	1.86 CFS 420.0 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER 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.

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T08N R36E S34	NENE	34	T08N R36E S34	SENE	32
T08N R36E S35	NWNW	38	T08N R36E S35	SWNW	36

140 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANK H JACOBS
Current Owner	GERALDINE JACOBS 149 EAST 2ND SOUTH REXBURG, ID 83440 (208)356-6834

Representative KIRK M JACOBS
2576 E 2600 N
PO BOX 119
HAMER, ID 83425
(208) 662-5415

Priority Date: 06/20/1969
Basis: License
Status: Valid

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/15	11/15	1.86 CFS	420 AFA	
Total Diversion			1.86 CFS	420 AFA	

IRRIGATION Use:
Acre Limit: 140

Place of Use Legal Description: IRRIGATION JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08N	36E	34		NENE	34		SENE	32						
		35		NWNW	38		SWNW	36						

Conditions of Approval:

1. C18 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.

Water Right 31-7024B

I. Purpose of Use

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE [APRIL 15] UNDER THIS REMARK IS SUBORDINATE TO ALL WATER 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.

Dates:

Licensed Date: 04/17/1979
 Claim Received Date: 11/21/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	8/11/00 2:02:13 PM	csaxton			In Process
POD	9/19/00 2:26:55 PM	csaxton			In Process
	8/11/00 2:05:16 PM	csaxton			In Process
POU	8/11/00 2:08:09 PM	csaxton			In Process
Priority Date	8/11/00 2:02:56 PM	csaxton			In Process
Quantity	9/19/00 2:45:01 PM	csaxton			In Process
	8/11/00 2:26:48 PM	csaxton			In Process
Season	9/19/00 2:44:28 PM	csaxton			In Process
	8/11/00 2:25:20 PM	csaxton			In Process
Source	9/19/00 2:35:19 PM	csaxton			In Process
	8/11/00 2:05:44 PM	csaxton			In Process
Summary	9/19/00 2:57:04 PM		9/19/00 2:57:04 PM	csaxton	Complete
Use	8/11/00 2:07:09 PM	csaxton			In Process

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: OR
 Overall Max Diversion Rate: 1.86
 Overall Max Diversion Volume: 420
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
Contacts	8/11/00 2:02:07 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: In house review.
POD	9/19/00 2:32:35 PM	csaxton	Edited point location
POD	9/19/00 2:26:42 PM	csaxton	1. (NO) The basis is not beneficial use. 2. (YES) Parent right has a Point of Diversion. 3. (YES) The claimed Point of Diversion can be verified using the water right file. 8. (NO) Point of Diversion remark was not required.
POD	8/11/00 2:05:14 PM	csaxton	2. (NO) Point of Diversion condition was not required. 1. (NO) The basis is not beneficial use.

POU 8/11/00 2:08:07 PM csaxton

Priority Date 8/11/00 2:02:54 PM csaxton

Quantity 9/19/00 2:44:59 PM csaxton

Quantity 8/11/00 2:26:42 PM csaxton

Season 9/19/00 2:44:27 PM csaxton

Season 8/11/00 2:25:16 PM csaxton

Source 9/19/00 2:35:16 PM csaxton

Source 8/11/00 2:05:42 PM csaxton

Summary 9/19/00 2:57:02 PM csaxton

2. (YES) Parent right has a Point of Diversion.

3. (YES) The claimed Point of Diversion can be verified using the water right file.

8. (NO) Point of Diversion remark was not required.

9. (NO) Point of Diversion condition was not required.

1. (YES) The POU is required.

2. (NO) The basis of claim is not beneficial use.

3. (YES) The Parent Right has a POU.

4. (YES) The claimed POU can be verified using the water right file.

12. (NO) POU remark was not required.

13. (NO) POU condition was not required.

1. (NO) There has not been a later court decree of the water right(s) from the water source.

4. (NO) The basis of claim is not beneficial use.

5. (NO) The basis of claim is not a posted notice.

6. (YES) Parent right has a priority date.

7. (NO) The basis of claim is not an application or permit.

12. (YES) The claim is recommended.

13. (YES) The claim is coded correctly.

14. (NO) Priority remark was not required.

15. (NO) Priority condition was not required.

1. (NO) The basis of claim is not beneficial use.

2. (NO) The basis of claim is not a posted notice.

3. (YES) The parent right has a diversion rate and/or diversion volume.

4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.

7. (YES) The parent right has an annual diversion volume limit.

8. (YES) Irrigation is a purpose of use.

9. (NO) Quantity remark was not required.

10. (NO) Quantity condition was not required.

1. (NO) The basis of claim is not beneficial use.

2. (NO) The basis of claim is not a posted notice.

3. (YES) The parent right has a diversion rate and/or diversion volume.

4. (YES) The claimed diversion rate and/or volume can be verified using the water right file.

7. (YES) The parent right has an annual diversion volume limit.

8. (YES) Irrigation is a purpose of use.

9. (NO) Quantity remark was not required.

10. (NO) Quantity condition was not required.

1. (NO) The basis of claim is not beneficial use.

2. (YES) The parent right has a period of use.

3. (YES) The claimed Period of Use can be verified using the water right file.

12. (YES) Irrigation is the purposed use.

14. (YES) The period of use on the decree, license or transfer is shorter on either the start or end date than allowable under IDWR's current standard.

15. (NO) Period of Use remark was not required.

16. (NO) Period of Use condition was not required.

1. (NO) The basis of claim is not beneficial use.

2. (YES) The parent right has a period of use.

3. (YES) The claimed Period of Use can be verified using the water right file.

12. (YES) Irrigation is the purposed use.

14. (YES) The period of use on the decree, license or transfer is shorter on either the start or end date than allowable under IDWR's current standard.

15. (YES) Period of Use remark was required.

16. (NO) Period of Use condition was not required.

1. (NO) The basis is not beneficial use.

2. (YES) Parent right has a source.

3. (YES) The claimed source can be verified using the water right file.

8. (NO) The source is not surface water.

10. (NO) Source remark was not required.

11. (NO) Source condition was not required.

1. (NO) The basis is not beneficial use.

2. (YES) Parent right has a source.

3. (YES) The claimed source can be verified using the water right file.

8. (NO) The source is not surface water.

10. (NO) Source remark was not required.

11. (NO) Source condition was not required.

1. (NO) The basis of the claim is not beneficial use.

3. (NO) There is no indication that there has been a five year period of continuous nonuse that could result in a recommendation of forfeiture or

Use

8/11/00 2:07:07 PM

csaxton

partial forfeiture.

5. (NO) General remark was not required.

6. (NO) Explanatory remark was not required.

7. (YES) Additional condition was required.

8. (YES) Wanted to view the recommended right.

9. (NO) This is not a split right.

10. (NO) This is not a combined right.

11. (NO) Documents were not linked or attached to this file.

12. (YES) Set the verification date.

1. (NO) The basis of claim is not beneficial use.

2. (YES) The parent right has a purpose of use.

3. (YES) The claimed purpose of Use can be verified using the water right file.

11. (NO) Purpose of Use remark was not required.

12. (NO) Purpose of Use condition was not required.

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 31-7024B
Date Received: 11/21/88
Receipt No:
Received By:

Amended

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRANK H JACOBS Phone: (208)356-6834

149 EAST 2ND SOUTH
REXBURG ID USA 83440

GERALDINE JACOBS Phone: (208)356-6834

149 EAST 2ND SOUTH
REXBURG ID USA 83440

2. Date of Priority: 06/20/1969

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
08N	36E	35	SW NW NW	JEFFERSON

5. Description of diverting works:

WELL, PUMP TO CENTER PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	1.86	

7. Total Quantity Appropriated is:

1.86 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	36E	34	NE	NE	IRRIGATION	35
			SE	NE	IRRIGATION	35
					Section Acres	70
08N	36E	35	NW	NW	IRRIGATION	35
			SW	NW	IRRIGATION	35
					Section Acres	70
					Total Acres	140

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

RIGHT SPLIT BY CHANGE IN OWNERSHIP

Claim amended to add Kirk Jacobs as representative per request. Kirk actually owns the property now, but hasn't submitted a change of ownership request (csaxton 9-18-00)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

CJ *

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: A31-07024B
Date Received: 11/21/1988
Receipt No: E004241
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK H. JACOBS 208-356-6834
Address: 149 EAST 2ND SOUTH
REXBURG, ID 83440

OR

Name: GERALDINE JACOBS 208-356-6834
Address: 149 EAST 2ND SOUTH
REXBURG, ID 83440

2. Date of Priority: JUN 20, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	36E	35	SW	NW	NW		JEFFERSON

5. Description of diverting works:
WELL, PUMP TO CENTER PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.860		

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

8. Total consumptive use is 350.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08N	36E	34	NE		NE		IRR	35.0
			SE		NE		IRR	35.0
							Section Acres	70.0
		35	NW		NW		IRR	35.0
			SW		NW		IRR	35.0
							Section Acres	70.0
							Total Acres	140.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:
RIGHT SPLIT BY CHANGE IN OWNERSHIP.

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356

Ident. Number A31-0307024ADate Received 11-21-88Receipt Number E00424/

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) FRANK H. OR GERALDINE JACOBS Phone (208) 356-6834
Mailing Address 149 E. 2-S. REXBURG, ID. Zip 83440
2. Date of Priority (Only one (1) per claim) JUNE 26, 1969
3. Source of water supply (a) GROUND WATER
which is tributary to (b) _____
4. a. Location of existing point of diversion is: Township 8N Range 36E Section 35,
SW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of JEFFERSON
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. WELL w/ PUMP TO CENTER PIVOT.

A3107024B

MICROFILMED

NOV 17 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRR purposes from 4/1 to 11/1 amount 1.86 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.86 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 350 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
8N	36E	35						35	35										70
		34	35			35													70

Total number of acres irrigated 140

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 _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None (✓)

14. Remarks: RIGHT SPLIT BY CHANGE IN OWNERSHIP.

MICROFILMED

NOV 17 1992

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) ☒ Beneficial Use ☐ Posted Notice ☐ License ☒ Permit ☐ Decree

If applicable provide IDWR Water Right Number 31-7024

Court _____ Case Number _____ 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) [Signature] Date Nov 21 - 88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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 Bannock) SS.

Subscribed and sworn (or affirmed) before me this 21st day of November 19 88

SEAL

Notary Public Carter Fritschle

Residing at _____ Carter Fritschle, Notary Public

Residing at Eagle, Idaho

My Commission Expires _____ My commission Expires March 21, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing 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 _____

Address _____

Date _____

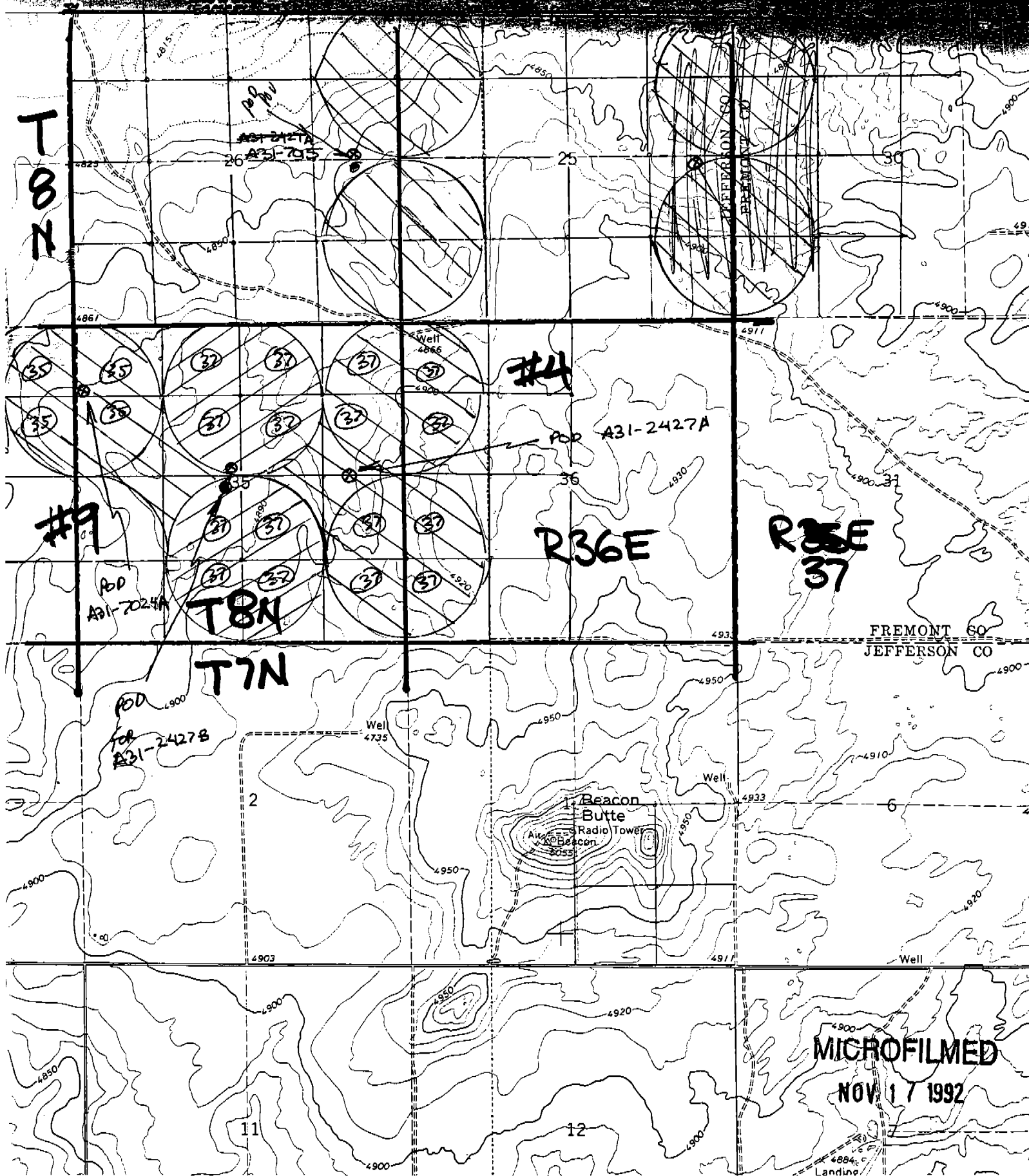
MICROFILMED

NOV 17 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

PETERSON WELL #5

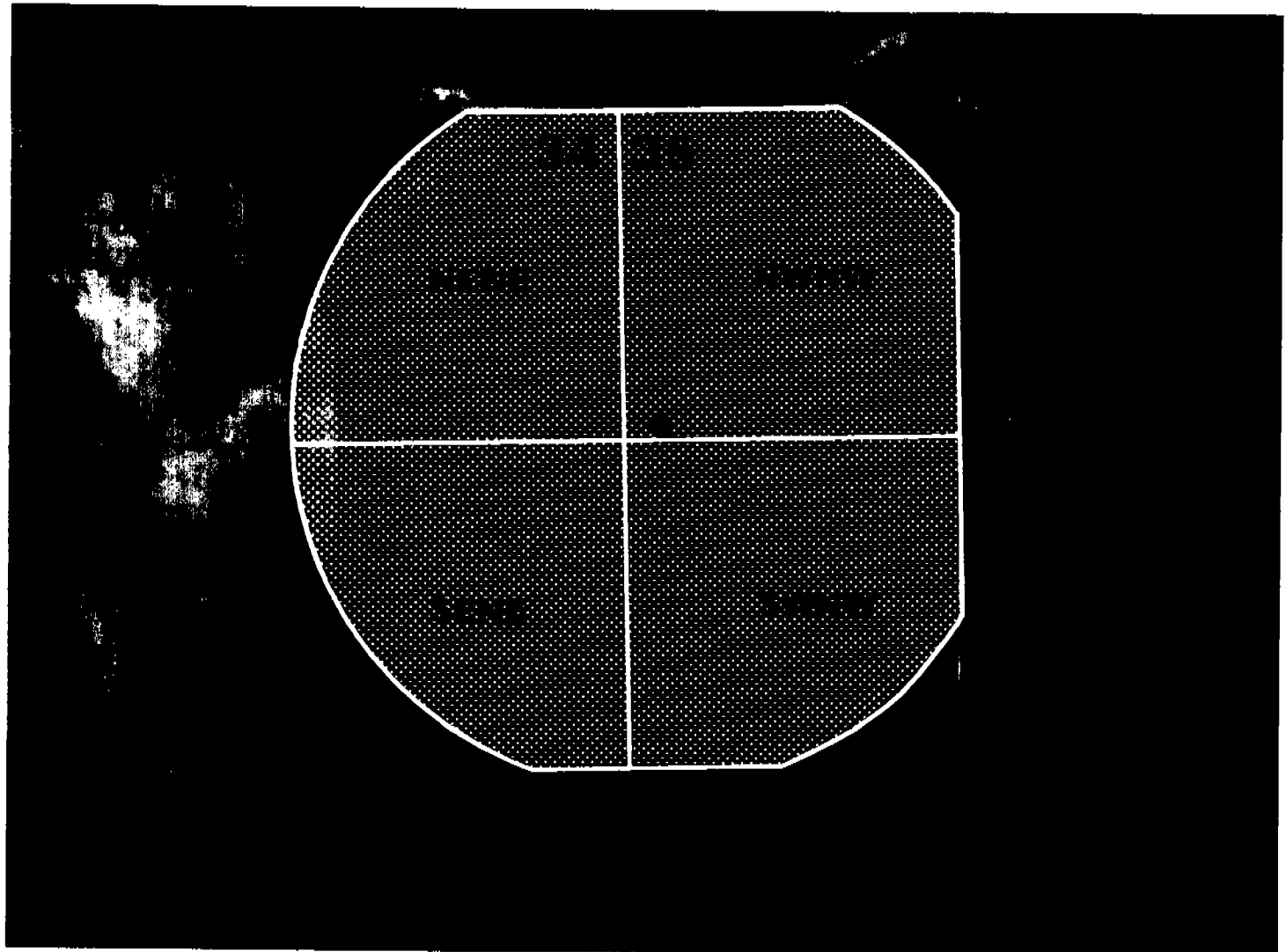




STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 31-07024B



1320 0 1320 Feet

A horizontal scale bar with a black and white alternating pattern. It is marked with '1320' at the left end, '0' in the middle, and '1320 Feet' at the right end.

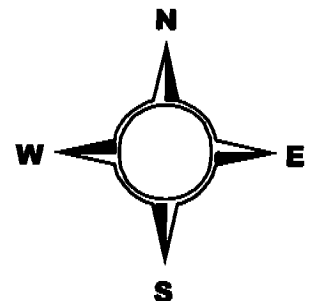
Total Irrigated Acres: 140

● Point of Diversion

Place of Use

□ Quater Quarter

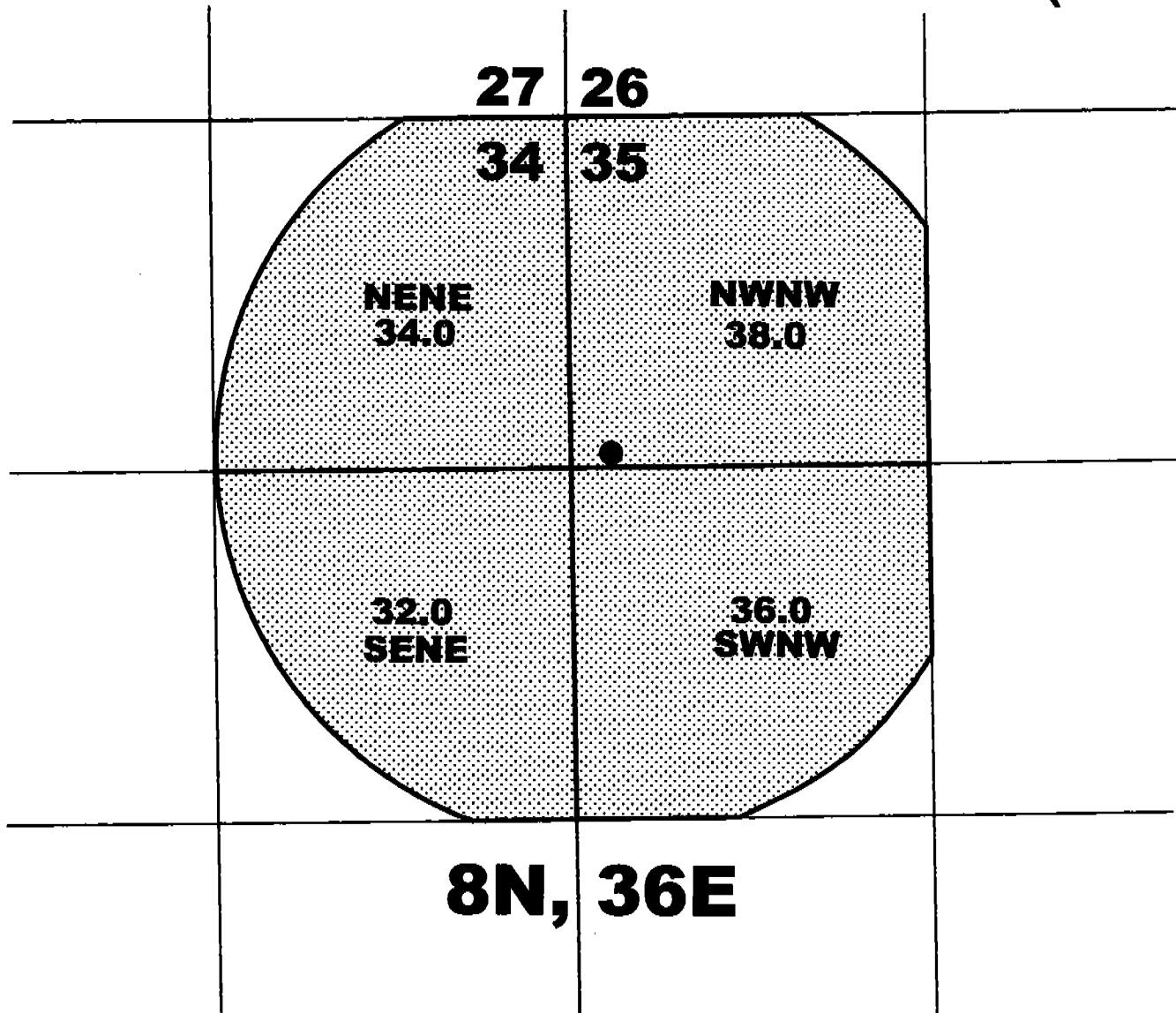
□ Sections



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: C. Saxton
Date: May 2000

WR#: 31-07024B

Claimant: Frank Jacobs (Kirk)



Total Irrigated Acres: 140

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:43:51
03/11/93

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A31-070240

LAST: JACOBS
ADDRESS: 149 EAST 2ND SOUTH
CITY: REXBURG
PHONE NUMBER: 208-356-6834

FIRST: FRANK H.

STATE: ID ZIP: 83440

OWNER CODE: C

LAST: JACOBS
ADDRESS: 149 EAST 2ND SOUTH
CITY: REXBURG
PHONE NUMBER: 208-356-6834

FIRST: GERALDINE

STATE: ID ZIP: 83440

OWNER CODE: C

LAST: CAL-IDA
ADDRESS:
CITY: MENA
PHONE NUMBER: 208-000-0000

FIRST:

STATE: ID ZIP: 83436

OWNER CODE: D

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: RIGHT SPLIT BY CHANGE IN OWNERSHIP.

PAGE: 2
FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A31-070248

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: V() H()

TIME: __: __ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

- Desktop Review -

PAGES: 5
PRIORITY DATE REVIEW PAGE

CLAIM NUMBER: A31-070248

A. AJ CLAIM: # A31-070248 PRIORITY DATE: 06-20-1969 STAGE: L

B. WR RECORD: # 31-07024 PRIORITY DATE: 06-20-1969 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
 J

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

NOTES: Priority Verified By Parent License 31-07024

RECOMMENDED PRIORITY DATE:
06-20-1969

REVIEWED BY Craig Saxton

DATE 6-26-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-070240	08N	36E	35	SW	NW	NW		JEFFERSON

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
31-07024	08N	36E	35		NW	NW		JEFFERSON
31-07024	08N	36E	34		NW	NE		JEFFERSON
31-07024	08N	36E	34		NW	NW		JEFFERSON

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A31-070240 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	<u>ST</u>
DUE TO SOURCE DISCREPANCY? (Y/N)	N	<u>ST</u>

NOTES:

WR Database split history and AJ split history do not match. See split history IN file.

PAGE: 5

POINT OF DIVERSION REVIEW SHEET CONTINUED

CLAIM NUMBER: A31-370248

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
8N	36E	35	SW	NW	NW			

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: Craig Saxton

DATE: 6-26-00

SYSTEM DESCRIPTION:

See NWMO File.

A. ROOT WATER RIGHT NUMBERS: A31-070248
A31-070248

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ S/ACRES	MR S/ACRES	LANDSAT DATA	FIELD EXAM.
08N	36E	34	NE	NE		JACOBS, FRANK H. CAL IDA INC.	A31-070248 / 35.0	- / 31-07024 / 35.0	57.0	
08N	36E	34	SE	NE		JACOBS, FRANK H. CAL IDA INC.	A31-070248 / 35.0	- / 31-07024 / 35.0	57.0	
08N	36E	35	NW	NW		JACOBS, FRANK H. CAL IDA INC.	A31-070248 / 35.0	- / 31-07024 / 35.0	48.0	
08N	36E	35	SW	NW		JACOBS, FRANK H. CAL IDA INC.	A31-070248 / 35.0	- / 31-07024 / 35.0	27.0	
TOTAL ACRES							A31-070248	140.00	141.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(✓)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
[Signature]

POU COUNTY: JEFFERSON

PRESUMPTION FLAG:

NOTES:

See GTS Acreage distribution map + split History

RECOMMENDATIONS:

TOTAL ACRES: 140

REVIEWED BY: Craig Garton

DATE: 6-26-00

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A31-070248 IRRIGATION	FROM 04-01 TO 11-01	1.060 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.060 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
31-07024 IRRIGATION	FROM 04-15 TO 11-15	5.650 CFS 1275.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		5.650 CFS 1275.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	☒
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	☒
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	☒

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(☒)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☒) N() EXPLAIN IN NOTES, BELOW.

NOTES:

Recommend as originally licensed. Transfer did not affect unchanged portion of split.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(☒)

AJ TOTAL CLAIMED DIVERSION RATE: 1.860 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.550 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN NOTES. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POB AND IRRIGATION USAGE

NO RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION

split History on AJ and WR database do not match.

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

ACRES 140 X 0.02 CFS/ACRE = 2.80 CFS
(TAKEN FROM P/U REVIEW)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

AAA IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N(☒) AAA

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = NA 850.0 AF/A

ACRES 140 X CONSUMPTIVE VOL. AF/A FOR AREA NA =

TOTAL CONSUMPTIVE USE NA AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = NA AF/A

ACRES 140 X DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 490 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

NOTES: (INCLUDE LIMITATIONS ON CONSUMPTIVE USE FOR COMBINED RIGHTS.)

Parent License Gives 1275 AFA $\rightarrow$ 3.0 af x 140 = 420 AFA
725 ac

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE EXAMINER 1.850	DATABASE EXAMINER 420	DATABASE EXAMINER 350.0
TOTAL FOR THIS RIGHT		1.850		350.0

REVIEWED BY: Chris Saxton

DATE: -6-26-00

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 31-07024

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
5.650

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A31-07024A	4.460	-	-	-	-
-	A31-07024B	1.860	-	-	31-07024	5.650
-	-	-	-	-	-	-
TOTAL CFS		6.320				5.650

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW SHEET ATTACHED? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

NOTES:

See Split History

AUTHENTICATION:

SIGNATURE: Craig L. Saxton

DATE: 6-26-00

NAME OF FIELD EXAMINER: Craig L. Saxton

TITLE: Water Resource Agent

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

22:45:51
03/13/93

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A31-070240

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM
PRIORITY DATE						CS 6-26-00		
POINT OF DIV	Y			N				
SOURCE								
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			N				
CONSUMPTIVE USE	-			N/A				
PURPOSES								
PERIOD OF USE	Y			Y				
BASIS OF CLAIM	Y			N				
REMARKS	Y			Y				

"VERIFIED BY" CODES

TOPD MAP/ORTHO-PQ = 1
ASCS MAP = 2
MASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

06:09:24
03/15/95

PAGE: 11
PROFILE REPORT

CLAIM NUMBER: A31-070240

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DEVERSION RATE	DIVERSION VOLUME
C	FRANK H. JACOBS	06/20/1969	IRRIGATION	04-01 11-01	1.86 CFS	42
C	GERALDINE JACOBS 143 EAST 2ND SOUTH REIDBURG ID 83440 (208) 355-6834			4-15 11-15	1.86 CFS	42
				TOTAL DIVERSION:		
				CONSUMPTIVE USE:		

*? Kirk
no 40 yet*

WATER SOURCE: GROUNDWATER

TRIBUTARY TO:

STAGE: LICENSE

POINT(S) OF DIVERSION: TOON R36E S35

SHNNW

JEFFERSON 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		
08N	36E	35	:																
08N	36E	34	:	35		35		35		35		35		35		35			
				37		32													
TOTAL ACRES																			

POU COUNTY: JEFFERSON

OTHER RIGHTS: NONE

REMARKS: RIGHT SPLIT BY CHANGE IN OWNERSHIP.

DATES: EXAM MADE DATE: VERIFIED DATE:

MISC: WATER DISTRICT NUMBER: FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

C18
USC: 502

Claim file

AMENDED DIRECTOR'S REPORT

Subcase No. 31-7024B

RECEIVED

FEB 01 2002

**Department of Water Resources
Eastern Region**

In Re SRBA

Twin Falls County Civil Case No. 39576

Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources

Karl J. Dreher, Director

David R. Tuthill, Jr., Adjudication Bureau Chief

January 25, 2002

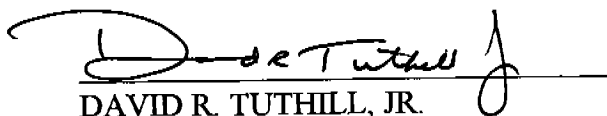
DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to Special Master Bilyeu's *Order Granting Motion To Amend Claim and Setting Subcase Deadlines* issued January 16, 2002, the Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcase.

Respectfully submitted this 25th day of January, 2002.


DAVID R. TUTHILL, JR.
Adjudication Bureau Chief

CERTIFICATE OF MAILING

I certify that on Jan 25, 2002, I mailed and/or delivered the original and copies of this form, including all attachments, to the following interested parties, by placing them in sealed envelopes, addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Facsimile

2. Copies to:

Chief, Natural Resource Division
Office of the Attorney General
Box 83720
Boise, ID 83720-0010

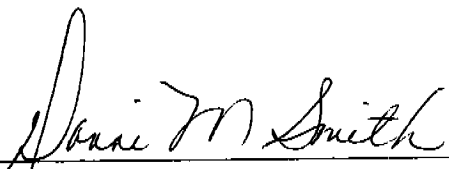
☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Facsimile

United States Department of Justice
Environment & Natural Resources Div.
550 West Fort Street MSC 033
Boise, ID 83724

☐ Overnight Mail
☐ Regular Mail
☐ Hand-Delivered
☒ Facsimile

Jefferson County Clerk
P.O. Box 275
Rigby, ID 83442

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile



Signature of person delivering form

RECEIVED

SEP - 5 2001

Department of Water Resources

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

In Re SRBA

Case No. 39576

A: Subcase 31-7024B
(insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B: NAME AND ADDRESS OF PERSON OBJECTING

Name:

Kirk M Jacobs

Address:

2576 E 2600 N

Rexburg Id 83425

Daytime Phone:

662-5415

Name & Address of Attorney, if any:

C: CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Kirk M Jacobs

Address:

2756 E 2600 N

Rexburg Id 83425

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____
2. ☐ Source
Should be: _____
3. ☒ Quantity
Should be: 2.8 cfs , 0.02 cfs per acre
4. ☐ Priority Date
Should be: _____
5. ☐ Point(s) of Diversion
Should be: _____
6. ☐ Instream Flow Description
Should be: _____
7. ☐ Purpose(s) of Use
Should be: _____
8. ☐ Period of Year
Should be: _____
9. ☐ Place of Use
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): _____

Original licenses were in error, see claim file
notice of error, see amended claims.
See attached engineering analysis.

F:

VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Bonneville)

Kirk M Jacobs, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

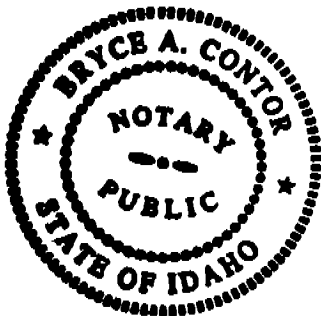
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Kirk M Jacobs
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Aug 29 2001

Bryce A. Contor
Notary Public for Idaho
Residing at: Mud Lake ID
My Commission Expires: 10/14/2005



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Sept 4, ²⁰⁰¹~~199~~, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

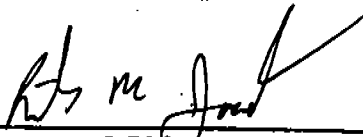
Name: Kirk M Jacobs
Address: 2576 E 2600 N
Rexburg ID 83425

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

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

In Re SRBA

Case 39576

Subcase 31-7024B

(Insert water right number)

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Kirk Jacobs

My address is 2576 E 2600 N Hamer ID 83425

My phone number is: Work 208 662 5415 Home 208 390 83431

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on Dec 18 2001
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒

I must amend my Notice of Claim to the use of water in the SRBA because:

Original claims reflected errors on licenses. We did not file amended claims earlier, believing we could get amended license. It now seems like we need to file amended claims to keep open the option of objecting to correct these errors.



I am providing legal and factual documentation to support my amended Notice of Claim.
You must describe these documents and attach a readable copy.

Analysis by engineer.

I have attached:



An amended Notice of Claim (available from IDWR).



Payment of the following additional fees required by IDWR:

No fees required; all fees paid
with original filing

VERIFICATION (Must be completed)

State of Idaho

County of Valhalla

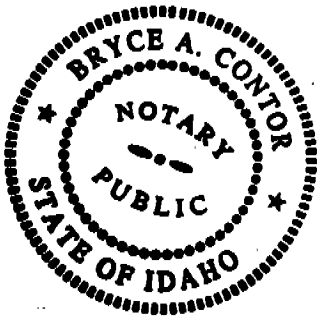
_____, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Kels M. Jacob
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on Aug 30 2001
(Insert Date)



Bryce A. Contor
Notary Public for Idaho
Residing at: Mud Lake
My Commission expires: 10/14/05

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on Sept 4, ~~199~~²⁰⁰¹, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

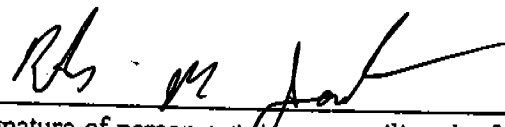
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Signature of person or attorney mailing the form

SEPT 1,2001

RECEIVED

SEP 05 2001

Department of Water Resources
Eastern Region

RON CARLSON
IDWR
900 N.SKYLINE DR.SUITE A
IDAHO FALLS ID.83402-1718

RE: Copy of objection filed to the court and letter to Norm Young

Dear Ron

I have sent you a copy of my objection and engineer report so if there is anything you and your office can do to help on this matter I would sure appreciate it.

Sincerely



Kirk M Jacobs

Sept. 1, 2001

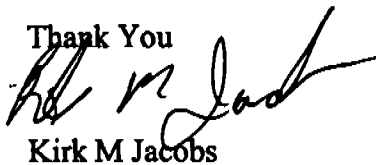
S.R.B.A Court
253 Third Ave. North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

Re: Filing an objection to recommendations on water right #31-2427A, 31-2427B, 31-7015B,
31-7024B

Dear SRBA COURT

In reviewing IDWR'S recommendations for the above water rights we have found some problems in original examiners calculations in determining our cfs and feel we need to seek amended licenses at this time. Enclosed are all the necessary forms and a report by Mr Robert Lee a licensed engineer explaining the problems we have found with the examiner and his calculations. We would like to ammend our license to match the enclosed ammended claim.

Thank You

A handwritten signature in black ink, appearing to read "Kirk M Jacobs", is written over the typed name. The signature is fluid and cursive.

Kirk M Jacobs

1330 Barney Dairy Road
Rexburg, Idaho 83440

August 27, 2001

Mr. Kirk Jacobs
P O Box 119
Hamer, Idaho 83425

Dear Kirk:

As requested I have reviewed the Idaho Department of Water Resources adjudication recommendations for the following licenses:

1. 31-7024B
2. 31-7015B
3. 31-2427A
4. 31-2427B
5. 31-7291
6. 31-7292

The results of my analysis are given in the attached report. All but license numbers 31-7291 and 31-7292 understated the diversion rates utilized at the time the examiner made his report. The examiner's reports are full of errors. I believe you have documented reasons for appealing the Department's adjudication recommendations. If necessary, I will be pleased to meet with the Department to discuss these matters.

Sincerely,



Robert R. Lee

REPORT ON WATER RIGHTS ADJUDICATION FOR KIRK JACOBS

By Robert R. Lee, PE 1823

August 27, 2001

Mr. Kirk Jacobs of Hamer, Idaho has asked that I assist him in a review of the Department adjudication recommendations for his farm in Hamer.

I am qualified to comment on these matters. First, I have a PhD from Stanford University in Civil Engineering with emphasis on water resources planning. Secondly, I am a retired Idaho Professional Engineer with license number 1823. Thirdly, for twenty years I designed, sold, and installed irrigation systems in Eastern Idaho including hundreds of pumps and center pivot systems.

HAMER CENTER PIVOT SYSTEMS DESIGN

The soils in the Hamer area are sand and require careful planning and operation. Center pivots must provide sufficient water to meet the peak consumptive use requirements of alfalfa, potatoes and grain, the crops grown in the area. The soil moisture holding capacity of sand is very low so that it is not possible to "bank" soil moisture in anticipation of peak demands.

In the Hamer area the peak consumptive use for alfalfa or potatoes is approximately 0.32 in./day. The formula for calculating gpm/acre which is used in center pivot design is: $\text{gpm/acre} = \text{cu}/.053 \times \text{efficiency}$.

An irrigation efficiency of 80% is typically used. Therefore the design gpm/acre for Hamer = $.32 \text{ over } .053 \times .8 = 7.55$ which is lower than the 9 gpm/acre rate allowed by the Department.

A 1300' length center pivot with an end gun on in the corners will irrigate about 132 acres. Thus the gpm for a 1300' system would calculate to be $7.55 \times 132 = 997$ gpm. This is rounded off to 1000 gpm. Over the years these calculations have proven valid as Hamer farmers successfully raised crops under 1300' center pivots nozzled for 1000 gpm. During peak consumptive use periods these center pivots run 100 percent of the time and there is little margin for error. I have no knowledge of any 1300' center pivots in the Hamer area that are nozzled for less than 1000 gpm. In the 1960's and early 70's Mel Brown Company typically designed 1300' circles to 1100-1200 gpm according to Dale Peterson, son-in-law and former employee of Mel Brown who now works for Golden West Irrigation in Idaho Falls. The department should not recommend water rights which would be less than what circles were nozzled for at the time of licensing and less than that rate needed to grow crops.

Further, pumps are designed to match pivot requirements of gallonage and pressure otherwise the pivots wouldn't perform properly and expensive changes would be required of the irrigation company.

LICENSE NO. 31-07024B

The Department's adjudication recommendation of 1.86 cfs and 420 AF for this 1300' center pivot which irrigates 140 acres is not sufficient to irrigate the crops grown in the Hamer sand. The 1.86 cfs would only provide 837 gpm, a gpm/acre of 5.98 and a 24 hour application rate of 0.25 inches. This application rate would leave the crop short of water by 21% during the peak consumptive use period greatly reducing the yield and quality of the crop. Therefore I must conclude that historically the pump and center pivot were applying the 1000 gpm required for the crops.

The Department's recommendation is apparently based on the examiner's report of 7 July 1967 wherein he recommended 5.65 cfs for three pumps and center pivots or 1.88 cfs for each installation. (See Attachment No. 1) The examiner, Dean Reynolds, had access to the sprinkler charts for each center pivot and found that they were designed for 1000 gpm @ 100 psi. Then he made a drastic error in methodology by reducing the gallonage by the ratio of pivot end pressure to design pivot pressure. The examiner states:

"Q recommended for licensing is based upon the determined operating pressure taken from each end of each unit. This pressure was related proportionately to the unit design pressure needed to produce a specific quantity (gallonage) submitted by Valmont as calculated by the computer. Each unit designed for 1000 gpm @ 100 psi."

The examiner then included the following calculations:

#1 Unit operating at 77 psi -- $\text{gpm} = 77/100 \times 1000 = 770 \text{ gpm}$ or 1.72 cfs

#2 Unit operating at 85 psi -- $\text{gpm} = 85/100 \times 1000 = 850 \text{ gpm}$ or 1.90 cfs

#3 Unit operating at 91 psi -- $\text{gpm} = 91/100 \times 1000 = 910 \text{ gpm}$ or 2.03 cfs

Total 5.65 cfs

The 5.65 cfs was then licensed to Cal-Ida Inc. on 13 August 1969 as no. 31-7024. The 5.65 cfs is in error because the examiner thought the design pressure of 100 psi was to be measured at the end of the center pivot system rather than at the pivot point. However, the pivot pressure is calculated by adding the pressure needed to run the end gun to the friction loss in the pivot system plus the pressure required to compensate for field elevation. The end pressure also varies depending on where the end of the center pivot

system is and whether there is positive or negative field elevation. End pressure should never be used to determine center pivot gallonage.

In fact the examiner's report on end pressure verifies that there was enough pivot pressure to run the end guns plus overcome system friction loss and elevations. The pivot pressure for system #1 was likely close to 100 psi when the friction loss of 22 psi and field elevation of 4 psi is added to the 77 psi measured at the end. Similarly #2 and #3 systems likely had more than 100 psi because their end pressures were higher. Therefore, based on the evidence at hand, the three systems were using at least 1000 gpm (2.22cfs) in 1969 and should have been licensed for such amount. The Department's adjudication recommendation should therefore be for 2.22 cfs for each pump and center pivot. This is much less than the Department's allowable maximum diversion rate of .02cfs/acre or 2.8 cfs for a 140 acre pivot. The volume allowed should be 490 AF @ 3.5 AF/Acre.

The 100 H. P. pump would produce 1000 gpm @ 3201 TDH. The lift @ the no. 1 pivot in Sec. 34 and Sec. 35 is about 90' leaving 230' or about 100 psi for the pivot. The pump therefore matches the pivot gallonage of 1000 gpm.

LICENSE NO. 31-07015B

The Department's adjudication recommendation of 3.67 cfs and 969.5 AF/yr. for two 1300 center pivots which irrigate 277 acres is not sufficient to irrigate potatoes or alfalfa in the Hamer sand. The 3.67 cfs would only provide 1652 gpm or 826 gpm for each circle. The gpm/acre would be only 5.996 and the 24 hour application rate only 0.25 in. This is 21% less than the 0.32 in. required for potatoes and would result in reduced yield and quality.

Raincat circles were designed for 1200 gpm each, to match the 250 H.P. pump which was designed for 2400 gpm as stated in the examiners report of 9 July 1967. (See Attachment No. 2) The same examiner, Dean Reynolds, repeated the same error that he made 2 days earlier on permit No. 31-7024 and erroneously reduced the pivot gpm by the ratio of end pressure to pivot pressure. His recommendations found its way into license 31-07015B which is clearly wrong.

The 250 H.P. pump is the same as it was in 1967 and still produces 5.50 cfs according to measurements conducted by Bryce Conton of the North Water Management District. (See Attachment No. 3) Since the initial installation of Raincat center pivots by Mel Brown Co. and subsequent updates the circles have been nozzled for 1200 gpm. See attached sprinkler charts.

If the Department's recommendation of 3.65 cfs were adopted and enforced, the farmer would be required to spend thousands of dollars to change the pump and renuzzle the circles. The outcome would be disastrous as there would not be enough water to adequately irrigate the crop during the peak consumptive use period.

The Department should recommend 5.5 cfs and 969.5 AF/yr. for the adjudication. The 5.5 cfs represents close to the .02 cfs/acre allowed as the maximum diversion rate by the Department.

LICENSE NO. 31-2427A

The data for this license comes largely from the Examiners report dated 24 August 1967. (See Attachment No. 4) The permit number is G-32818.

The pump for 31-2427A was a 250 H.P. Motor and Layne and Bowler Pump designed to pump 2400 gpm 328' TDH.

The examiner arbitrarily reduces the gpm/pivot to 1000 gpm by stating that "L&B design capacity for Raincat 14 tower, 1000' sprinkler system = (6 sprinkler system units) (1000 gpm/unit) = 13.37 cfs". But a 14 tower Raincat with a 40' overhand is 1300' in length not a 1000'. Dale Peterson of Golden West Irrigation Idaho Falls has verified that 1300' Raincat pivots were constructed with 14 - 90' spans with a 40' overhang. In addition, two 1000' pivots with 100' end gun coverage all the way around the circle only irrigate 174 acres not the 296 acres recommended by the Department. This verifies that the pivots were 1300'.

Again the sloppy work of Dean Reynolds arbitrarily reduced the gpm below that actually being utilized by the systems. The pump has never been changed and according to the North Water Measurement District still produces 4.99 cfs. (See Attachment No. 3)

The circle requirements of 1200 gpm each for 2400 gpm were met by the 2400 gpm produced by the 250 H.P. Motor and Layne and Bowler pump. The attached current sprinkler charts verify that the two circles still utilize the 2400 gpm produced by the pump.

If the Department's adjudication recommendation for 4.46 cfs is accepted and enforced the circles will have to be renozzled to 1000 gpm and pumping output reduced to 2000 gpm at a cost of thousands of dollars.

The Department's recommendation should be for 5.33 cfs and 1,036 AF/yr. because the Examiner's report was in error and did not report the water actually being used. Further the rate recommended is not sufficient to irrigate 296 acres during the peak consumption use period.

LICENSE NO. 31-2427B

The examiner's report shows that the 250 H.P. Motor and Layne and Bowler pump were designed to do 2400 gpm @ 303' TDH. (See Attachment no. 4) The examiner states that the pump would serve two 14 tower Raincats with 1000 gpm sprinkler

systems. But he later states that the systems are only 1000' long which is in error. Even with a 100' end gun on for the entire circles the ground irrigated would only be 174 acres.

The pump has produced 2400 gpm since its initial installation and still does according to measurements by North Water Measurement District which reports 5.47 cfs or 2461 gpm. (See Attachment No. 3) The enclosed current sprinkler charts are also for 1200 gpm. The pump and pivots were designed to match each other at 2400 gpm.

The Department's adjudication recommendation should be for 5.33 cfs and 1036 AF/yr. irrigating 296 acres because of the examiner's error in identifying the length of the Raincats as 1000' and arbitrarily reducing the gpm to 1000 gpm.

LICENSE NO. 31-7292 and 31-7291

I reviewed the adjudication recommendations for these two water rights and found them to be satisfactory. A copy of the original purchase agreement shows that 2 - 8 Tower Valley Center Pivots, 1293' and 2 - 125 H.P. Pumps designed to do 1000 gpm @ 400' TDH were purchased by Frank Jacobs on March 14, 1978. (See Attachment No. 5) The center pivots were ordered with 1000 gpm sprinkler packages. A letter to Glen Leak of the Federal Land Bank dated June 1, 1978 verifies that 100 gpm @ 90 psi was being utilized by the center pivots. (See Attachment No. 6) The Department's recommendation of 2.34 cfs for each water right is close to the design of 2.22 cfs.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Attachment No. 1

Permit No. 31-7024

This proof is for CW & BU In Water District No. _____

1. Name of applicant: CAL - IDA INC
2. Source of water supply: SUBTERRANEAN
3. Location of point of diversion: Is in the (THREE WEUS) #2 NW 1/4 SEC 34
#1 NW 1/4 #3 NW 1/4 SEC 35
T. 8N R. 36E County of _____

4. Describe works as they exist, giving dimensions and capacities of same:
 - #1 100 HP US HULLSHAFT ELEC MOTOR # C100 4259 JOHNSTON V.T.P. (VALLEY UNIT)
 - #2 100 HP US HULLSHAFT ELEC MOTOR # C100 4826 JOHNSTON V.T.P. (VALLEY UNIT)
 - #3 100 HP US HULLSHAFT ELEC POWERED MOTOR # C100 3557 JOHNSTON V.T.P. (VALLEY UNIT)

(PUMP UNIT BEING USED. VAN EYE M 1/4 SEC 33 FROM #3 W/1 BY PORTABLE 10" DIAM. LINE)
FOR DIMENSIONS & CAPACITIES OF THE ABOVE - SEE REMARKS SECTION

5. Water is used for: IRRIGATION
6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

N 1/2 SEC 34 T 8 N R 36 E
E 1/2 NE 1/4 SEC 33 " "
W 1/2 NW 1/4 SEC 35 " "

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: MR. CLAIR ROBINSON CONTACTED
A RECORD FOR DRIVING IS BASED UPON THE STERIL
SPRING PRESSURE TAKEN FROM EACH END OF EACH
UNIT. THIS PRESSURE WAS RELATED PROPORTIONATELY TO
THE UNIT DRIVING PRESSURE NEEDED TO PRODUCE A SPECIFIC
QUANTITY (GALLONS) SUBMITTED BY VALMONT AS CALCULATED

BY THE COMPANY. EACH UNIT DRIVEN FOR 1000 GPM @ 100 PSI.
#1 UNIT OPERATING @ 77 PSI. PRESSURE IS SHOWN AS 77 PSI. 1.72 ft/s
#2 UNIT OPERATING @ 80 PSI. PRESSURE IS SHOWN AS 80 PSI. 1.74 ft/s
#3 UNIT OPERATING @ 91 PSI. PRESSURE IS SHOWN AS 91 PSI. 1.90 ft/s
Q TOTAL = 5.65

This examination was made on the 7th day of July, 1967
(Signed) Dean Reynolds Examiner.

T/AT

REPORT OF EXAMINER

Permit No. 31-7015

This proof is for... CW & B

In Water District No.

1. Name of applicant: CAL. IDAHO

2. Source of water supply: SUBSURFACE

3. Location of point of diversion: Is in the SE NE of Section 27

T. 8 N. R. 36 E County of ...

4. Describe works as they exist, giving dimensions and capacities of same:

(#1 Well) 150 HP US Hollowshaft Elec Motor # C100 1925

1st B VTP # D23010 2200 gpm @ 140'

5 gpm @ 1 inch line each unit

(#2 Well) 250 HP US Elec Motor # C100 320104

1st B VTP # D22270, 2400 gpm @ 300' - 2 pump units

5. Water is used for: IRRIGATION

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?
Remarks: 1, 2. CHAR REYNOLSON CONTACTED
MICROFILM FILE - WATER METER # 38 installed

Q DETERMINATION BASED UPON UNIT MEASUREMENT
PRESSURE AS MEASURED ON PULSED TEST DESIGN @ 100 PSI
NORTH UNIT - $G = 1027 \text{ gpm at } 2.27 \text{ cfs}$
SOUTH UNIT - $G = 726 \text{ gpm at } 1.66 \text{ cfs}$
THE TWO UNITS BEING OPERATED FROM WELL SIC 27 @ 8'5" DI.
FOR EACH UNIT = 3.44 cfs TOTAL G FOR BOTH UNITS = 7.31

This examination was made on the 9TH day of JULY, 1967
(Signed) John Reynolds

*****31-07015*****
DO NOT MICROFILM
From WR License File Microfiche

31-7015 PLAT



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

To: Kirk Jacobs
Fr: Bryce Contor
Date: 11/7/2000

Bryce A. Contor

Re: Diversion rates

The North Water Measurement District has repeated the measurements on some of your wells where the original license methods were questionable. The earlier Water Measurement District measurements did not measure the systems at full capacity.

*North
Water Measurement*

WR	Jacobs ID	License	Actual	License exam method
<i>OK m.tch</i> 31-2426B	#8 ✓	2.35 cfs	2.60 cfs	Nozzle and pressure
— 31-2427A	#4 ✓	4.46 cfs ✓	~~4.99~~ 4.90 cfs	Design capacity
— 31-2427B	Fugal ✓	4.46 cfs	5.47 cfs	Design capacity
× 31-7015B	#5 ✓	3.67 cfs ✓	5.50 cfs	Pressure and ??
× 31-7024B	#9 ✓	1.85 cfs ✓	2.82 cfs	Pressure and design calculation
× 31-7291	Z1 ✓	2.34 cfs	2.60 cfs	Installed flowmeter
× 31-7292 ~~31-07288~~	Z2 ✓	2.18 cfs ✓	2.62 cfs	Installed flowmeter

In every case, I believe the licensing exam method for determining capacity was inadequate, and the Water Measurement District measurements are good measurements.

Note that in every case, the Water Measurement District values are within the standard rate of 0.02 cfs per acre. Your systems do not appear to use excessive water, compared to neighboring systems and in light of the sandy soils.

31-07288 Ryan 2.46 cfs 2.91 cfs

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32818

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant: ~~Cal-Ida, Incorporated~~ Cal-Ida, Incorporated

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26

1-24 278 T. 8 N R. 36 E County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same:
1-24 278 250 HP GE ELEC MOTOR # DBA 406163 LAVER & BOWLER VERT TURBINE # 512862
2100 gpm 303' 1770 RPM 10" DISCHARGE THROUGH 2 (1000' IN TOWER 1000' 3P
MARKED WELL # 3

1-24 271 250 HP GE ELEC MOTOR # DBA 413153 LAVER & BOWLER VERT
1-24 271 TURBINE PUMP # 13861 2400 gpm 728' 1770 RPM 10" DISCHARGE
THROUGH 2 (LAVER & BOWLER RAIN CAT - 14 TOWER 1000' 3P - RAINWATER SYSTEM)
MARKED WELL # 1
1-24 271 200 HP GE ELEC MOTOR # DBA 126155 2 & 3 VERT TURBINE PUMP # 13861
2100 gpm 286' 1770 RPM 10" DISCHARGE THROUGH 2 RAIN CAT. RAINWATER SYSTEMS

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34; all of Sec. 35; W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 36, T. 8 N, R. 36 E, B.M.
(960 acres)

Added to Road: W $\frac{1}{2}$ E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$ of Sec. 26 8 N 36 E
E $\frac{1}{2}$ W $\frac{1}{2}$ and E $\frac{1}{2}$ Sec. 35 8 N 36 E
W $\frac{1}{2}$ W $\frac{1}{2}$ Sec. 36 8 N 36 E

IRRIGATION PUMPS
& SPRINKLERS

ESTIMATE & AGREEMENT

STEEL, ALUMINUM PIPE
VALLEY SELF-PROPELLED
CIRCULARS

GEM STATE IRRIGATION, INC.

BOX 351

SOUTH YELLOWSTONE HWY.

REXBURG, IDAHO 83440

PHONE 358-9318

TO Frank & Mitch Jacobs #1429	DATE March 9, 1978	COMPLETION DATE
BID: WE HEREBY PROPOSE TO FURNISH MATERIAL AND LABOR TO COMPLETE THE WORK OUTLINED HEREIN FOR THE SUM OF:		
PAYMENT TO BE MADE AS FOLLOWS: ~~30%~~ ^{\$1000} Down - Payments as materials are delivered. Balance on start-up.		DOLLARS \$
WE HEREBY SUBMIT SPECIFICATIONS AND BID FOR:		

QUANTITY	STOCK NUMBER OR DESCRIPTION	AMOUNT
2	Model 4871 Valley Electrics ~~1200~~ ¹²⁴³ , 8 Tower, Adapted to Corner System with High Speed Motors (9hr. rotation). New Tires	
2	Pivot Running Lights	
2600'	Armored Cable	
2	Pivot Flexes	
2	Nelson 100 PC End Gun	
2	Stop-in-slots and end gun shut-off	
2	Freight, Installation, Wiring	
2	Pivot Pads	
2	Pivot Tie-ins	
	Sub-Total	52,075.00
2	125 H.P. Pump to do 1000 gpm @ 400' TDH with 160' - 8" x 2 1/2" x 1 1/2" Column, tube & shaft	
2	Set Pumps	
2	Pump Pads & Transformer Pad	
2	125 H.P. Panels - 3 phase, 440 volt with lightning arrestor, surge capacitor, phase failure, under voltage relay, time delay relay	
2	125 H.P. Panel Installation	
2	Pump tie-ins	
40'	8" Bare Steel	
2	8" Check Valves	
2	8" Butterfly Valves	
2	8" Water Meters	
	Misc. flanges, bolts, gaskets, outlets, etc.	
	Sub-Total	27,175.00
	Total	\$79,250.00

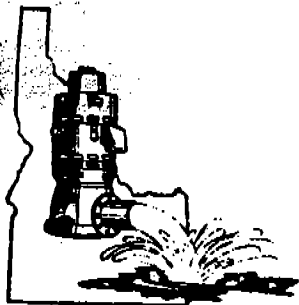
TERMS: 10TH OF MONTH FOLLOWING DATE OF PURCHASE. Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 18% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

NO. 3641	DATE 3/9/78	SIGNED Robert H. Lee	THE ABOVE SPECIFICATIONS, TERMS AND CONTRACT ARE SATISFACTORY, AND I/WE HEREBY AUTHORIZE THE PERFORMANCE OF THIS WORK.	SIGNED Frank Jacobs	DATE Mar. 14-78
----------	-------------	----------------------	--	---------------------	-----------------

THIS BID VOID AFTER 30 DAYS FROM DATE UNLESS ACCEPTED BY SIGNATURE AT RIGHT

OFFICE COPY

Attachment No. 6



GEM STATE IRRIGATION, INC.

BOX 488 • SOUTH YELLOWSTONE HIWAY
PHONE 208-356-9318 • TWX 910-979-5912
REXBURG, IDAHO 83440

June 1, 1978

Mr. Glen Leak
Federal Land Bank
1020 Taylor
Idaho Falls, Idaho 83401

Dear Glen:

This letter is to verify the amount of water being produced from the two wells on the Frank Jacobs farm at Hamer, Idaho. Both wells produce 1000 gpm with 90 psi at the pivot gage. This quantity has been verified by observing the water meters and checking the amps on the motors.

Following are the data on the pumps:

- (1) West Well:
 - (a) Depth of well - 232'
 - (b) Static water - 135'
 - (c) 125 H.P. motor (G.E.) S/N HNJ824115
 - (d) Johnston Pump S/N TL14184
 - (e) 160' - 8" Column
- (2) East Well:
 - (a) Depth - 232'
 - (b) Static water - 138'
 - (c) 125 H.P. motor (G.E.) S/N JNJ921122
 - (d) Johnston Pump S/N 1211418
 - (e) 160' - 8" Column

If you have any questions please call.

Sincerely yours,

Robert R. Lee

RRL/db

cc: Frank Jacobs

VALMONT INDUSTRIES

ORDER NO: 2523889 CONVERTED TO PARTS ORDER 0N22389

SPRINKLER SETUP CHART

Low Pressure Conversion

CUSTOMER

NAME KIRK JACOBS W4 SOUTH
 ADDRESS
 CT/ST/ZIP HAMER ID 00000
 COUNTRY USA

DEALER

NUMBER: 002449
 NAME GOLDEN WEST IDAHO FALLS

MODEL NUMBER
 LENGTH
 GALLONAGE
 PIVOT PRESSURE
 END GUN RADII
 APPL RATE (GPM/IN)
 TOTAL ACRES COVERED
 GPM PER ACRE

CPL LOCN	FT FROM PIVOT	LINE PRESS	ORFICE/ REGULATOR	SPRK MODEL	NOZZLE SIZES	DROP NOZ BOOM NOZ NO RISER PSI
1	2.50				GAUGE	
2	9.50	57.8	S05-20PSI	DROP	SPRAY 4	1 60 22.2
3	16.50	57.6	S05-20PSI	DROP	SPRAY 4	2 66 22.0
4	23.50	57.4	S05-20PSI	DROP	SPRAY 4	3 66 21.7
5	30.50	57.2	S05-20PSI	DROP	SPRAY 4	4 66 21.5
6	37.50	56.9	S05-20PSI	DROP	SPRAY 4	5 66 21.3
7	44.50	56.7	S05-20PSI	DROP	SPRAY 4.5	6 72 21.1
8	51.50	56.5	S05-20PSI	DROP	SPRAY 4.5	7 72 21.0
9	58.50	56.3	S05-20PSI	DROP	SPRAY 5	8 72 20.9
10	65.50	56.1	S05-20PSI	DROP	SPRAY 5	9 72 20.9
11	72.50	55.9	S05-20PSI	DROP	SPRAY 5.5	10 72 21.7
12	79.50	55.7	S05-20PSI	DROP	SPRAY 5.5	11 72 21.7
13	86.50	55.5	S05-20PSI	DROP	SPRAY 5.5	12 66 21.6
14	93.50	55.3	S05-20PSI	DROP	SPRAY 6	13 66 21.5
15	100.50	55.0	S05-20PSI	DROP	SPRAY 6	14 66 21.5
16	107.50	54.8	S05-20PSI	DROP	SPRAY 6	15 66 21.4
17	114.50	54.6	S05-20PSI	DROP	SPRAY 6.5	16 66 21.3
18	121.50	54.4	S05-20PSI	DROP	SPRAY 6	17 66 21.4
	124.00		TOWER NO 1		SPAN LENGTH - 124.00	
19	126.50	54.3	S05-20PSI	DROP	SPRAY 6	18 66 21.4

Low Pressure Conversion
SPRINKLER SETUP CHART

CUSTOMER
NAME **KIRK JACOBS #4 NORTH**
ADDRESS
CT/ST/ZP HAMER ID 00000
COUNTRY USA

DEALER
NUMBER 002449
NAME GOLDEN WEST IDAHO FALLS

MODEL NUMBER
LENGTH 1280.0
GALLONAGE 1200
PIVOT PRESSURE 64
ENDGUN RADIUS 105
APPL RATE (IN/DAY) .46
TOTAL ACRES COVERED 138.28
GPM PER ACRE 9.00

CPL LOCN	FT FROM PIVOT	LINE PRESS	ORFICE/ REGULATOR	SPRK MODEL	NOZZLE SIZES	NO	DROP/ BOOM/ RISER	NOZ PSI	- GAL/MIN - REQ ACT
1	2.50						00		
2	9.50	63.8	S05-20PSI	DROP	VALMONT	#5	1 60	23.4	.16 .54
3	16.50	63.6	S05-20PSI	DROP	VALMONT	#5	2 66	23.1	.22 .53
4	23.50	63.4	S05-20PSI	DROP	VALMONT	#5	3 66	22.7	.31 .53
5	30.50	63.2	S05-20PSI	DROP	VALMONT	#5	4 66	22.5	.40 .53
6	37.50	62.9	S05-20PSI	DROP	VALMONT	#5	5 66	22.3	.49 .52
7	44.50	62.7	S05-20PSI	DROP	VALMONT	#5	6 72	22.1	.57 .52
8	51.50	62.5	S05-20PSI	DROP	VALMONT	#5	7 72	22.0	.66 .52
9	58.50	62.3	S05-20PSI	DROP	VALMONT	#6	8 72	21.8	.74 1.02
10	65.50	62.1	S05-20PSI	DROP	VALMONT	#6	9 72	21.8	.82 1.02
11	72.50	61.9	S05-20PSI	DROP	VALMONT	#5	10 72	21.9	.90 .52
12	79.50	61.7	S05-20PSI	DROP	VALMONT	#6	11 72	21.6	.98 1.01
13	86.50	61.5	S05-20PSI	DROP	VALMONT	#6	12 66	21.5	1.06 1.01
14	93.50	61.3	S05-20PSI	DROP	VALMONT	#7	13 66	21.4	1.14 1.32
15	100.50	61.0	S05-20PSI	DROP	VALMONT	#7	14 66	21.4	1.21 1.32
16	107.50	60.8	S05-20PSI	DROP	VALMONT	#7	15 66	21.4	1.29 1.32
17	114.50	60.6	S05-20PSI	DROP	VALMONT	#7	16 60	21.4	1.36 1.32
18	121.50	60.4	S05-20PSI	DROP	VALMONT	#6	17 60	21.5	1.23 1.01
124.00	TOWER NO 1 - SPAN LENGTH - 124.00								
19	126.50	60.3	S05-20PSI	DROP	VALMONT	#7	18 60	21.4	1.27 1.32
20	133.50	60.1	S05-20PSI	DROP	VALMONT	#8	19 60	21.2	1.55 1.78

VALMONT INDUSTRIES INC
 ORDER NO: 2524289 CONVERTED TO PARTS ORDER 0N22689
 SPRINKLER SETUP CHART

-1-
 12/11/89

CUSTOMER
 NAME KIRK JACOBS RS NORTH
 ADDRESS
 CT/ST/2F HAMER ID 00000
 COUNTRY USA

DEALER
 NUMBER: 002449
 NAME GOLDEN WEST IDAHO FALLS

MODEL NUMBER 4271
 LENGTH 1289.0
 GALLONAGE 1200
 PIVOT PRESSURE 81
 END GUN RADIUS 111
 APPL RATE (IN/DAY) .45
 TOTAL ACRES COVERED 141.28
 GPM PER ACRE 8.00

PL LOCN	FT FROM PIVOT	LINE PRESS	ORFICE/ REGULATOR	SPRK MODEL	NOZZLE SIZES	NO	DROP/ BOOM/ RISER	NOZ PSI	- GAL/MIN - REQ ACT	
1	5.35				GAUGE					
2	18.98	80.4	S05-20PSI	DROP	SPRAY 4	1	66	23.5	.49	.53
3	27.32	80.1	S05-20PSI	DROP	SPRAY 4	2	66	23.7	.41	.54
4	35.66	79.7	S05-20PSI	DROP	SPRAY 4	3	72	23.4	.54	.53
5	44.47	79.4	S05-20PSI	DROP	SPRAY 4.5	4	72	20.1	.67	.60
6	52.89	79.0	S05-20PSI	DROP	SPRAY 5	5	72	20.0	.78	.76
7	61.31	78.7	S05-20PSI	DROP	SPRAY 5.5	6	78	19.9	.89	.94
8	69.73	78.3	S05-20PSI	DROP	SPRAY 6	7	78	19.8	1.01	1.14
9	78.15	78.0	S05-20PSI	DROP	SPRAY 5.5	8	78	19.8	1.05	.94
10	85.53	77.7	S05-20PSI	DROP	SPRAY 6	9	78	19.7	1.21	1.13
11	94.91	77.3	S05-20PSI	DROP	SPRAY 7	10	78	19.6	1.40	1.54
12	103.20	77.0	S05-20PSI	DROP	SPRAY 6.5	11	78	19.7	1.33	1.33
13	110.58	76.7	S05-20PSI	DROP	SPRAY 6.5	12	78	19.6	1.43	1.33
14	119.00	76.3	S05-20PSI	DROP	SPRAY 7.5	13	78	19.5	1.62	1.76
15	127.42	76.0	S05-20PSI	DROP	SPRAY 7.5	14	78	19.5	1.72	1.76
16	135.84	75.7	S05-20PSI	DROP	SPRAY 7.5	15	72	19.5	1.82	1.76
17	144.26	75.3	S05-20PSI	DROP	SPRAY 8	16	72	19.4	1.95	1.98
18	153.07	75.0	S05-20PSI	DROP	SPRAY 8	17	72	19.3	2.09	1.98
19	161.83	74.6	S05-20PSI	DROP	SPRAY 8.5	18	66	19.3	2.26	2.26
20	171.20	74.2	S05-20PSI	DROP	SPRAY 9	19	66	19.2	2.36	2.47

VALMONT INDUSTRIES INC

ORDER NO: 2524189 CONVERTED TO PARTS ORDER 0N22589

-1-
12/11/89

SPRINKLER SETUP CHART

CUSTOMER

Low Pressure Conversion

NAME KIRK JACOBS N5 SOUTH
 ADDRESS
 CT/ST/ZIP HAMER ID 00000
 COUNTRY USA

MODEL NUMBER 4271
 LENGTH 1289.0
 GALLONAGE 1200
 PIVOT PRESSURE 61
 END GUN RADIUS 122
 APPL RATE (IN/DAY) .44
 TOTAL ACRES COVERED 143.54
 GPM PER ACRE 8.00

DEALER

NUMBER: 002449
 NAME GOLDEN WEST IDAHO FALLS

CPL LOCN	FT FROM PIVOT	LINE PRESS	ORFICE/ REGULATOR	SPRK MODEL	NOZZLE SIZES	DROP/ NOZ BOOM/ NO RISER	NOZ PSI	- GAL/MIN - REQ	ACT
1	5.35			GAUGE					
2	18.98	60.4	S05-20PSI	DROP	SPRAY 4	1	66	21.3	.49 .51
3	27.32	60.1	S05-20PSI	DROP	SPRAY 4	2	66	21.4	.41 .51
4	35.66	59.7	S05-20PSI	DROP	SPRAY 4	3	72	21.2	.54 .51
5	44.47	59.4	S05-20PSI	DROP	SPRAY 4.5	4	72	21.9	.67 .63
6	52.89	59.0	S05-20PSI	DROP	SPRAY 5	5	72	21.8	.78 .79
7	61.31	58.7	S05-20PSI	DROP	SPRAY 5.5	6	78	21.7	.89 .98
8	69.73	58.3	S05-20PSI	DROP	SPRAY 5.5	7	78	21.6	1.01 .98
9	78.15	58.0	S05-20PSI	DROP	SPRAY 5.5	8	78	21.5	1.05 .97
10	85.53	57.7	S05-20PSI	DROP	SPRAY 6	9	78	21.4	1.21 1.18
11	94.91	57.3	S05-20PSI	DROP	SPRAY 6.5	10	78	21.3	1.40 1.38
12	103.20	57.0	S05-20PSI	DROP	SPRAY 6.5	11	78	21.3	1.33 1.38
13	110.58	56.7	S05-20PSI	DROP	SPRAY 6.5	12	78	21.2	1.43 1.38
14	119.00	56.3	S05-20PSI	DROP	SPRAY 7	13	78	21.1	1.62 1.60
15	127.42	56.0	S05-20PSI	DROP	SPRAY 7.5	14	78	21.1	1.72 1.83
16	135.84	55.7	S05-20PSI	DROP	SPRAY 7.5	15	72	21.0	1.81 1.83
17	144.26	55.3	S05-20PSI	DROP	SPRAY 8	16	72	21.0	1.95 2.06
18	153.07	55.0	S05-20PSI	DROP	SPRAY 8	17	72	20.9	2.09 2.05
19	161.83	54.6	S05-20PSI	DROP	SPRAY 8.5	18	66	20.9	2.25 2.35
20	171.20	54.2	S05-20PSI	DROP	SPRAY 8.5	19	66	20.8	2.36 2.35

MEMORANDUM

To: 31-2427A, 31-2427B, 31-7015B, 31-7024B, 31-7291, 31-7292
Fr: Bryce Contor
Date: 8/9/2001
Re: Amended claims

The attached amended claim was prepared per a phone request by Kirk Jacobs, last night to my home phone. The only adjustment is to claim a full 0.02 cfs/acre, and to increase the annual volume to 3.5 afa/acre on 31-7024B.

The purpose of this filing is to allow Mr. Jacobs to file an objection to the recommended diversion rate, in order to preserve his right to appear in court, if he is not successful in obtaining amended licenses.

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 31-7024B
Date Received: 11/21/1988
Receipt No: E004241
Received By:

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

1. Name of Claimant(s)

KIRK M JACOBS Phone: (208) 662-5415

2576 E 2600 N
PO BOX 119
HAMER ID USA 83425

*Need to object
to
VOLUME*

2. Date of Priority: 06/20/1969

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County
08N 36E 35 SW NW NW JEFFERSON

*Waiting for
Signature*

5. Description of diverting works:

WELL, PUMP TO CENTER PIVOT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
IRRIGATION	04/01	11/01	2.8	490

7. Total Quantity Appropriated is:

2.8 C.F.S. and/or 490 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	36E	34	NE	NE	IRRIGATION	34
			SE	NE	IRRIGATION	32

08N	36E	35	NW	NW	Section Acres	66
			SW	NW	IRRIGATION	38
					IRRIGATION	36
					Section Acres	74
					Total Acres	140

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

RIGHT SPLIT BY CHANGE IN OWNERSHIP.

Claim amended 8/9/2001 to reflect correct original diversion rate, see claim file for Notice of Error notification of problem with original license exam. Other elements of claim amended to match recommendation, except annual volume adjusted to standard of 3.5 afa.

Claim given temporary database status pending receipt of signed amendment.

15. Basis of Claim: License

16. Signature(s)

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

March 14, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FRANK H & GERALDINE M JACOBS
149 E 2ND S
REXBURG ID 83440

RE: NOTICE OF ERROR

Dear Water User:

In your Notice of Error for right 31-02427A and 31-07024B, you disagreed with the recommended diversion rate.

That rate was recommended based upon an existing water right license or formal transfer issued by Idaho Department of Water Resources. Unfortunately, the authority of the Snake River Basin Adjudication does not extend to increasing diversion rates authorized by administrative action.

The only options to change diversion rate are to have the license amended by the Allocation Bureau of the department, or to apply for a new permit based upon pre- 1987 development of diversion capacity.

The standard for changing a license is set very high. It requires proof that the original licensing exam was in error. As a minimum, this requires a report of an independent evaluation by a licensed Professional Engineer and solid documentation of the original design capacity of the installed system. The standard for a new permit is high, but not as high as for an amended license.

I am not encouraging you to pursue either of these options, but informing you what your options are. Please call me if you have questions. I'm sorry I cannot address your concerns.

Sincerely,

Bryce A. Contor



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 9, 2001

KIRK M JACOBS
PO BOX 119
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-02427A, A31-07015B,
A31-07024B, A31-07291, A31-07292

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

(5) ✓ Incomplete forms will be returned. (9) ✓ (4) ✓ (21) ✓ (22) ✓

1. Water Right No(s): A 31-07015 B / 31-07024 A / 31-02427 A / 31-07291 / 31-07292

Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant Frank H Jacobs and Geraldine M. Jacobs.

4. New Owner/Claimant(s) Kirk M Jacobs

New Mailing Address P.O. Box 119

City, State and ZIP Code Hammer Id 83425

New Telephone Number (208) 662-5415

5. Date you acquired the property March 8 2000

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Kirk M Jacobs

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

01/25/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-7024B

FRANK H JACOBS
149 E 2ND S
REXBURG ID 83440
Telephone Number: (208)356-6834

GERALDINE M JACOBS
149 E 2ND S
REXBURG ID 83440
Telephone Number: (208)356-6834

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

We question the original methods of measurement because the CFS measures more now than on originally on license. We still have the same motor & pump

2. Describe the changes you wish to make in the proposed recommendation:

We would like to ammend license to current conditions because this is what we need in our sandy soils and its pumped like this for over 25 years

3. Give a brief explanation as to why you disagree with these portions:

We believe the original method was not accurate and was subject to human err. We feel like accuracy wasn't as critical back then.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/7/01 SIGNATURE: Kirk M Jacobs
Please print your name: Kirk M Jacobs

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

Response: Adjudication cannot correct CFS unless Allocations Bureau issues amended license or new permit.

Bar 3/12/01

RECEIVED

MAR 07 2001

Department of Water Resources
Eastern Region

P.O. Box 308
Rebunq Ida
83440
Aug 14, 00

To: State of Idaho Dept of Water Resources:

Dear People:

I am Frank Jacobs the father of
Kirk M Jacobs. The purpose of this
letter is to request you to honor
Kirk ~~to~~ act in my behalf pertaining
to any business concerning irrigation
water that I have ^{been} responsible for
which includes Olivett Fugal water
and property of which I have been handling
for her.

I'll appreciate your cooperation in
this matter.

Frank Jacobs

Water User	JACOBS, FRANK H	ID: 89
POD	08N 36E 35 SWNWNW	
Site Tag #	A0005875	
Record #	300499	
Diversion Name	#9	

*Called assessors
office 5-19-00
Land belongs to
Kirk Jacobs*

✓

NORTH WATER MEASUREMENT DISTRICT 300499

FIELD REPORT

SITE DATA:

EXAMINER (inv_name) 3 Contr
 EXAM DATE: 10/5/98 DIVERSION NAME: # 9
 (site_visit) (div_name)
 GPS FILE NAME: C100518P SITE TAG #: A000 5875
 (gps_filnam) (site_tagno)
 OFFSET (offset): 5' above well
 TAG LOCATION (tag_locat): major conduit
 POD LEGAL: SW 1/4 NW 1/4 NW 1/4, Sec. 35, T 8 N, R 36 E
 (pod)

DEPT. MEASUREMENT CAPABILITY (std_rcmd):

SONIC (s) SONIC/DIG (sd) SONIC @ PVT (sp)
 COLLINS (c) PYGMY (p)

MEASUREMENT RECOMMENDATIONS (op_num):

PCC (2) HOUR M. (7) IRR. FLOWMETER (1)
 OTHER FLOWMETER (8) ALTERNATE (3)
 SUITABLE FOR PCC EVEN IF OTHER METHOD SELECTED (pcc_ok) YES NO
 TRACKING WILL BE REQUIRED (trkng_reqd) YES NO
 WELL HAS GOOD ACCESS PORT FOR WATER LEVEL MEAS (wl_access) YES NO
 FLOWMETER INSTALLATION POSS. W/O MAJOR CHANGE (qmtr_ez) YES NO
 USER ANTICIPATES MAJOR SYSTEM CHANGE 1 YR 2 YRS 3 YRS
 FOLLOW-UP DATE (folup_date): YEAR 1999 MONTH _____ DAY _____

OWNER/OPERATOR INFORMATION:

OWNER (name): Frank Jacobs PHONE _____
 (if this is a change, data enter "yes" in field "name_chng")
 ADDRESS 89 CEL PHONE _____
 OPERATOR (contact) Kirk Jacobs PHONE 662-5415
 ADDRESS _____ CEL. PHONE _____

OVERLAP:

OTHER WR. THIS POD _____
 OTHER POD THIS WR. _____

WELL/PUMP INFORMATION:

DEPTH OF WELL: _____ DEPTH OF BOWLS: _____

WATER LEVELS:

PRE-SEASON STATIC: _____ DATE MEAS: _____
(swl_pre) (swlpredate)DURING-SEASON STATIC: _____ DATE MEAS: _____
(swl_mid) (swlmidddate)POST-SEASON STATIC: _____ DATE MEAS: _____
(swl_post) (swlpstdate)DYNAMIC WATER LEVEL: _____ DATE MEAS: _____
(pmpng_wl) (pwl_date)

DOES STATIC WATER LEVEL DROP OR RISE OVER SEASON? YES NO

DOES ANOTHER WELL SPECIFICALLY INTERFERE WITH THIS WELL? YES NO

PUMP AND MOTOR INFORMATION:

WELL MOTOR

MFG: USSERIAL: C2883-00-268 C1004259HP: 100

WELL PUMP

MFG: Johnston

SERIAL: _____

TYPE: VERT T CENT SUBMER
(pump_type) (v) (c) (s)

BOOSTER 1 MOTOR

MFG: _____

SERIAL: _____

HP: _____

BOOSTER 1 PUMP

MFG: _____

SERIAL: _____

TYPE: VERT T CENT SUBMER

BOOSTER 2 MOTOR

MFG: _____

SERIAL: _____

HP: _____

BOOSTER 2 PUMP

MFG: _____

SERIAL: _____

TYPE: VERT T CENT SUBMER

UTILITY KWH METER INFORMATION:

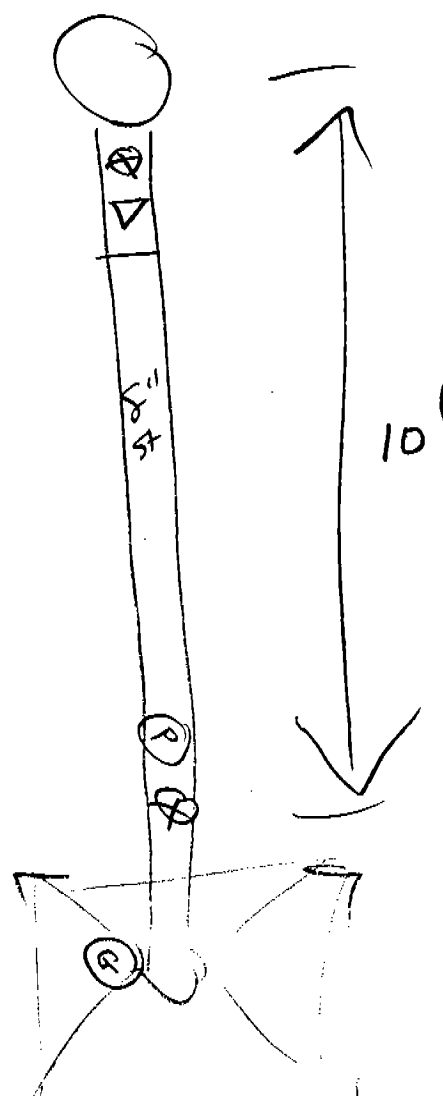
UTILITY: UPL
(utility)POLE #: _____
(pole_no)

MAX KW DEMAND _____

KILOWATT HRS 13952x40
(kwh_1)
(use date of exam for "kwh1_date")UTILITY ACCOUNT NUMBER _____
(acct_no)KWH METER SERIAL: 90 114206
(pwrmttr_sn)METER MFG: GE
(pwrmttr_mfg)Kh DISK CONSTANT 4.8
(kh)MULTIPLIER 40
(disk_mult)

PUMPING PLANT SKETCH

VALVE	=	
CHECK VALVE	=	
AIR VAC	=	
PRESS. RELIEF	=	
INDIVE/UPDIVE	=	
HOSE BIB	=	
PRESS. GAGE	=	
WELL ACCESS	=	



SYSTEM DESCRIPTION/NARRATIVE COMMENTS:

SYSTEM TYPE
(system_type)

Pivot

COMMENTS TO DATA-ENTER (exam_notes):

1 pump 1 pivot.

Note this well was mistakenly entered as
Larson well after 1/98 field inspection.

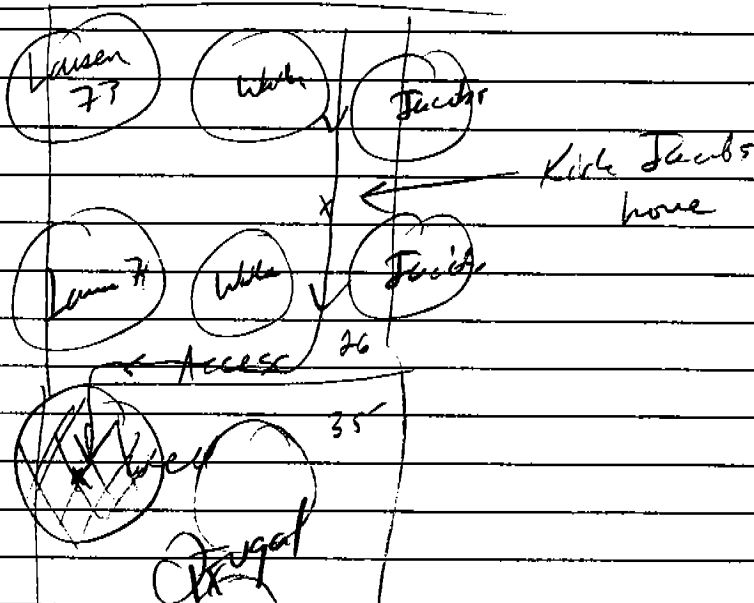
Crop!	Grain	Area!	130
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FILE-ONLY COMMENTS:

1 pump 1 pivot

Recommendation by B. Conner based on
interview w/ Kirk Jacobs 7/7/97

Byron G. Contor



I certify that the above information is true and correct to the best
of my knowledge and ability and the measurements taken and recorded
are in accordance with the standards and specifications of the
equipment used.

Signature

used.

Raye A. Conter

Date _____

12/5/90

Memorandum

Date: 5-19-00

Subject: 31-07024, discrepancy between WR and AJ databases.

From: Craig L. Saxton

AJ Side:

A31-07024 got split by a change of ownership according to comments in AJ database. I can find evidence of a change of ownership where Mitch Jacobs sold part of his land to Blaine Larsen, March 24, 1995. However, in the request for the ownership change, Blaine Larsen specifically requests A31-07024A to be changed to his name. This makes me think it was split before the Larsen/Jacobs transaction. The only evidence showing the previous change of ownership that originally split the claim is a remark in A31-07024, by CLF 8-17-92, that states the split sum diversion rate is now claimed over the original licensed amount.

WR Side:

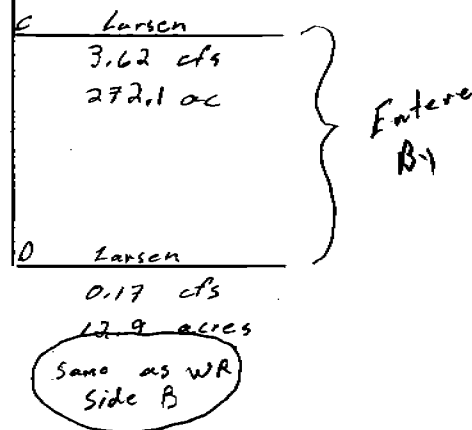
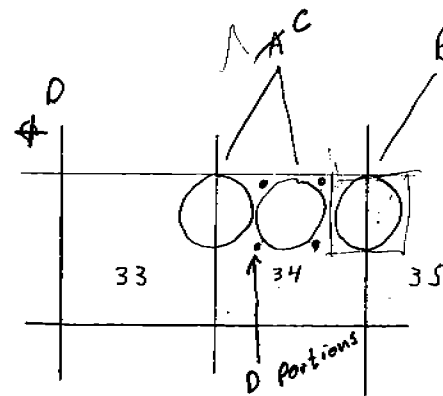
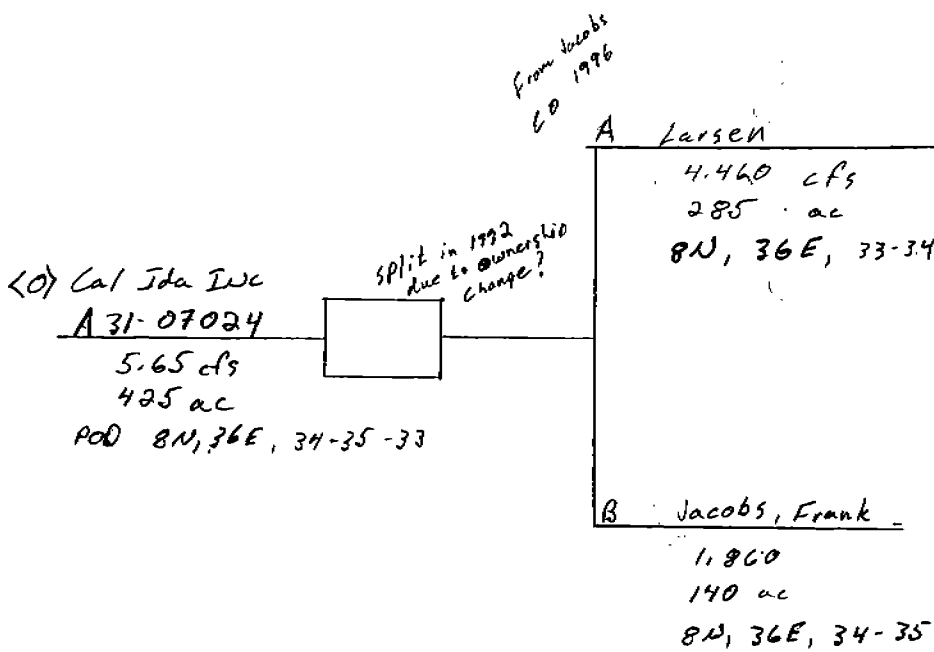
TR 4690 split 31-07024 to portions A and B by an application from Blaine Larsen.

Results:

A31-07024A split to C and D to represent results of TR 4690. CFS reduced due to being over-claimed.

Notes: Portion B on the adjudication Side is claimed under Frank Jacobs. I called the Assessors office and found that the land is now owned by Kirk Jacobs. May 1, 2000, correspondence was sent to Kirk requesting him to fill out a change of ownership for the rights that should now be under his name. Have not heard from him at this point.

AJ Side



Right is overclaimed

- "A" portion split TO C + D to represent Results of
CFS Reduced Due to being overclaimed

SD-0410-2

Idaho Department of Water Resources
Adjudication Remarks Screen

Date: 05/19/00

Time: 15:46:06

MODIFY REMARK

Water Right Number: A31-07024

FIRST PAGE

13. Remarks Type : GEN

Remarks: SPLIT RIGHT

A31-07024A = 4.46 CFS (285 AC.)

A31-07024B = 1.86 CFS (140 AC.)

TOTAL = 6.32 CFS (425 AC.)

*

31-07024 = 5.65 CFS (425 AC.)

*

THIS RIGHT IS OVER-CLAIMED. CLF 8-17-92

(ENTER=Continue/Exit)

(GOLD2=Update) (GOLD4=Prev Scrn) (GOLD6=End of Data) (GOLD8=Cancel)

(GOLD3=Delete) (GOLD5=Next Scrn) (GOLD7=Copy to Cmts) (Gold9=Add Std Rmk)

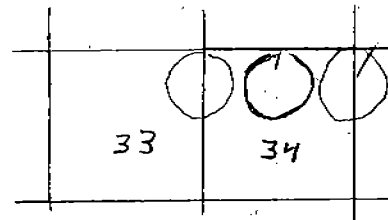
WR Side

31-07024
5.65 cfs
425 AC
POD 8N, 36E 33-34-35

TR
4690
1975

A) Cal IOA INC
5.479 cfs
412.1
8N, 36E 33-34-35

B) Larsen
0.171 cfs
12.9 acres
8N, 36E, 28



sum of splits equal Par

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4690
WATER RIGHT NO(S). 31-07015B/31-07024B/31-07293F/31-07293H
Department of Water Resources
Eastern District Office

This is to certify that: BLAINE LARSEN
CONNIE LARSEN
PO BOX 188
HAMER ID 83425

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. 31-07015B : IRRIGATION Priority: 04/03/1969	04/15 to 10/15	0.07 CFS	18.9 AF
Right No. 31-07024B : IRRIGATION Priority: 06/20/1969	04/15 to 10/15	0.17 CFS	45.2 AF
Right No. 31-07293F : IRRIGATION Priority: 02/27/1978	04/15 to 10/15	0.15 CFS	31.5 AF
Right No. 31-07293H : IRRIGATION Priority: 02/27/1978	04/15 to 10/15	0.27 CFS	59.9 AF
TOTAL:		* 0.66 CFS	* 151.9 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 28, Township 08N, Range 36E
JEFFERSON County

PLACE OF USE: IRRIGATION

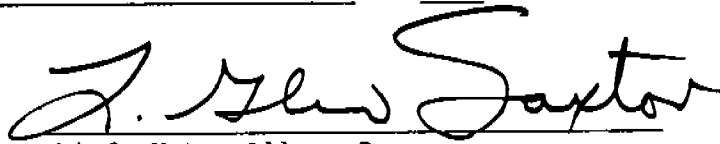
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N	36E	28	NWNE 5	SWNE 8	NENW 16	43.4
			SENE 14.4			
Total number of acres irrigated:						** 43.4

TRANSFER NO. 4690
WATER RIGHT NO(S). 31-07015B/31-07024B/31-07293F/31-07293H

CONDITIONS OF APPROVAL AND REMARKS

1. 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.
2. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. 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.
6. 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.
- *7. Combined Right Nos. 31-07015B, 31-07024B, 31-07293F and 31-07293H are limited to the total combined irrigation of 43.4 acres and a total combined annual diversion volume of 151.9 af.
- **8. Right No. 31-07015B is limited to the irrigation of 5.4 acres in the place of use described above in a single irrigation season.
- **9. Right No. 31-07024B is limited to the irrigation of 12.9 acres in the place of use described above in a single irrigation season.
- **10. Right No. 31-07293F is limited to the irrigation of 9.0 acres in the place of use described above in a single irrigation season.
- **11. Right No. 31-07293H is limited to the irrigation of 17.1 acres in the place of use described above in a single irrigation season.

Dated this 20th day of November, 1995.


Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4690
WATER RIGHT NO(S). 31-07015B/31-07024B/31-07293F/31-07293H

This is to certify that: BLAINE LARSEN
CONNIE LARSEN
PO BOX 188
HAMER ID 83425

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>
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Right No. 31-07293F : IRRIGATION Priority: 02/27/1978	04/15 to 10/15	0.15 CFS	31.5 AF
Right No. 31-07293H : IRRIGATION Priority: 02/27/1978	04/15 to 10/15	0.27 CFS	59.9 AF
TOTAL:		* 0.66 CFS	* 151.9 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 28, Township 08N, Range 36E
JEFFERSON County

PLACE OF USE: IRRIGATION

TWN RGE SEC
08N 36E 28

ACRES
NWNE 5
SENE 14.4

ACRES
SWNE 8

ACRES
NENE 16

TOTAL

Total number of acres irrigated:

43.4
** 43.4

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 11/20/95
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

31-07024

Split into 31-07024A & B by Trans. #4690.

31-07024A CAL IDA INC

5.48

31-07024B LARSEN , BLAINE
LARSEN , CONNIE

0.17

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4690
WATER RIGHT NO(S). 31-07015B/31-07024B/31-07293F/31-07293H

This is to certify that: **BLAINE LARSEN**
CONNIE LARSEN
PO BOX 188
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TOTAL:		* 0.66 CFS	* 151.9 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 28, Township 08N, Range 36E
JEFFERSON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N 36E 28	NWNE 5	SWNE 8	NENW 16	43.4
	SENE 14.4			** 43.4

Total number of acres irrigated:

State of Idaho

WATER LICENSE

Water License No. 31-7024 Priority June 20, 1969 Amount 5.65 c.f.s.

THIS IS TO CERTIFY, that CAL-IDA, INC.

of Newdale, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated June 20, 1969, that Permit 31-7024 was issued pursuant

to said application; that the proposed works were completed on or about 1969

with a storage or carrying capacity of 5.65 c.f.s., said works consisting of

3 wells, 2 pumps, and 3 motors, and that on July 27, 1969

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1275

acre feet per season, with a maximum rate of diversion of 5.65 cubic feet per second of the waters

of ground water tributary of

for the purpose of Irrigation from April 15 to November 15

and for from to; and for

from to; and that the use

of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is

located in NW 1/4 NW 1/4 Sec. 33, T. 8 N., R. 36 E., B.M., and

other additional points NW 1/4 NE 1/4 & NW 1/4 NW 1/4 Sec. 34, T. 8 N., R. 36 E., B.M., in the County of

Jefferson, and that the amount of water to which such right is

entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially

used for said purposes and shall not exceed 1275 acre feet per year.

Description and location of 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	
8 N	36 E	33	38			37													75
		34	35	35	35	35	35	35	35	35									280
		35					35	35											70

Total number of acres irrigated 425

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

18th day of August, 1969

[Signature]
State Reclamation Engineer

31 7024

31-7024