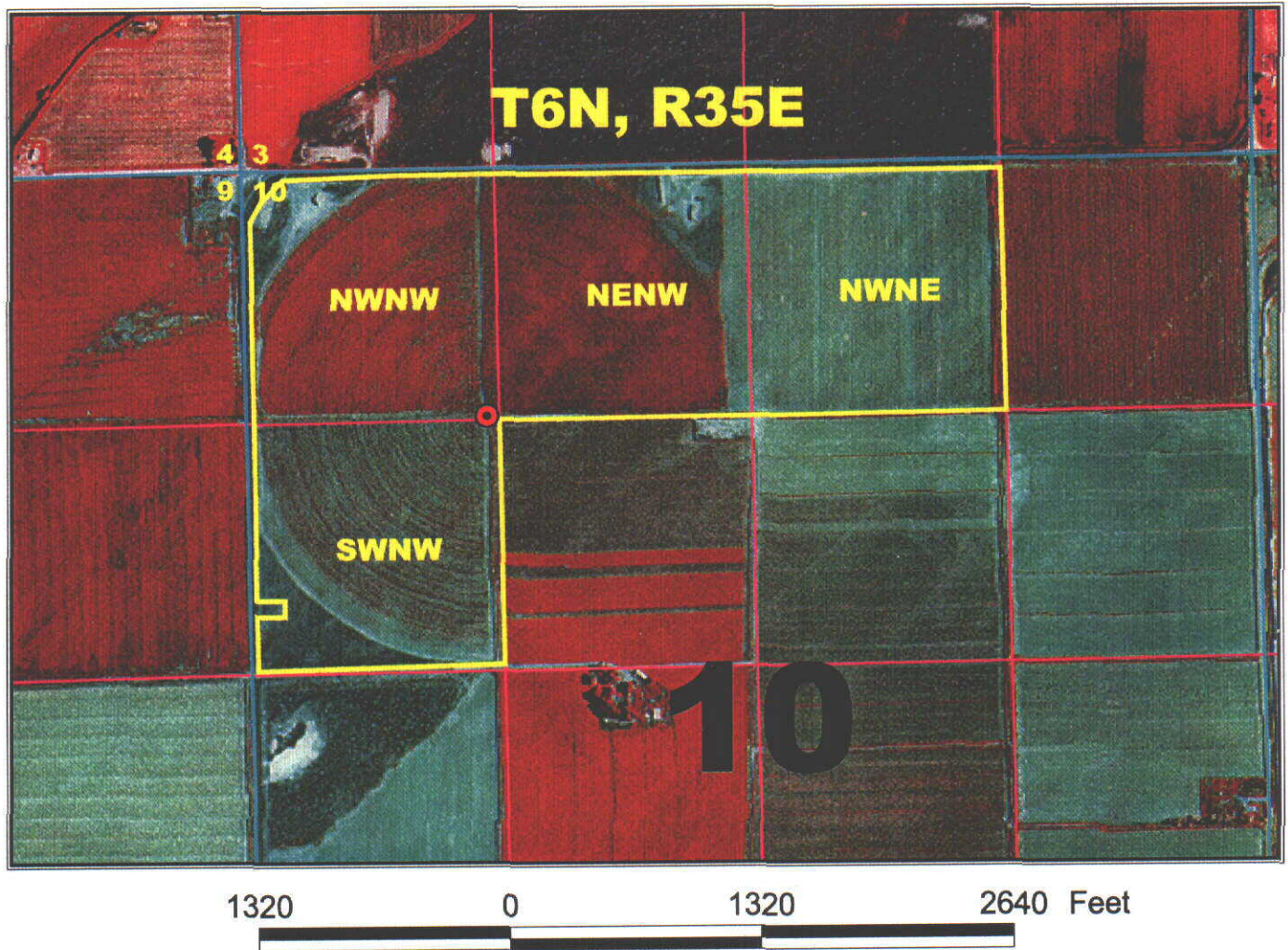




STATE OF IDAHO

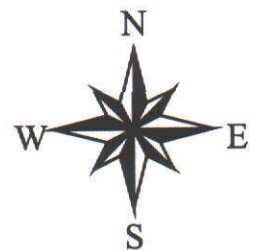
Department of Water Resources
Eastern Region

Water Right(s): 31-07172



Total Irrigated Acres: 155

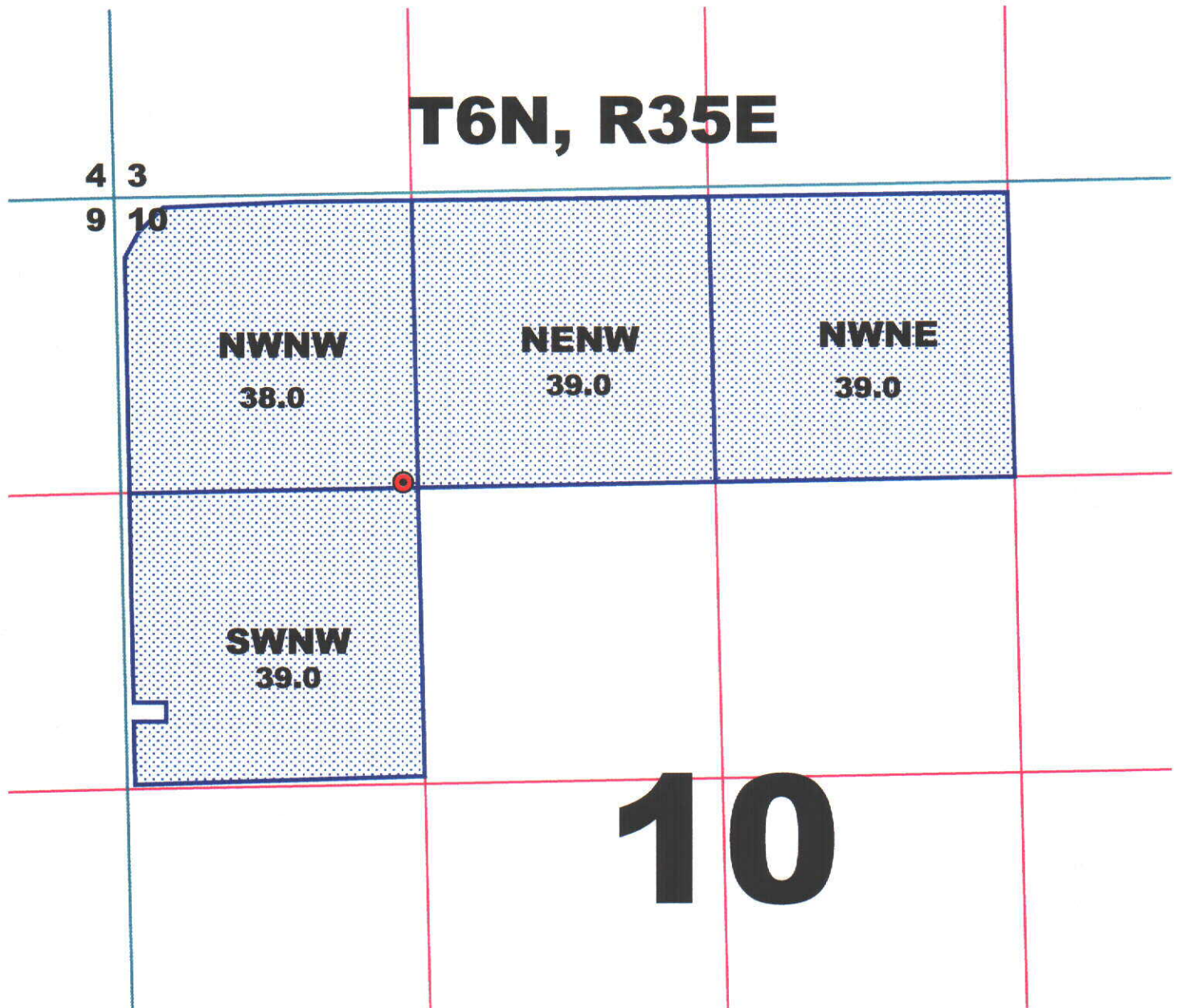
-  Point(s) of Diversion
-  Place of Use
-  Quarter Section Lines
-  Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: March 2001

Michelle Hirschmann

WR #(s): 31-07172



Total Irrigated Acres: 155

● Point of Diversion

□ Place of Use

Acreage Distribution

Prepared By: Craig Saxton
March 2001

MAR 14 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO Department of Water Resources
IN AND FOR THE COUNTY OF TWIN FALLS Eastern Region

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 31-7172
Date Received: 9/7/88
Receipt No: E002112 1 E026544
Received By: C5

Amended

Amended

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MICHELLE L HIRSCHMAN Phone: (208)663-4962

1658 N 1800 E
HAMER ID USA 83425

2. Date of Priority: 12/04/1975

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	35E	10	SE NW NW	JEFFERSON	

5. Description of diverting works:

150' WELL W/ PUMP TO MAINLINE FOR CENTER PIVOT/WHEEL LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2.64	542.5

7. Total Quantity Appropriated is:

2.64 C.F.S. and/or 542.5 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
06N	35E	10	NW	NE	IRRIGATION	39
			NE	NW	IRRIGATION	39
			NW	NW	IRRIGATION	38
			SW	NW	IRRIGATION	39
					Section Acres	155
					Total Acres	155

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:

IN 1980 WHEEL LINE SYSTEM IN THE NW1/4 WAS REPLACED WITH CENTER PIVOT. THIS REDUCED THE AMOUNT OF ACRES IRRIGATED UNDER ORIGINAL LICENSE

*CHANGED OWNERSHIP PER REQUEST/ JH 6/18/97.

Resumption of Right. Corners of pivot have been irrigated periodically since the installation of the pivot and will continue to be in the future using hand-lines.

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): Michelle Herschman Date: 3/12/01

Date: _____

State of Idaho)
County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this

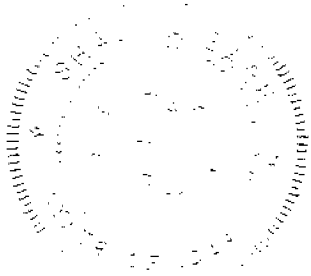
of 12-March 2001

Shawna Bave

Notary Public

Residing at Terreton, Id

My commission Expires 5-24-02



03/15/2001

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

RIGHT NUMBER: 31-7172

NAME AND ADDRESS: MICHELLE L HIRSCHMAN
1658 N 1800 E
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 2.64 CFS
542.5 AFY

PRIORITY DATE: 12/04/1975

POINT OF DIVERSION: T06N R35E S10 SENWNW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	2.64 CFS 542.50 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T06N R35E S10	NWNE	39	T06N R35E S10	NENW	39
T06N R35E S10	NWNW	38	T06N R35E S10	SWNW	39

155 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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-7172

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MICHELLE L HIRSCHMAN 1658 N 1800 E HAMER, ID 83425 (208)663-4962
Original Owner	ALICE FAYE BYRNE ESTATE C/O ROY D YEARSLEY TRUSTEE 1739 N 1800 E HAMER, ID 83425 (208)663-4611

Priority Date: 12/04/1975
Basis: License
Status: Valid

<u>Source</u>	<u>Tributary to</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	11/01	2.64 CFS	465 AFA	
Total Diversion			2.64 CFS	465 AFA	

Location of Point(s) of Diversion:

GROUND WATER SENWNW Lt 0 Sec. 10 Township 06N Range 35E JEFFERSON County

IRRIGATION Use:
Acre Limit: 143

Place(s) of use:

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>
06N	35E	10		NWNE	39									
				NENW	36		NWNW	34		SWNW	34			

Total Acres: 143

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.

Dates:

Licensed Date:	11/09/1982
Claim Received Date:	09/07/1988
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	12/18/00 12:56:03 PM	csaxton			In Process
POD	12/18/00 1:05:50 PM	csaxton			In Process
POU	12/18/00 3:03:51 PM	csaxton			In Process
Priority Date	12/18/00 12:56:34 PM	csaxton			In Process
Quantity	12/18/00 3:09:44 PM	csaxton			In Process
Season	12/18/00 3:07:20 PM	csaxton			In Process
Source	12/18/00 1:12:16 PM	csaxton			In Process
Summary	12/18/00 3:18:00 PM		12/18/00 3:18:00 PM	csaxton	Complete
Use	12/18/00 1:12:57 PM	csaxton			In Process

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector:
Water District Number:
Overall Max Diversion Rate: 2.64
Overall Max Diversion Volume: 465
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	12/18/00 12:56:02 PM	csaxton	1. Appointment has not been scheduled. Comment for 1: Desktop Review Edited point location
POD	12/18/00 1:10:22 PM	csaxton	1. (NO) The basis is not beneficial use.
POD	12/18/00 1:05:49 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.
POU	12/18/00 3:03:49 PM	csaxton	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.
Priority Date	12/18/00 12:56:33 PM	csaxton	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.
Quantity	12/18/00 3:09:42 PM	csaxton	1. (NO) The basis of claim is not beneficial use.

Season 12/18/00 3:07:18 PM csaxton

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.

Source 12/18/00 1:12:13 PM csaxton

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. (NO) The period of use on the decree, license or transfer is not 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.

Summary 12/18/00 3:17:58 PM csaxton

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.

Use 12/18/00 1:12:55 PM csaxton

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 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.

AJ0749NP
No. A31-07172

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE
C	MICHELLE L HIRSCHMAN 1658 N 1800 E HAMER ID 83425 (208) 663-4962	12/04/1975	IRRIGATION	04-01 11-01	2.64 CFS
TOTAL DIVERSION: CONSUMPTIVE USE:					2.64 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: LIO

Point(s) of Diversion:

T06N R35E S10

SENWNW

JEFFERSON C

Place of use Legal Description for: IRRIGATION

NE										SW										SE												
T	R	S	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW	NE	NW	SE	SW										
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				Lt	Ac	Lt	Ac	Lt	Ac				Lt	Ac								
06N 35E 10			39																													
TOTAL ACRES																																

POU Count

Non-Irriga

Other Right

Remark

Dates:

Misc:

*Average photo
on Arch w/claim
provided
Div Vol = 465
500 - Good
1000 - Good
Div Rate - Good*

RIGHTS SHALL PROVIDE NO
BOVE.
REPLACED WITH CENTER
IRIGATED UNDER ORIGINAL

Objection Filed Date:

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: A31-07172
Date Received: 9/06/1988
Receipt No: 500212 *8x*
Received By: SAV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALICE FAYE BYRNE, ESTATE 208-663-4611
Address: C/O ROY D. YEARSLEY, TRUSTEE
1739 N. 1800 E.
HAMER, ID 83425

2. Date of Priority: DEC 04, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	35E	10	SE	NW	NW		JEFFERSON

5. Description of diverting works:
150' WELL W/ PUMP TO MAINLINE FOR CENTER PIVOT/WHEEL LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.640		

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

8. Total consumptive use is 357.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	35E	10	NW	NE		IRR	39.0
			NE	NW		IRR	36.0

A31-07172

Page 1

Date: 09/06/88

MICROFILMED

NOV 17 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	35E	10	NW	NW		IRR	34.0
			SW	NW		IRR	34.0
Section Acres							143.0
Total Acres							143.0

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:
THIS RIGHT WHEN COMINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO
MORE THAN 3.0 AFA PER ACRE FOR THE LANDS ABOVE.
IN 1980 WHEEL LINE SYSTEM IN THE NW1/4 WAS REPLACED WITH CENTER
PIVOT. THIS REDUCED THE AMOUNT OF ACRES IRRIGATED UNDER ORIGINAL
LICENSE.

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: 1

For Organizations:

I do solemnly swear or affirm that I am Ray D. Yearley, Trustee of Bryson Estate, that I have signed the foregoing document in the space below as Ray D. Yearley, Trustee of Bryson Estate and that the statements contained in the foregoing document are true and correct.

Ray D. Yearley, Trustee
Signature of Authorized Agent

Bryson Estate
Title and Organization

8-7-88
Date

State of Idaho)
County of Bonneville) SS.

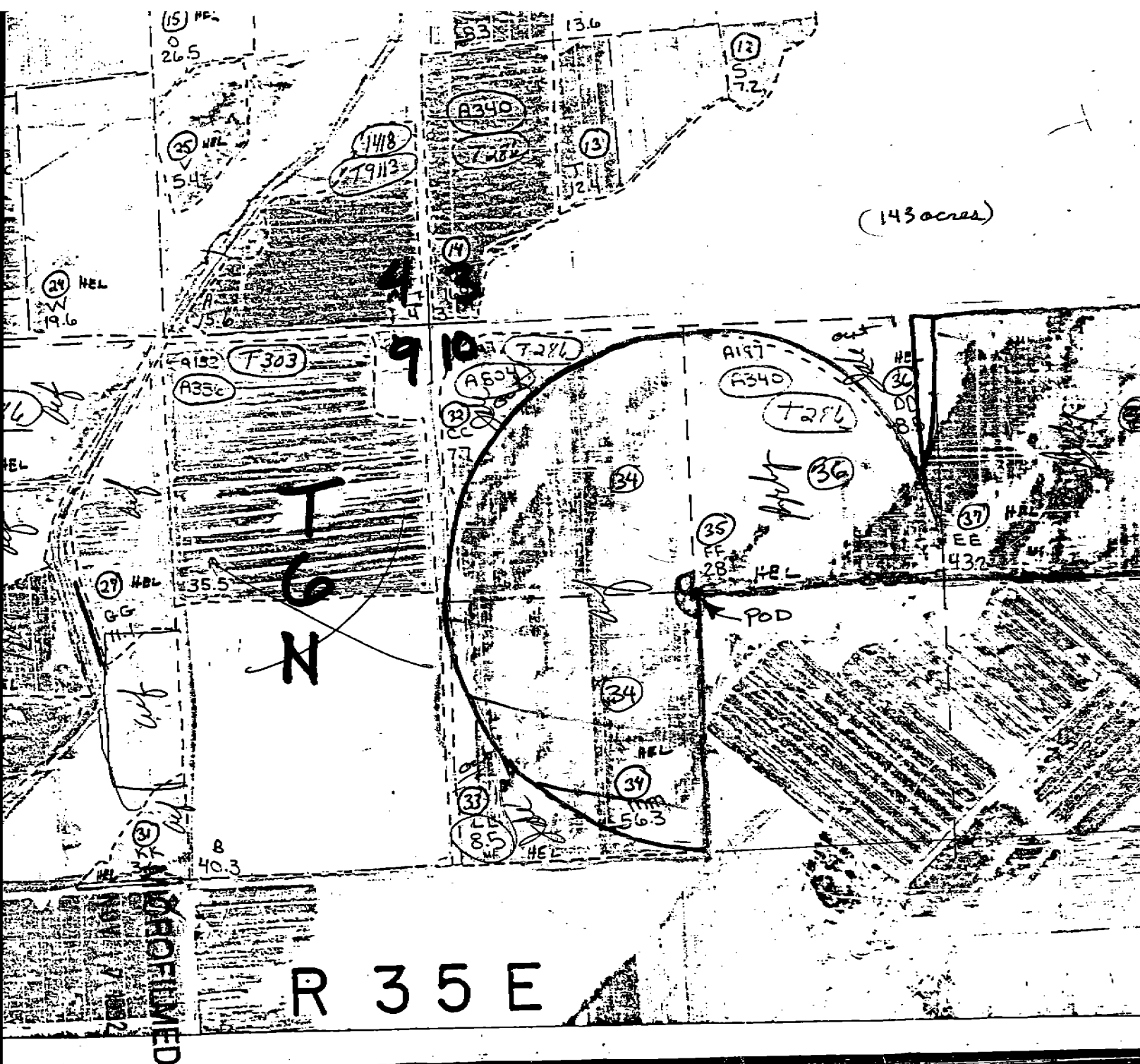
Subscribed and sworn (or affirmed) before me this 7th day
of September 19 88

Betty J. Thompson
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 6-94

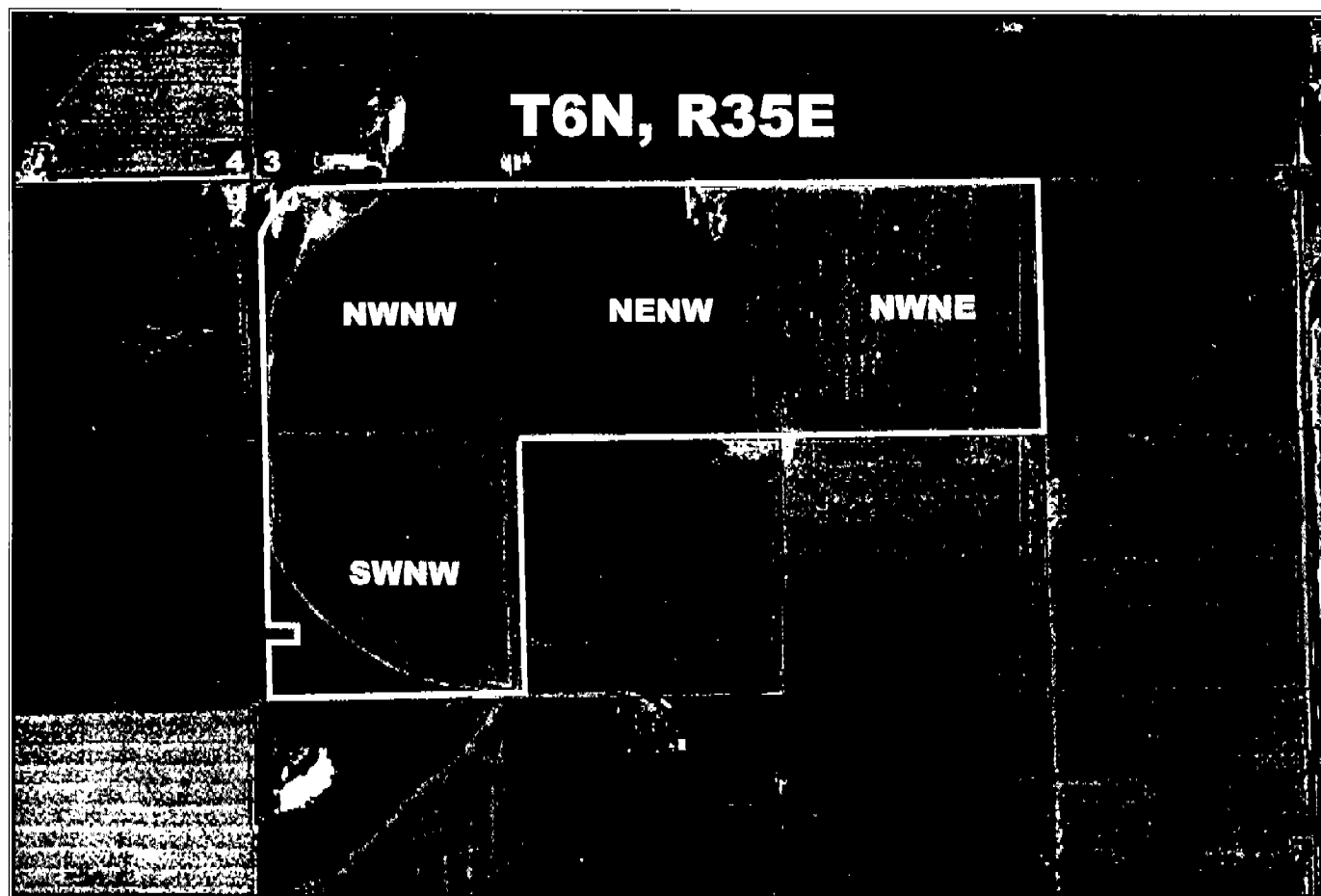




STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 31-07172



1320 0 1320 2640 Feet

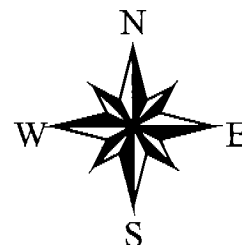
Total Irrigated Acres: 155

● Point(s) of Diversion

Place of Use

□ Quater Section Lines

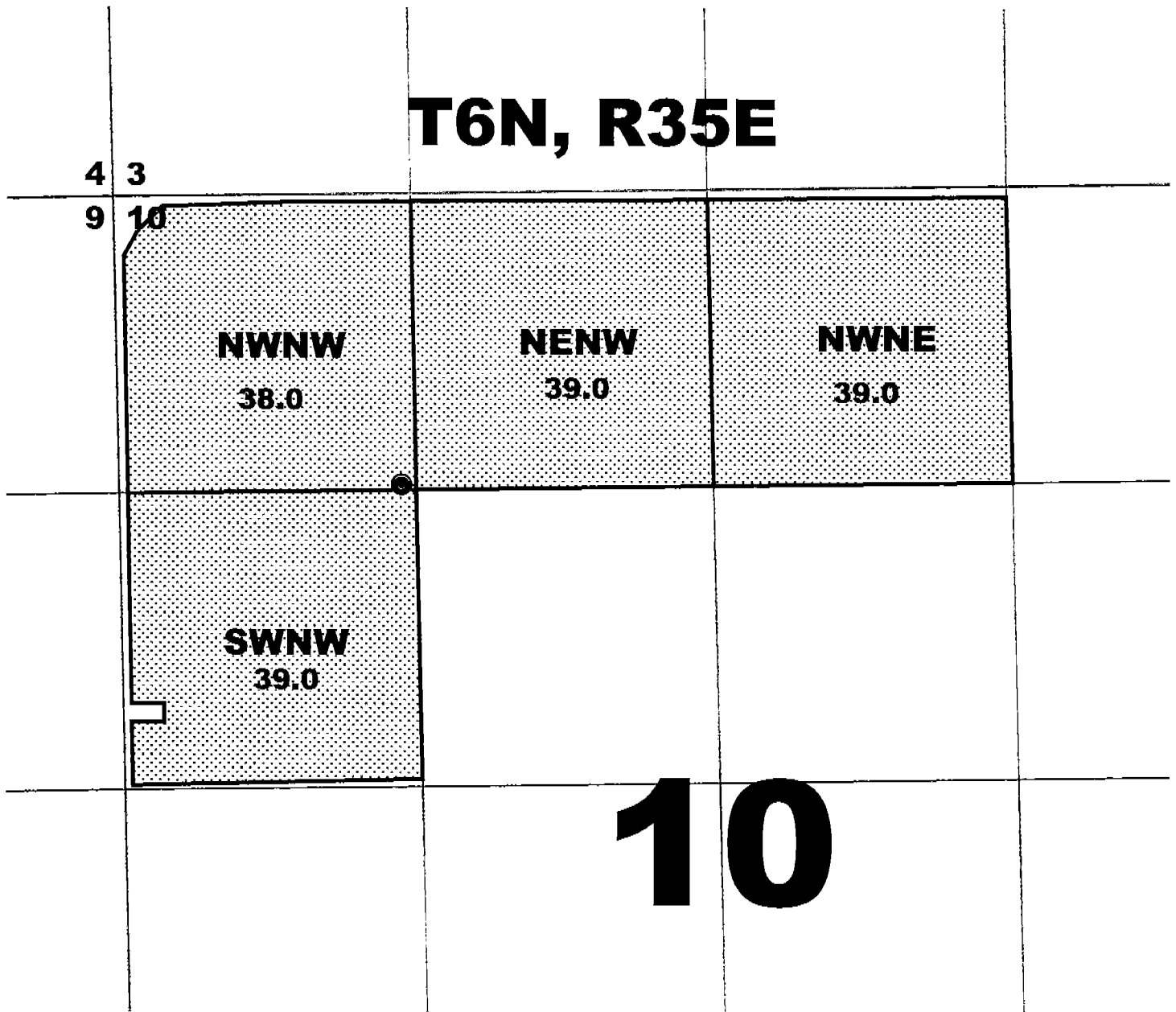
□ Section Lines



GIS Place of Use Illustration
1987/1988 Napp photography
Prepared by: C. Saxton
Date: March 2001

Michelle Hirschmann

WR #(s): 31-07172



Total Irrigated Acres: 155

● Point of Diversion

Place of Use

Acreage Distribution

Prepared By: Craig Saxton
March 2001

March 8, 2001

MICHELLE L HIRSCHMAN
1658 N 1800 E
HAMER ID 83425

RE: AMENDMENT OF CLAIM 31-07172

Dear Michelle,

Enclosed is an amended claim for 31-07172 and a map showing the place of use I potentially plan to recommend per my discussion with Paul on 3/7/2001. Please look over the claim and map and initial any changes you wish to make. If the amended claim meets your satisfaction please sign it in front of a notary and return it to this office **as soon as possible** with the filing fee of \$12.00. The fee is based on an increase of 12 acres at \$1.00 per acre.

Paul mentioned a concern about the annual volume I initially recommended. I initially recommended the licensed annual volume of 3.0 AF per acre. On the amended claim, I changed the annual volume to represent IDWR current standards of 3.5 AF per acre. This would increase the annual volume you are licensed to divert during the irrigation season.

If you have any questions please feel free to contact me at (208) 525-7161.

Sincerely,

Craig L. Saxton
Water Resource Agent

Paul & Chel Hirschman
1658 N. 1800 E.
Harner, Idaho 83425



State of Idaho
Department of Water Resources
900 N. Skyline Dr.
Idaho Falls, Id 83402-1718
Attn: Craig Sutton

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: 31-7172

MICHELLE L HIRSCHMAN

1658 N 1800 E

HAMER ID 83425

Telephone Number: (208)663-4962

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

P.O.U.

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

CORNERS OF PIVOT IS IRRIGATED

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

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

DATE:

3/7/01

SIGNATURE:

Paul Hirschman

Please print your name:

PAUL HIRSCHMAN

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

MEMORANDUM

Date: March 7, 2001

From: Craig L. Saxton

Subject: Irrigation of the Pivot corners with Hand-lines

31-07172 was originally licensed in October 1982. Field exam was done in 1977 says nothing about a pivot. The license was for 155 acres of irrigation. ASCS photo shows Pivot and Irrigated corners in 1978. So the pivot was probably installed in 1978, and the corners continued to be irrigated.

The claim was filed for 143 acres in 1988 excluding ^{Today} the corners the pivot. Paul Hirschmann runs the farm now, and from a conversation with him has irrigated the corners off and on, but not will a real good system that totally covers the acreage. He is installing full hand-lines this spring to completely cover the corners not reached by the pivot under the pivot. Paul also mentioned that the white spots on the 1987 Napp photography were temporary hay stacks and are no longer there.

Year 2000 notices provided by Paul Hirschmann indicate 154.8 acres of irrigated land. Based on this evidence and my conversation with Paul, I will recommend the full acreage described in the original license.

JOYCE BRIGGS (208) 745-9215
JEFFERSON COUNTY ASSESSOR
PO BOX 538
RIGBY ID 83442-0538

ASSESSMENT NOTICE

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
RIGBY ID 83442
PERMIT NO P-001

RETURN SERVICE REQUESTED

2000

<u>CATEGORY DESCRIPTION</u>	<u>Tax Code</u> <u>LOTS/ACRES</u>	<u>MARKET VALUE</u>
1 IRRGTD AG	154.870 AC	39,817
10 RURAL HOMESITE	1.000 AC	7,500
19 WASTE	4.130 AC	
47 IMP TO MAN HSG		5,044
48 MANUF HS W/SID		62,316

Taxes are based on the
valuation listed on this statement
FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 26, 2000

TOTAL: 160.000 114,677
LESS HOMEOWNERS: 33,680

PARCEL #
RP-06N35E100600.A

W1/2NW1/4; NW1/4NE1/4;
NE1/4NW1/4; SEC 10
TWP 6 NORTH RGE 35 EBM
PROPERTY ADDRESS 1658

N 1800 E

83425

PRIOR YEAR

CURRENT YEAR

Mail To:

VALUE:

85,125

80,997

HIRSCHMAN MICHELLE B.

PRIOR YEAR

ESTIMATED

TAX:

1,200.94

1,144.88

1658 N 1800 E
HAMER

ID 83425

See back for details.

DO NOT PAY ESTIMATE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 18, 1997

MICHELLE L. HIRSCHMAN
1658 N 1800 E
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-07172

Dear Ms. Hirschman:

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.

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,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice of Claim

DE LOG
6-17-97

Rec'd
6-17-97
Jo/JH

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.
Incomplete forms will be returned.

1. Water Right Number(s) A31-07172
Adjudication Claim Number(s) A31-07172

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 for parcel of ten acres or less. (These are usually on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Alice Faye Byrne Estate
1739 N 1800 E Hamer ID 83425

4. New Owner/Claimant(s) Michelle L. Hirschman
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 1658 N 1800 E
City, State and ZIP Code Hamer, ID 83425
New Telephone Number (208) 663-4962

5. Date you acquired the property May 1 1991

6. If you have acquired only a portion of the former owner's property, IDWR may ne adjudication claim(s). If this applies, describe in detail your portion of each water right below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify you claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Michelle L. Hirschman
Date _____

Do we have to have a doc w/ Alice Byrne Estate?
Byrne ↓

Michelle doesn't think there is such a doc.

OK

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

QUITCLAIM DEED

For Value Received

MICHELLE BYRNE a/k/a MICHELLE BERRETT, dealing with her sole and separate property do hereby convey, release, remise and forever quit claim unto

MICHELLE L. HIRSCHMAN, married dealing with her sole and separate property whose current address is

1658 North 1800 East Hamer, Idaho 83425

the following described premises, to-wit:

Section 10, Township 6 North, Range 35 E.B.M., W1/2 NW1/4; NW1/4 NE1/4; NE1/4 NW1/4

together with their appurtenances.

Dated: September 20th, 1996

Michelle L. Berrett Hirschman
MICHELLE BERRETT

RECEIVED BY
ASSESSOR

For PLATTING

Date 9-22-96 Time 1:30 PM

STATE OF IDAHO, COUNTY OF Jefferson
On this 20th, day of September, 1996,
before me, a notary public in and for said State, personally
appeared

Michelle L. Berrett
Hirschman

known to me to be the person who her name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

[Signature]

Notary Public

Residing at Rigby
Comm. Expires 1/11/02

282529

Registration No.

20 day of September, 1996

At 2:25 P.M.

CONNIE M. KELLER

Jefferson Co. Recorder

For \$ 3.00

Received by Registrar of

Michelle Hirschman

REC ADD PODS NAME

ST CFS USES POD

COMMENTS

3 1 ALICE FAYE BYRNE ESTATE

2086634611

81 3 ALICE FAYE BYRNE ESTATE

L 2.64 1 06N 35E 10 SENWNW

5/6/97 1145 oper by 663 4962
Michelle Hirschman

1145 663 4962 msg on voice mail

1600 Michelle Hirschman called:

Planned change to 1 layer & 1 small pivot.
100 hp pump, 1 well.

Recommendation: PCC w/ tracking

Follow-up: 1998/1999.

Action: Please change name / address on
✓ database to: Michelle Hirschman
5/13/97 1658 N 1800 E
WM Hamer ID 83425
208 663 4962

Please send change of ownership
form to Ms. Hirschman

5-13-97

Sent c/o form to Clement

JOYCE BRIGGS (208) 745-8215
JEFFERSON COUNTY ASSESSOR
P.O. BOX 538
RIGBY, ID 83442-0538

IMPORTANT NOTICE-PLEASE READ

PRESORTED
FIRST CLASS MAIL
U.S. POSTAGE PAID
RIGBY, ID 83442
PERMIT NO. P-001

ADDRESS CORRECTION REQUESTED

TAX CODE 84-00

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
1 IRRGTD AG	138.000 AC	40,024
5 DRY GRAZING	15.000 AC	450
10 RURAL HOMESITE	1.000 AC	7,500
19 WASTE	6.000 AC	
47 IMP TO MAN HSG		1,350
48 MANUF HS W/SID		58,651
LESS HOMEOWNER EXEMPTION	160.000	30,001
		77,974*

1997

TAXPAYER'S
VALUATION

ASSESSMENT NOTICE
TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 23 1997

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

83425

PROPERTY ADDRESS 1658 N 1800 E
PARCEL NUMBER RP 06N35E100600 A

Mail To:

W1/2NW1/4; NW1/4NE1/4;
NE1/4NW1/4; SEC 10
TWP 6 NORTH RGE 35 EBM
1997 FLEETWOOD-26 X 66

HIRSCHMAN MICHELLE B.

1658 N 1800 E

HAMER

ID 83425

WARRANTY DEED

THIS INDENTURE, Made this 29 day of June, 1989
between Debby Byrne a/k/a. Debby Polen, dealing with her sole and separate
property
of Idaho Falls, State of Idaho
referred to as the Grantor, and Michelle Byrne a/k/a Michelle Berrett, 625 W. Anderson,
Apt. 1, dealing with her sole and separate property
of Idaho Falls, State of Idaho referred to as the Grantee.

WITNESSETH, For and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations, Grantor has granted, bargained, sold, and by these presents, does hereby grant, bargain, sell, convey and confirm unto the said Grantee and Grantee's heirs and assigns forever, all of the following described real estate situated in the State of Idaho, to wit:

Section 10, Township 6 North, Range 35 E.B.M., W $\frac{1}{2}$ NW $\frac{1}{2}$; NW $\frac{1}{2}$ NE $\frac{1}{2}$; NE $\frac{1}{2}$ NW $\frac{1}{2}$.

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments, easements and appurtenances therunto belonging or in anywise appertaining; and the reversions, remainders, rents, issues, and profits thereof; and all Grantor's estate, right, title and interest in and to said premises, in law as well as in equity.

Grantor shall, and by these presents, does hereby warrant and agree to forever defend the Grantee, his successors and assigns, in the quiet and peaceable possession of said premises and from and against all and every person lawfully claiming an interest therein.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine includes the feminine and neuter.

IN WITNESS WHEREOF, the Grantor hereunto has set his hand and seal the day and year first above written.

Debby L. Polen
Debby Byrne

State of Idaho } ss.
County of Bonneville

On this 29 day of June, 1989,
before me the undersigned, a Notary Public in and for said State, personally appeared

Debby Byrne

, known to

me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

No. ry Public for the State of Idaho,

Residing at Idaho Falls, Idaho.

Seal My Comm Exp 5/12/90

RECORDING DATA

252890

Microfilm No.

3 Day July, 1989

At 11:30 o'clock a.m.

TAMARA K. GOTT

Jefferson Co. Recorder

Fee \$ 3.00 st Deputy

Recorded at Idaho Falls

Karen Lee

WARRANTY DEED

THIS INDENTURE, Made this 29 day of June, 1989
between Debby Byrne a/k/a Debby Poien, dealing with her sole and separate
property
of Idaho Falls, State of Idaho
referred to as the Grantor, and Michelle Byrne Berrett, 625 W. Anderson, Apt 1, dealing
with her sole and separate property,
of Idaho Falls, State of Idaho, referred to as the Grantee.

WITNESSETH, For and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations, Grantor has granted, bargained, sold, and by these presents, does hereby grant, bargain, sell, convey and confirm unto the said Grantee and Grantee's heirs and assigns forever, all of the following described real estate situated in the State of Idaho, to wit:

T6N, R35 E.B.M., Jefferson County, Idaho, Section 9, W $\frac{1}{2}$ of NE $\frac{1}{4}$, lying and being North and West of the Center line of an existing canal.

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments, easements and appurtenances thereunto belonging or in anywise appertaining; and the reversions, remainders, rents, issues, and profits thereof; and all Grantor's estate, right, title and interest in and to said premises, in law as well as in equity.

Grantor shall, and by these presents, does hereby warrant and agree to forever defend the Grantee, his successors and assigns, in the quiet and peaceable possession of said premises and from and against all and every person lawfully claiming an interest therein.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine includes the feminine and neuter.

IN WITNESS WHEREOF, the Grantor hereunto has set his hand and seal the day and year first above written.

Debby Byrne
Debby Byrne

State of Idaho

County of Bonneville

On this 29 day of June, 1989

before me the undersigned, a Notary Public in and for said State, personally appeared Debby Byrne

, known to

me to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that She executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public for the State of Idaho.

Residing at Idaho Falls, Idaho.

Seal My Comm Exp 5/12/94

RECORDING DATA

RECEIVED BY
ASSESSOR

For PLATTING

Date 7-3-89 Time 4:00 PM

252888

Microfilm No.

3 Day July 19 89

At 11:32 o'clock AM

TAMPA K. SMITH

Jefferson Co. Recorder

Fee \$ 3.00 SK Deputy

Recorded at Request of

Royce Lee

241289
Nov 10 1986
Rehul J. Davis
4.00 sc
Rayne B. Lee

DEED OF DISTRIBUTION

BY
PERSONAL REPRESENTATIVE

THIS DEED, made by ROY YEARSLEY, as personal representative of the Estate of FAYE ALYCE McAFFE, deceased, Grantor to the Estates of DEBORAH DIANE BYRNE and MICHELLE LEE BYRNE, as equal tenants in common, by and through DANNY BYRNE and ROY YEARSLEY, co-conservators for the Grantee Estates. The address of Grantees is 35x 513, Hamer, Idaho.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number 7-165, in Jefferson County, Idaho; and

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee the following described real property in Jefferson County, Idaho;

PARCEL 1

Section 9, Township 6 North, Range 35 E.B.M., West 1/2 Northeast 1/4;

Containing 80 acres;

PARCEL 2

Section 3, Township 6 North, Range 35 E.B.M., South 1/2 Southwest 1/4, South 1/2 Southwest 1/4 Southeast 1/4, North 1/2 Southwest 1/4 Southeast 1/4;

PARCEL 3

Section 10, Township 6 North, Range 35 E.B.V., West 1/2 Northwest 1/4; Northwest 1/4 Northeast 1/4; Northeast 1/4 Northwest 1/4;

Containing 160 acres;

but subject to an encumbrance by the Federal Land Bank thereon, with Grantees assume;

with all appurtenances.

EXECUTED this 28 day of January, 1983.

Roy Yearsley
ROY YEARSLEY, Personal
Representative of the estate
of Faye Alyce McAfee, Deceased

STATE OF IDAHO)
County of Jefferson)

:SS

On the 28 day of January, 1983, before me, a
notary public, personally appeared ROY YEARSLEY, known to me to
be the person whose name is subscribed to the within instrument,
as personal representative of the estate of FAYE ALYCE McAFFEE,
and acknowledged to me that he executed the same as such personal
representative.

Roy Yearsley
Notary Public
Residing in State of Idaho
My Commission Expires

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31-7172 Priority December 4, 1975 Amount 2.64 cfs

THIS IS TO CERTIFY, that Merlin H. &/or Faye A. McAfee
of Hamer, Idaho, has complied with the terms and conditions of Permit
No. 31-7172 issued pursuant to Application for Permit dated December 4, 1975,
and has submitted proof to the Department of Water Resources on October 13, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.64 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>2.64</u> cfs and	<u>465.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.64 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
465.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Twp.
6N, Rge. 35E in the County of Jefferson

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
6N	35E	10		39			39	38	39									155

Total number of acres irrigated 155

This right when combined with all other rights shall provide no more than 3.0
afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
October, 19 82.

Director

Identification No. 31 7172

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Merlin H. &/or Faye A. McAfee Phone: 663-4658
post office address North Lake Rd., Hamer, Idaho
2. Source of water supply ground-water which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10 Township 6N
Range 35E B.M. Jefferson County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 3.2 (cfs or acre-feet per annum) for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
Amount _____ (cfs or acre-feet per annum) for _____ purpose from _____ to _____ (both dates inclusive)
5. Total quantity to be appropriated:
a. 3.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well, pump and sprinkler system

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 20 inches; proposed depth of well is 150 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 50,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

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

[illegible]

Total number of acres to be irrigated_____160

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

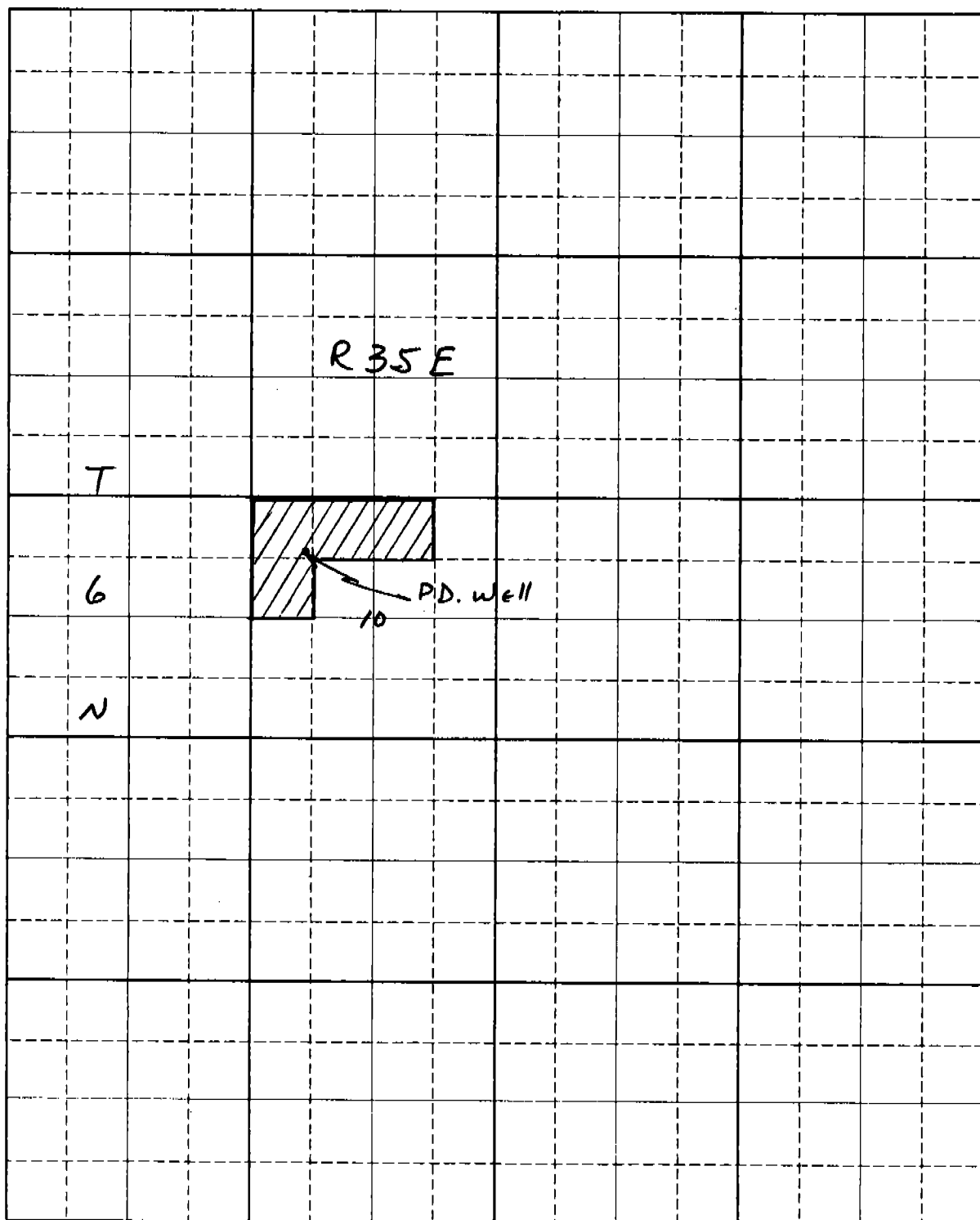
Jackett Canal Co.,

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

10. Remarks _____

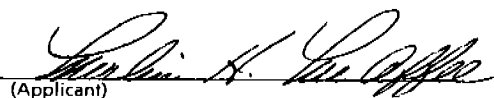
This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.

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



Scale: 2 inches equal 1 mile

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


(Applicant)

Proposed Priority 12-04-1975

Received by The Date 12-04-75 Time 3:58 p.

Preliminary check by Tag Fee \$55.00

Received by The Date 12-04-75 # 15509

Publication prepared by The Date 12-10-75

Published in The Big Lost Star

Publication dates Dec. 18 & Dec. 26, 1975

Publication approved W Date 1-15-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ROC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

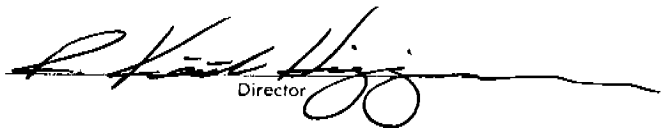
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 31-7172, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 81.
- c. Other: Maximum rate of diversion shall not exceed 0.02 c.f.s. when combined with any other water source.

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

Witness my hand this 22 day of January, 19 76.


Director

RECEIVED

160

A hand-drawn map on a grid. A horizontal line is labeled "County Road". A vertical line is labeled "Main Line". The intersection is marked with a point labeled "39". To the left of the intersection, on the "County Road" line, is a point labeled "38". Below the intersection, on the "Main Line", is a point labeled "40". A small "corner point" label is written near the top left of the intersection. The grid is composed of solid lines for the main roads and dashed lines for the background grid.

DATE OF EXAM 7/6/77

ACREAGE
Found 155 ac
Recommended 155 ac

Irrigation Requirement 3.0 Ac Ft/Ac

USE
Irrigation Q = 2.64 c.f.s. V = 465 AF/Ann. from APRIL 1 to NOV. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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

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

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

Total Q measured 2.64 cfs Method of measurement IN LINE METER

Total Q recommended 2.64 cfs Meter No 76-10-2044 Type M^g CROMETER Condition good

Total V recommended 465 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:
Measured 0.1 AF in 16.5 sec 0.1 AF = 435.6 cu ft
 $435.6 \text{ cu ft} \div 16.5 \text{ sec} = (2.64 \text{ cfs})$ capacity
 $V = 155 \times 3.0 = 465 \text{ AF/Ann} < 215 \times 1.9835 \times 2.64 = 1125.8 \text{ AF/yr}$
APR 7/6/77

SYSTEM DESCRIPTION:
100 H.P. GE MOTOR, 3 PHASE, Ser # HLT 827183 "JOHNSTON PUMP
MODEL # 18940. 10" STEEL EXTENDS 8' NORTH OF P.D. CONNECTING
TO "T" SECTION ON MAIN LINE Fertilizer tank west of P.D.
Fertilizer pumped into mainline by a DeLong 1/2 H.P. Motor
m/m - 157624-7 S/n - E-70, 3 phase. 1100 gal Fertilizer tank
7 1/4 inch wheel lines (5/32" nozzles) w/ 33 NOZZEL PER LINE and 1 - 1/4 m

REMARKS: handlines
OWNER NOT CONTACTED 7/10/77 EAC. Land is leased from
McGhee and farmed by Dean Boyce of Henard. System
shown & described by Gary Boyce. Lease is bordered
by paved county roads on (the North & West) Lic # 31-2253
covers 40.00 ac. N 1/2 of North sec 10 with fuel meter per mile. (.02 cfs/mi)

Examiner's Signature Anthony R. Kozlowski Date 7/6/77

Checked by John D. Collier Date 3/7/79

Approved by _____ Date 8/26/82

~~The amt recommended in this report assumes completion of the~~
~~transfer of Jacklet canal to the north sec 10. (AF through~~
~~these lands from 1974 to 1977. If this transfer had not~~
~~occurred, transfer of Jacklet canal to groundwater for~~

~~there is a transfer of a right~~
~~being filed by Jack's Canal Co. Work is~~
~~being done by Attorney Kent Foster~~



Overlap Bureau for 31-7172
See attached page

Overlap Review for 31-7172

License 31-2253 Superseded by Decree 31-0336

Decree 31-0336

T2461 & 2303

Original License & then Original Decree set forth 20 acres in the NWNW & 20 acres in the SWNW all of Sec 10 T6N R35E. The approved Transfers changed then acres to other Tracts which now do not overlap this right (31-7172).

RC 8/26/82

0-000000