

09/05/2000

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

RIGHT NUMBER: 31-10035

NAME AND ADDRESS: KIRK M JACOBS
2576 E 2600 N
PO BOX 119
HAMER, ID 83425

SOURCE: SPRINGS TRIBUTARY: KELSON CREEK

QUANTITY: 0.02 CFS

PRIORITY DATE: 04/15/1966

POINT OF DIVERSION: T13N R39E S30 SESENW Within CLARK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	05-01 10-31	0.02 CFS

PLACE OF USE:

STOCKWATER Within CLARK County
T13N R39E S30 SENW

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

NO BENEFICIAL USE FOUND FOR IRRIGATION: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWR's field examination or by other evidence submitted by the claimant.

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 - Beneficial Use

300 CATTLE

N05, N08 Added

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 31-10035
Date Received: 6/7/88
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Name: KIRK M JACOBS Phone: (208) 662-5415

Address: 2576 E 2600 N
PO BOX 119
HAMER ID USA 83425

2. Date of Priority: 04/15/1966

3. Source: MARSHALL SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
13N	39E	30	SE SE NW	CLARK

5. Description of diverting works:

DITCHES FROM SPRING TO FLOOD IRRIGATION AND STOCK WATER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.16	
STOCKWATER	4/15	10/15	0.02	

7. Total Quantity Appropriated is:
0.16 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
13N	39E	30	SE	NW		IRRIGATION	
			SE	NW		STOCKWATER	

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:

14. Remarks:

CHANGED OWNERSHIP PER REQUEST CV/08/09/2000.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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: A31-10035
Date Received: 6/07/1988
Receipt No: M000061
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORMAN MARSHALL 208-228-6111
Address: 54 NORTH 3145 EAST
IDAHO FALLS, ID 83402

2. Date of Priority: APR 15, 1966

3. Source: MARSHALL SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	39E	30	SE	SE	NW		CLARK

5. Description of diverting works:
DITCHES FROM SPRING TO FLOOD IRRIGATION AND STOCK WATER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.160		
STOCKWATER	04/15	10/15	0.020		

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

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK WATER FOR 300 CATTLE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
13N	39E	30	SE	NW		IRR	8.0
			SE	NW		STOCK	

Section Acres 8.0

A31-10035

Page 1

Date: 06/07/88
MICROFILMED

NOV 17 1992

A310035

10. Place of Use: Continued

Total Acres 8.0

11. Place of use in counties: CLARK

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

13. Other Water Rights Used:
A31-10034.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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.

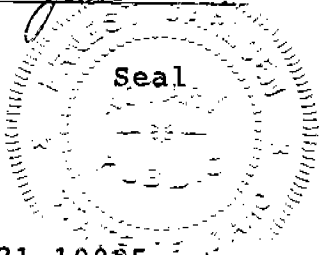
Signature of Claimant(s): Norman Marshall Date: 6/7/88

Date: _____

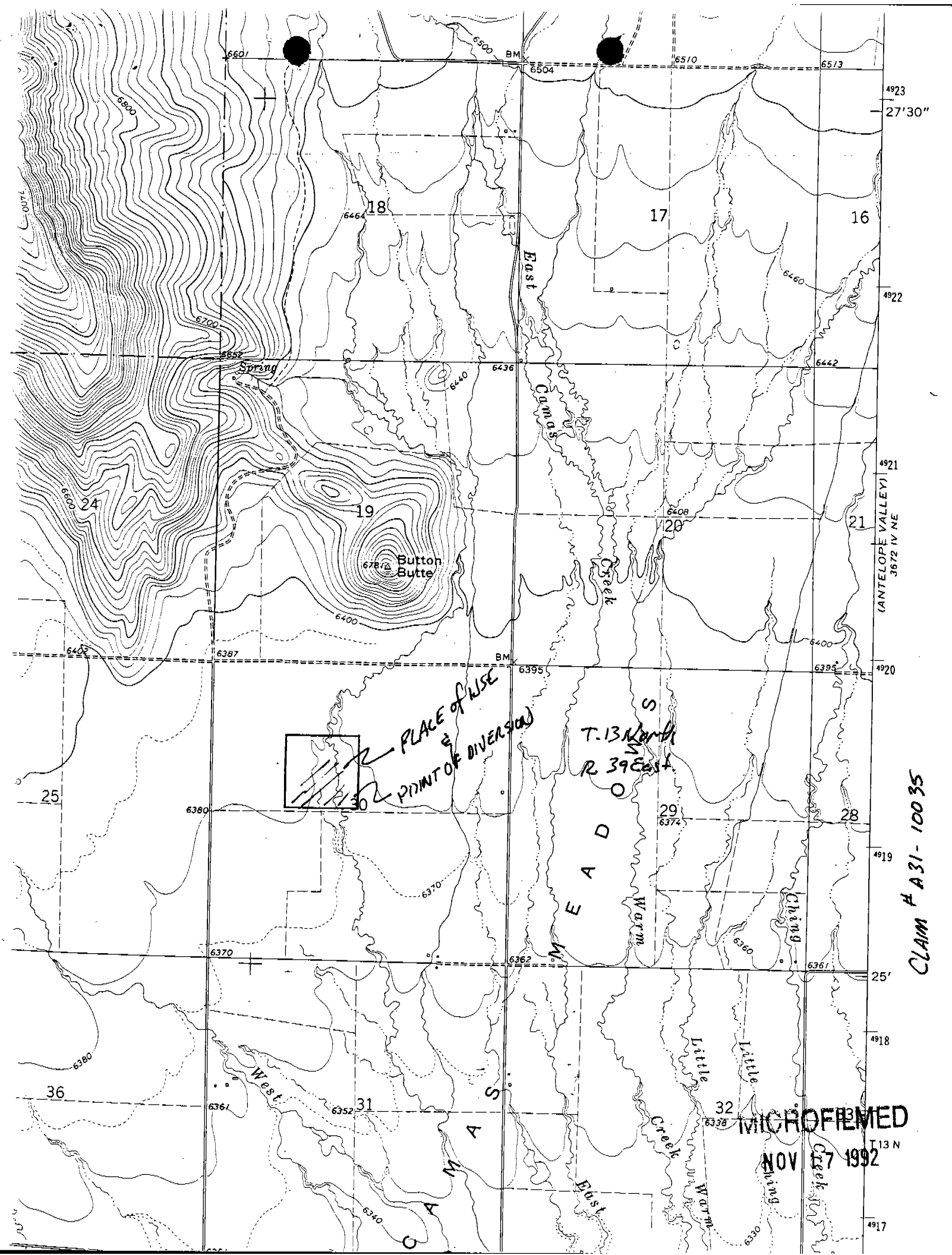
State of Idaho)
County of Clark) SS.

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

Ernest Carlson
Notary Public



Residing at Idaho Falls
My Commission Expires 4/22/1989



CLAIM # A31-10035

MICROFILMED
NOV 27 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:30
03/24/93

PAGE: 1
GENERAL INFORMATION

85
CLAIM NUMBER: A31-1003

LAST: MARSHALL
ADDRESS: 54 NORTH 3145 EAST
CITY: IDAHO FALLS
PHONE NUMBER: 208-228-6111

FIRST: NORMAN

STATE: ID ZIP: 83402

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

CONTRACT OF SALE TO 1/1
12403. (3/24/24, TWO A

NEEDS % LETTER:

SUE 31-00158,

8/2/24 NO RESA

FIELD EXAMINATION INFORMATION

CONTACT PERSON: Ar Ramsey

PHONE NUMBER: () -

DATE OF FIELD EXAM: 1/1

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: Kirk Jacobs

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: OWNER

DIRECTIONS TO PROPERTY / NOTES:

8/1/24 FIELD EXAM - UNACCOMMODATED.

8/8/24 Kirk Jacobs was in to discuss probs. w/ CLAIMS AND DO % EXPL

THE IRRIG PORTION OF THIS CLAIM WILL NOT BE RECOMMENDED BECAUSE THERE

NO POD OR CONVEYANCE WORKS. JUST BECAUSE THE STREAM BACKS UP IN THIS AREA DO

CONSTITUTE AN IRRIGATION DIVERSION. Stockwater will BE ALLOWED.

PAGE: 2
PRIORITY DATE REVIEW PAGE

85
CLAIM NUMBER: A31-1003

A. AJ CLAIM: # A31-10035 PRIORITY DATE: 04-15-1966 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DATABASE

FIELD
EXAMINER

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

Y

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

NOTES:

*Recommend BEGINNING OF IRRIG SEASON FOR DEPT. STD FOR AREA. M.
Only for Stockwater use - NO IRRIG. FOUND.*

RECOMMENDED PRIORITY DATE:

MAY 1 1966

REVIEWED BY

DATE

3/20/66

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A31-10035	13N	39E	30	SE	SE	NW		CLARK

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

NR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: MARSHALL SPRINGS

TRIB: SINKS

B. NR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD
EXAMINER

NOTES:

No such source names on NSDS PQ or Quad U-43.

RECOMMENDED POINT(S) OF DIVERSION			AND SOURCE:			LOT	POD COORD	COUNTY	DIVERSION NAME
TWP.	RGE.	SEC.	1/4	1/4	1/4				
13N	39E	30	SE	SE	NW			CLARK	
---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---

POINT SOURCES FROM SPRINGS - TRIBUTARY TO
KELSON CREEK.

SOURCE: Springs

TRIB: KOLSON CK

REVIEWED BY: ASR

DATE: 8/1/21

SYSTEM DESCRIPTION: SPRINGS, OPEN FLOW TO KOLSON CK - NO PDD, NO CONVEYANCES W.

STOCKWATER ONLY.

REF: CLAIM INVEST. HANDBOOK, Chp 5, POINT OF

PART II.A. "CLAIMS BASED ON STATE LAW MUST HAVE

DIVERSION FROM THE NATURAL SOURCES, ... " No

A. ROOT WATER RIGHT NUMBERS: A31-10035

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	HR #/ACRES	LANDSAT DATA	FIELD EXAM.
13N	39E	30	SE	NW		MARSHALL, NORMAN	A31-10035 / 8.0	-	/	11.0
			SE	NW		MARSHALL, NORMAN	A31-10034 / 25.0	-	/	
13N	39E	30	SE	NW		MARSHALL, NORMAN	A31-10035 /	-	/	11.0
			SE	NW		MARSHALL, NORMAN	A31-10034 / 25.0	-	/	
TOTAL ACRES							A31-10035	8.00		22.00

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

POU COUNTY: CLARK

PRESUMPTION FLAG:

NOTES:

NO IRRIGATION FOUND. NO POO, NO CONVEYANCE MEANS.

RECOMMENDATIONS:

TOTAL ACRES: PA

REVIEWED BY: APR

DATE: 8/1/2K

PAGE: 5
PURPOSES REVIEW SHEET

93
CLAIM NUMBER: A31-1003

A. AJ CLAIMED USES:

PURPOSES
A31-10035 IRRIGATION
A31-10035 STOCKWATER

5/1 10/31
MONTH/DAY
FROM 04-15 TO 10-15
FROM 04-15 TO 10-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY

.100 CFS
.020 CFS

.160 CFS

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

FIELD
DATABASE EXAMINER
Y
Y
Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() EXPLAIN IN NOTES, BEL

NOTES:

DEPT STD FOR BU CLAIMS IS MAY 1 TO OCT. 31- SO RECOMMENDED

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.160 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

Reservoir Me

*** 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. **

NO in

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER
Y

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

B. FLOW MEASUREMENT

MEASUREMENT METHOD SEE ATTACHED CALCULATIONS.

No W/M Deviation

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

OTHER RIGHTS LISTED IN CLAIM: A31-10034.

LIST ALL RIGHTS WITH A SAME POB AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	VO
A31-10035	MARSHALL SPRINGS	MARSHALL, NORMAN	0.160	0.020		
A31-10034	KELSON CREEK	MARSHALL, NORMAN	1.200	0.019		

NO RIGHTS WITH SAME POB BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE

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

1B. CALCULATIONS

DDES AMJUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 24.0 AF/A

ACRES _____ X CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ X DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CON	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	EXA
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXA
<u>Prig</u>	<u>---</u>	<u>---</u>		<u>0.00</u>				
<u>Stack</u>	<u>5/1</u>	<u>10/31</u>		<u>0.02</u>				
TOTAL FOR THIS RIGHT				<u>0.02</u>				

REVIEWED BY: ASR DATE: 3/2/2K

In-stream stockwater only. Actual, Point Source Tributary to Kerso

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED

(☒)
(☒)

NEEDS
REVIEW

(☐)
(☐)

Letter Sent 6/29/2K REQUEST
8/2/2K NO RESPONSE,

B. SPLIT WATER RIGHT REVIEW

c/o 8/8/2K K

ROOT WATER RIGHT NUMBER: 31-10035

DATABASE

EXAMINER

CFS

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERS
RATE

-

A31-10035

0.160

- 0.02

-

TOTAL CFS

0.160

DIVERSION RATE REVIEW

DATABASE
N

FIELD
EXAMINER

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)

NOTES: Bill claim ~~Monsieur River~~ No irrig by POD on CONDUITANCE MEANS

Stock only @ 0.02 cfs

AUTHENTICATION:

SIGNATURE: [Signature]

DATE: 8/2/2K

NAME OF FIELD EXAMINER: Allen B. Pucinsky

TITLE: Sen. Agt.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:31
03/24/95

PAGE: 11
QUICKLOOK INFORMATION

95
CLAIM NUMBER: A31-1001

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	V
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS								

VERIFIED BY CODES

TOPO MAP/ORTHO-PQ = 1
 RSCS MAP = 2
 WATERMASTER RECORDS = 3
 NAAPP 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

00:05:42
03/24/95
95

PAGE: 12
PROFILE REPORT

CLAIM NUMBER: A31-1003

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVE VOL
C	NORMAN MARSHALL 54 NORTH 3145 EAST IDAHO FALLS ID 83402 (208) 223-6111	04/15/1966	IRRIGATION STOCKWATER	04-15 10-15 04-15 10-15	0.16 CFS 0.02 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.16 CFS

WATER SOURCE: MARSHALL SPRINGS

TRIBUTARY TO: SINKS

STAGE: BENEFICIAL

POINT(S) OF DIVERSION:

T13N R39E S30

SESENN

CLARK 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		
13N	39E	30	:																
								08											
TOTAL ACRES																			

PLACE OF USE LEGAL DESCRIPTION FOR: STOCKWATER

				NE				NW				SW				SE			
T	R	S	:	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC	LT	AC		
13N	39E	30	:																
								5											

POU COUNTY: CLARK

NON-IRRIGATION USES: STOCK WATER FOR 300 CATTLE.

OTHER RIGHTS: A31-10034.

DATES: EXAM MADE DATE:

VERIFIED DATE:

MISC: WATER DISTRICT NUMBER:

FIELD INSPECTION FLAG:
PRESUMPTION FLAG:

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: 31-10035

KIRK M JACOBS

2576 E 2600 N

PO BOX 119

HAMER ID 83425

Telephone Number: (208) 662-5415

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
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: 2/7/01 SIGNATURE: Kirk M Jacobs

Please print your name: _____

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



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

August 9, 2000

KIRK M JACOBS
2576 E 2600 N
PO BOX 119
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-10034, A31-10035,
A31-00158

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

OK
ASAC
8/8/2K

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 No(s): _____

Adjudication Claim No(s): A31-10034, A31-10035, A31-00158

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

NORMAN MARSHALL

4. New Owner/Claimant(s)

Kirk^M Jacobs

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
2576 E 2600 N PO Box 119

City, State and ZIP Code

Hammer Idaho 83425

New Telephone Number

(208) 662-5415

5. Date you acquired the property

April 1990

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.

1/2 Kirk - S

~~Norman Marshall~~

31-10034, 31-10035

Creek

24 19
25 30

19 20
30 29

Stockman for
only

Kelson

8/1/2K

ABR

T13N, R39E

Harold Siddoway
31-00133

25 30
36 31

30 29
31 32



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

June 29, 2000

MITCH JACOBS
2496 N 2375 E
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-10034, A31-10035 AND
A31-000158

Dear Mr. Jacobs:

It has come to our attention that you may have recently purchased a tract of land in Clark County. The property to which I am referring was most recently owned by Norman Marshall. The legal description is as follows:

T13N R39E S30 NE1/4 NW1/4
T13N R39E S30 NW1/4 NW1/4
T13N R39E S30 SW1/4 NW1/4
T13N R39E S30 SE1/4 NW1/4
T13N R39E S30 NE1/4 NE1/4
T13N R39E S30 NW1/4 NE1/4
T13N R39E S30 SW1/4 NE1/4
T13N R39E S30 SE1/4 NE1/4

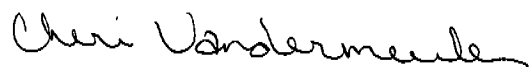
This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

After July 1, 2000 there will be a \$25.00 filing fee PER CLAIM NUMBER

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

Please call Allen Ruberry at (208)525-7161 to arrange an appointment.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cheri Vandermeulen".

Cheri Vandermeulen
Records Clerk

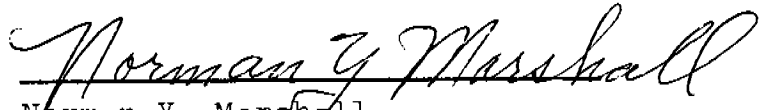
Enclosure(s)

TO WHOM IT MAY CONCERN:

We are writing this letter in regards to the Water Resource letter concerning Ajudication.

The two permits in question are #10034 and #10035. The Marshall's filed and have used water from these two water permits since 1966. They have both been used for irrigation and watering stock since 1966.

I Norman Y. Marshall do hereby certify that I have used the water in the above permits #10034 and #10035 for beneficial use since 1966.

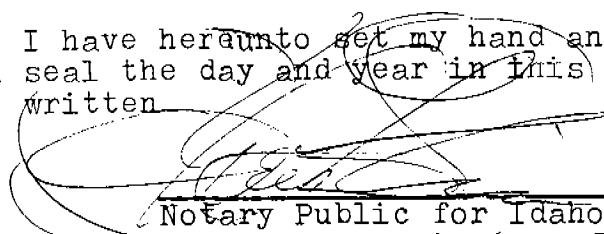

Norman Y. Marshall

STATE OF IDAHO

COUNTY OF Jefferson

On this 8th day of March, 1993, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Norman Y. Marshall, known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that he executed the same.

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


Notary Public for Idaho

Residing at: Rigby, ID

My commission expires 5-23-94

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APR 14 1994



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

FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

POOR ORIGINAL

*

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY
Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

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APR 14 1994