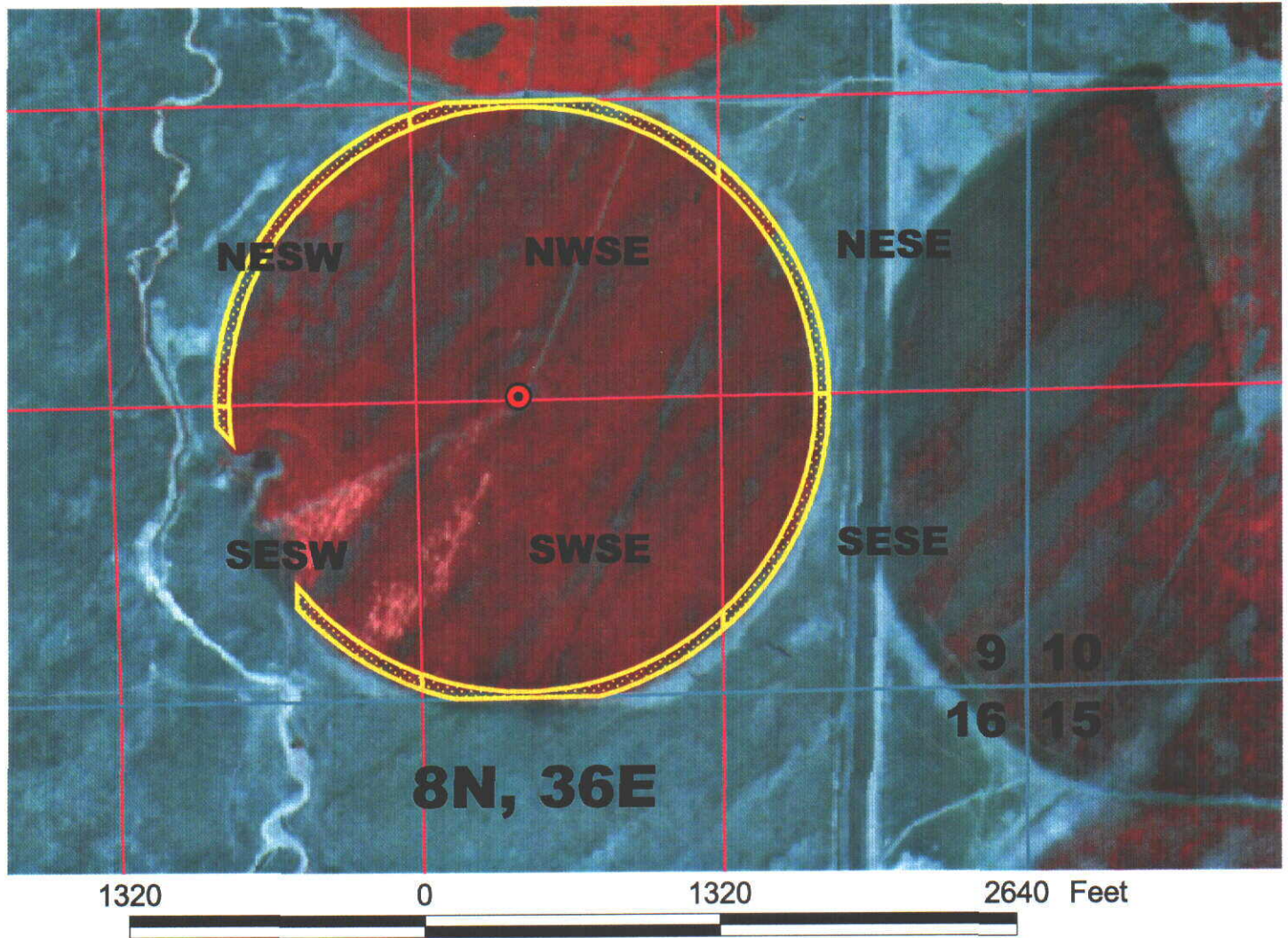




STATE OF IDAHO

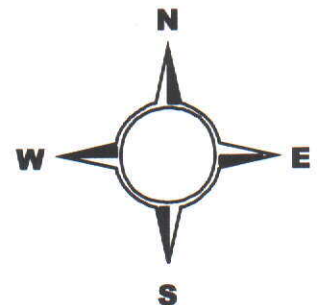
Department of Water Resources
Eastern Region

Water Right(s): 31-11431



Total Irrigated Acres: 10.3

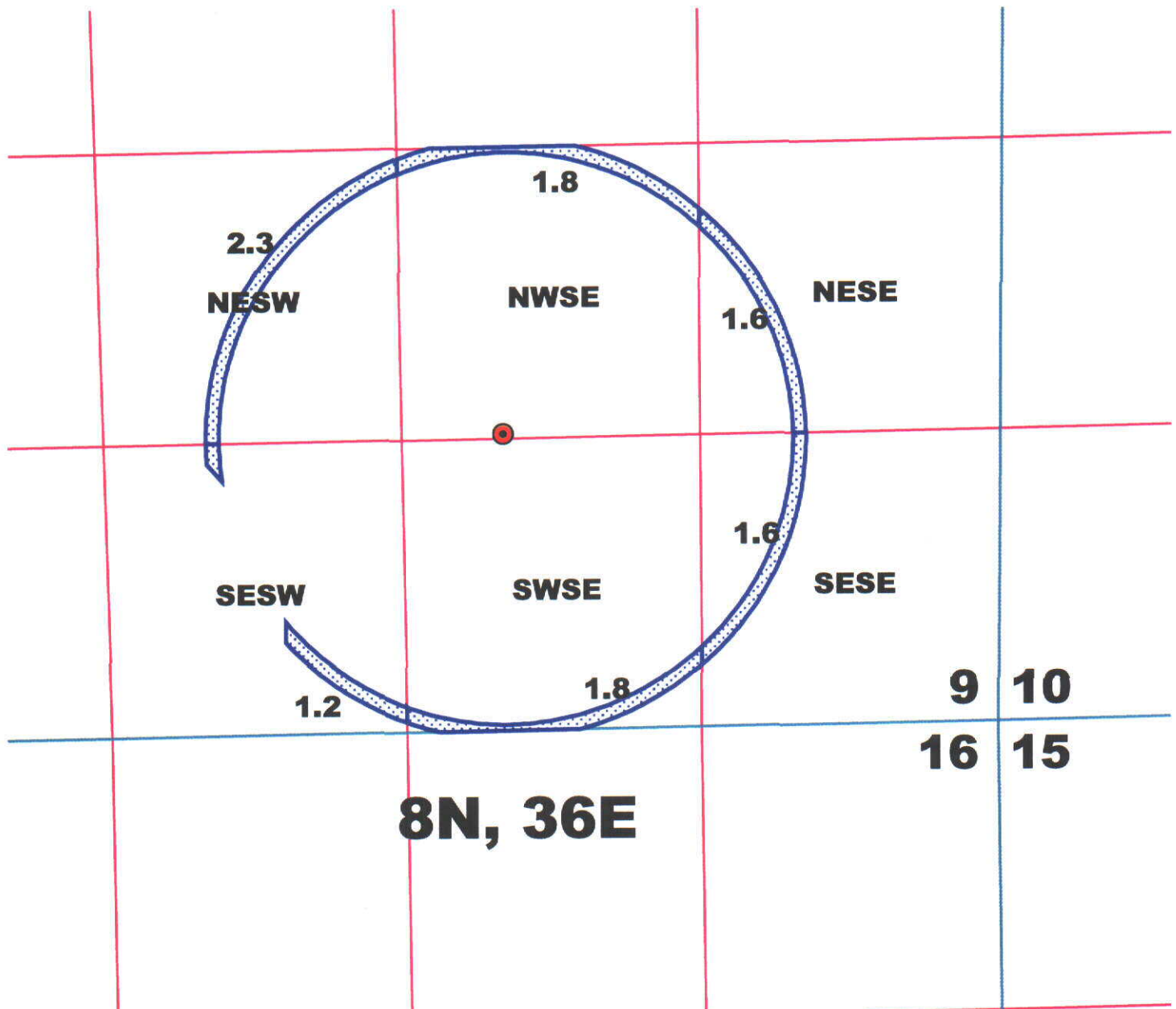
-  Point of Diversion
-  Place of Use
-  Quarter Section Lines
-  Section Lines



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

WR #: 31-11431

Frank Jacobs, Kirk as Representative



Total Irrigated Acres: 10.3

Acreage Distribution

Prepared By: Craig Saxton
September 2000

RIGHT NUMBER: 31-11431

NAME AND ADDRESS: FRANK H JACOBS
149 E 2ND S
REXBURG ID 83440

GERALDINE M JACOBS
149 E 2ND S
REXBURG ID 83440

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.21 CFS
36.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 31-07288 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 2.46 CFS.

PRIORITY DATE: 01/24/1978

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY
DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS
ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN
WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426,
IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

POINT OF DIVERSION:

T08N R36E S9 SWNWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.210 CFS 36.00 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON County

T08N R36E S09	SESE	1.6	T08N R36E S09	SWSE	1.8
T08N R36E S09	SESW	1.2	T08N R36E S09	NESE	1.6
T08N R36E S09	NWSE	1.8	T08N R36E S09	NESW	2.3

10.3 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.
THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-07288
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

RIGHT NO. 31-07288 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.
THIS RIGHT IS FOR AN ENLARGEMENT OF 10.3 ACRES WITHIN THE PLACE
OF USE DESCRIBED FOR THIS RIGHT.

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

Representative KIRK JACOBS
PO BOX 119
HAMER, ID 83425
(208)662-5415

Priority Date: 01/24/1978
Basis: Beneficial Use
Status: Valid

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.21 CFS	36 AFA	
Total Diversion			0.21 CFS	36 AFA	

Point(s) of Diversion:						
Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	
08N	36E	9	SW NW SE		JEFFERSON	

IRRIGATION Use:
Acre Limit: 10.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION JEFFERSON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
08N	36E	9		SESE	1.6		SWSE	1.8						
				SESW	1.2									
				NESE	1.6		NWSE	1.8						
				NESW	2.3									

Total Acres: 10.3

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.

Remarks:

1. Explanatory RIGHT NO. 31-07288 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

2. General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 31-07288 PURSUANT TO SECTION 42-1426, IDAHO CODE.
3. Quantity USE OF THIS RIGHT WITH RIGHT NO. 31-07288 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.46 CFS.

Dates:

Licensed Date:
 Claim Received Date: 09/18/2000
 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	9/19/00 11:56:53 AM	csaxton			In Process
POD	9/19/00 12:03:35 PM	csaxton			In Process
POU	9/19/00 12:11:36 PM	csaxton			In Process
Priority Date	9/19/00 11:57:58 AM	csaxton			In Process
Quantity	9/19/00 12:50:21 PM	csaxton			In Process
Season	9/19/00 12:38:43 PM	csaxton			In Process
Source	9/19/00 12:07:35 PM	csaxton			In Process
Summary	9/19/00 1:05:25 PM		9/19/00 1:05:25 PM	csaxton	Complete
Use	9/19/00 12:08:28 PM	csaxton			In Process

Other Information:

Receipt Number(s):
 State or Federal:
 Owner Name Connector: OR
 Overall Max Diversion Rate: 0.21
 Overall Max Diversion Volume: 36
 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	9/19/00 11:56:51 AM	csaxton	1. Appointment has not been scheduled. Comment for 1: Met with Kirk on 9-19-00
POD	9/19/00 12:05:17 PM	csaxton	Edited point location
POD	9/19/00 12:03:33 PM	csaxton	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Point of Diversion. 6. (YES) The file contains all the necessary information to verify the POD. Comment for 6: GPS 8. (YES) Point of Diversion remark was required. 9. (NO) Point of Diversion condition was not required.
POU	9/19/00 12:11:34 PM	csaxton	1. (YES) The POU is required. 2. (YES) The basis of claim is beneficial use. 5. (NO) There is no evidence that there has been a change in the POU. 9. (YES) The file contains all the necessary information to verify the POU. Comment for 9: NAPP Photography 12. (YES) POU remark was required.

Priority Date	9/19/00 11:57:57 AM	csaxton	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. (YES) The basis of claim is beneficial use. 4b. (YES) The priority date was claimed after the date a permit was required for the source and water use. 9. (YES) The claim was for an expansion or enlargement under 42-1416B or 42-1426. 10. (YES) The claim file contains sufficient evidence of priority date. 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	9/19/00 12:50:19 PM	csaxton	1. (YES) The basis of claim is beneficial use. 5. (NO) A flow measurement was not required. Comment for 5: License 6. (YES) The source is ground water and the purpose of use requires a 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.
Season	9/19/00 12:38:41 PM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the period of use. 9. (YES) The file contains all the necessary information to verify the period of use. 11. (NO) The basis of is not a decree, license, or a transferred beneficial use right that has had the period of use administratively determined. 13. (YES) Irrigation is the purposed use. 15. (NO) Period of Use remark was not required. 16. (NO) Period of Use condition was not required.
Source	9/19/00 12:07:34 PM	csaxton	1. (YES) The basis is beneficial use. 4. (NO) There is not evidence that there has been a change in the Source. 7. (YES) The file contains all of the necessary information to verify the source. Comment for 7: Water Measurement District Records 8. (NO) The source is not surface water. 10. (NO) Source remark was not required. 11. (NO) Source condition was not required.
Summary	9/19/00 1:05:23 PM	csaxton	1. (YES) The basis of the claim is beneficial use. 2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed. 5. (YES) General remark was required. 6. (NO) Explanatory remark was not required. 7. (NO) Additional condition was not 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.
Use	9/19/00 12:08:26 PM	csaxton	1. (YES) The basis of claim is beneficial use. 4. (NO) There is not evidence that there has been a change to the purpose of use. 9. (YES) The file contains all the necessary information to verify the purpose of use. 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 31-11431
Date Received: 9/18/00
Receipt No: E026177
Received By: CS

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 E 2ND S
REXBURG ID USA 83440

2. Date of Priority: 01/24/1978

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	9	SW	NW	SE	JEFFERSON

5. Description of diverting works:

WELL, 100' DEEP, 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	10/31	0.18	35

7. Total Quantity Appropriated is:

0.18 C.F.S. and/or 35 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	9	NE	SW	IRRIGATION	2.3
			SE	SW	IRRIGATION	1.2
			NW	SE	IRRIGATION	1.8
			NE	SE	IRRIGATION	1.6
			SE	SE	IRRIGATION	1.6
			SW	SE	IRRIGATION	1.8
					Section Acres	10.3
					Total Acres	10.3

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:

THIS IS AN ENLARGEMENT CLAIM ASSOCIATED WITH RIGHT 31-07288.

15. Basis of Claim: Beneficial Use

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):

RB m Joad

Date: 9/18/00

Date: _____

State of Idaho

)

County of

Bonneville

)

SS.

Subscribed and sworn (or affirmed) before me this 18th

of

Sept

2000

Jennifer Crabtree

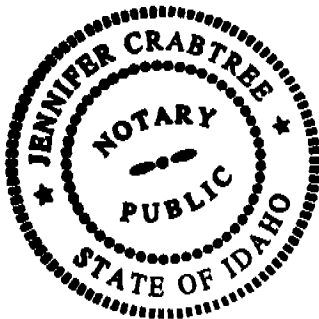
Notary Public

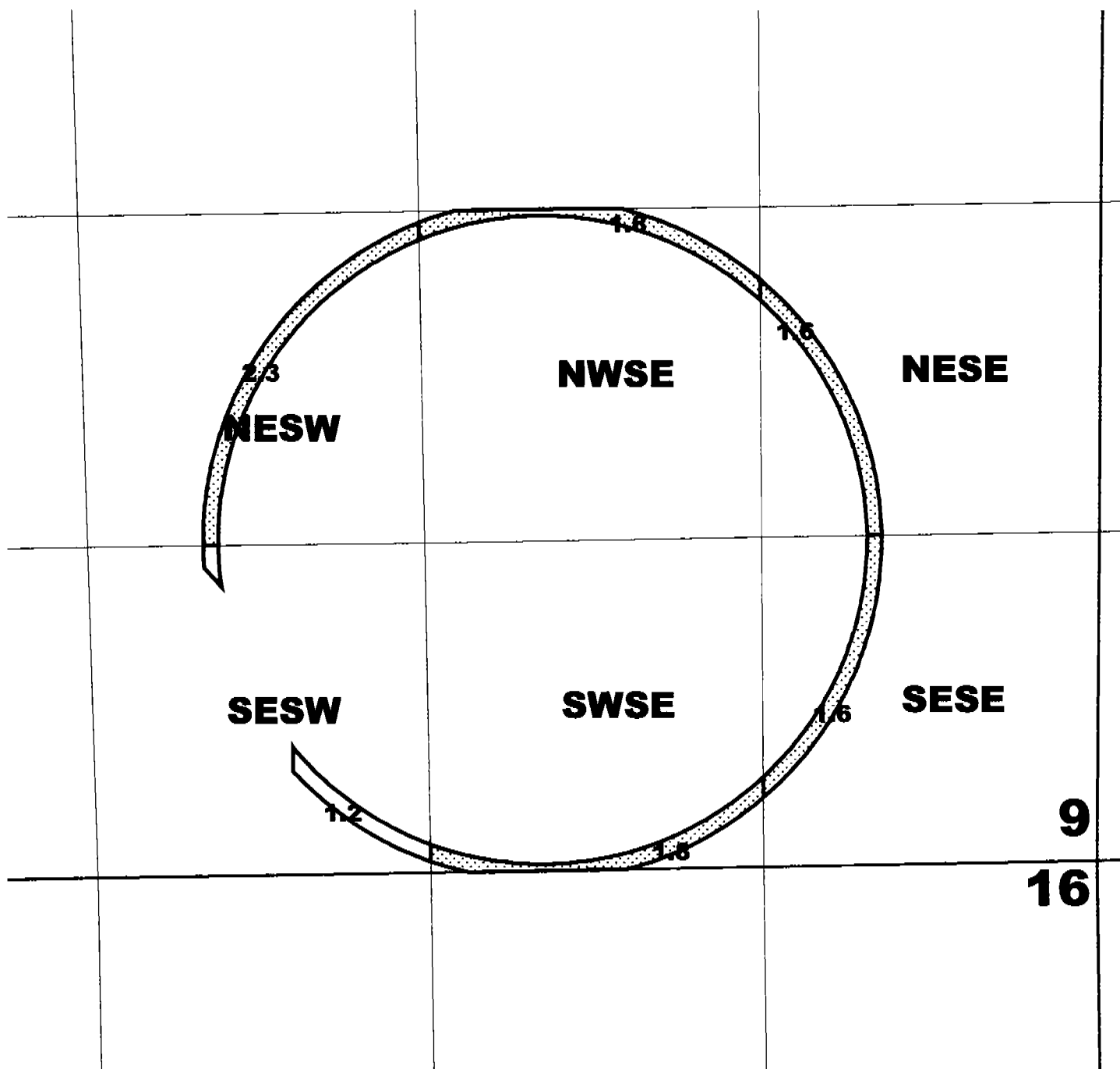
Residing at

Idaho Falls, Idaho

My commission Expires

9/23/03





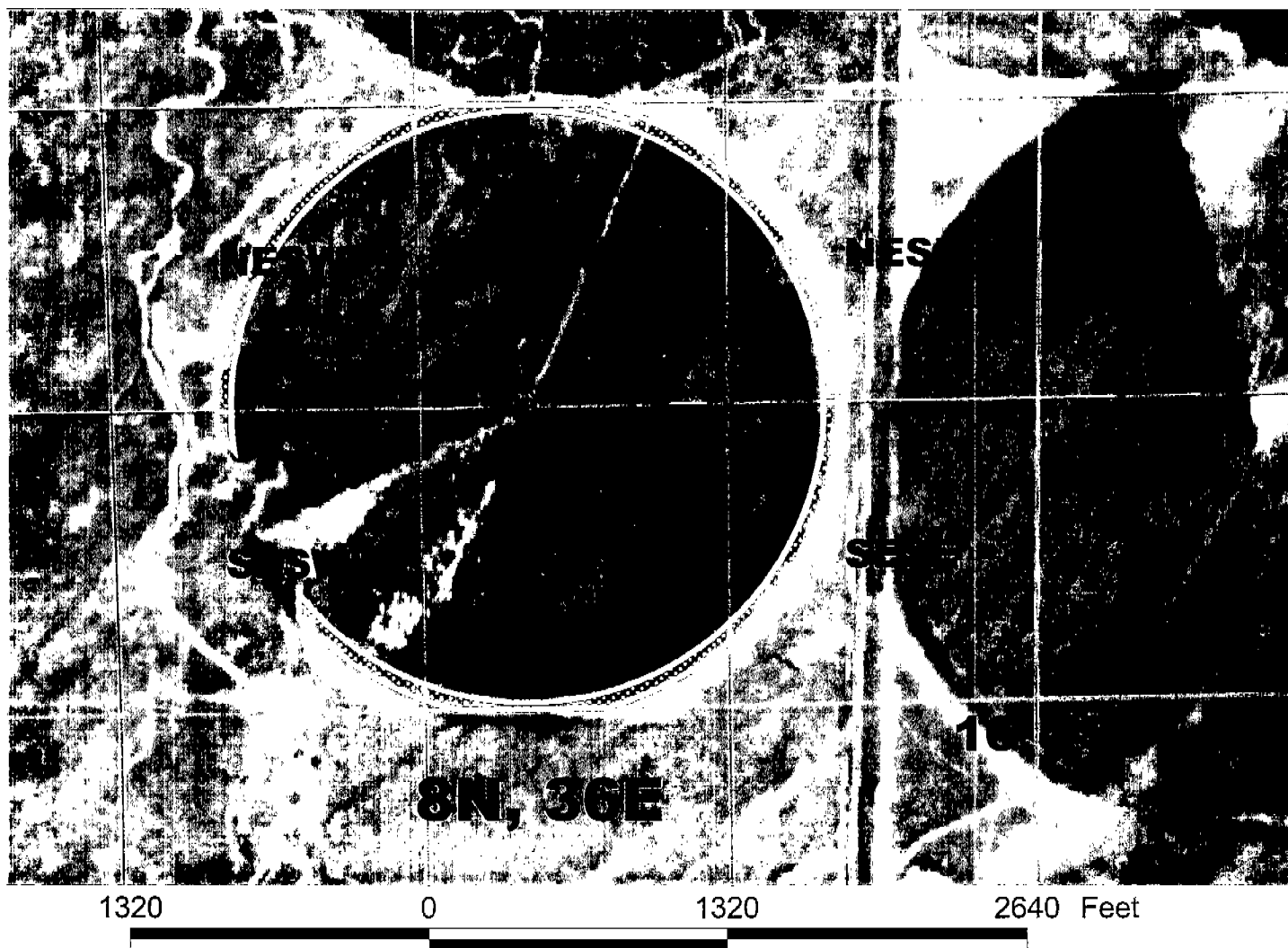
● Point of Diversion



STATE OF IDAHO

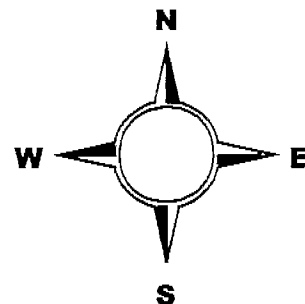
Department of Water Resources
Eastern Region

Water Right(s): 31-11431



Total Irrigated Acres: 13.6

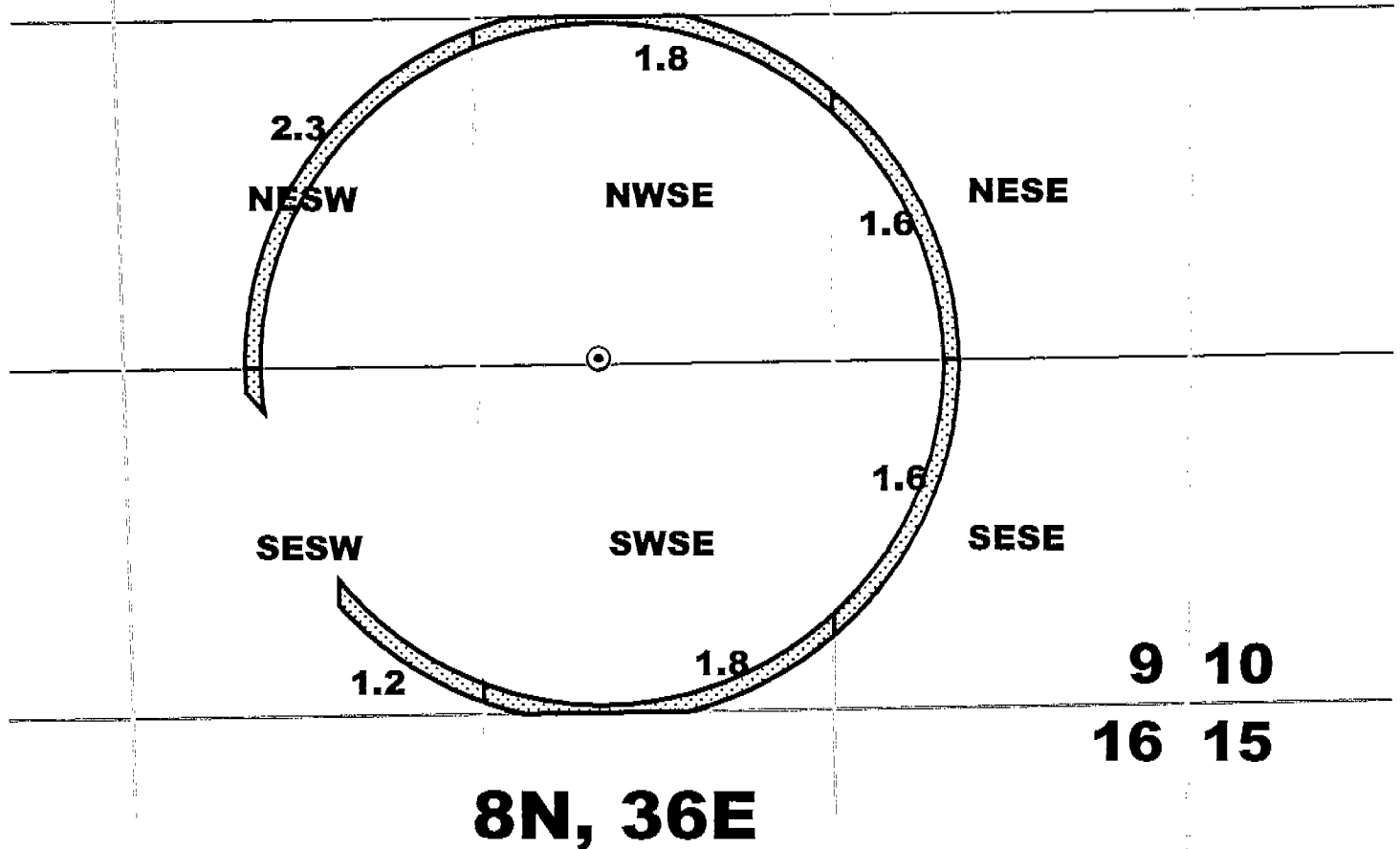
- ⊙ Point of Diversion
- Place of Use
- Quater Section Lines
- Section Lines



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

WR #: 31-11431

Frank Jacobs, Kirk as Representative



9 10
16 15

Total Irrigated Acres: 12.3

Acreage Distribution

Prepared By: Craig Saxton
September 2000

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: 31-11431

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 original measurement accuracy of cfs
We measure more cfs now with same pump & motor

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

We need to amend license so we can maintain
current conditions

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

Original measuring devices have proven to be inaccurate
way of measurement. We don't think people worried as much
of accuracy 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

Bryce Contor Spoke to
Kirk and He is aware
that these changes
cannot be made in
the Adjudication

C. Saxton
3/8/01

RECEIVED
MAR 07 2001
Department of Water Resources
Eastern Region

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.

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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):

The eff is currently higher than the license but the meter & bowls are the same. We wonder about the original method of measurement or if there was a mistake.

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

We would like to amend license to current conditions because we need to maintain the same practices we had for over 85 years because of our sandy soils

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

Measuring water is very difficult to find accurate methods even today. We wonder if 25-30 years ago they could of made a mistake were these things weren't so critical.

☐ 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

RECEIVED

MAR 07 2001

Department of Water Resources
Eastern Region

P.O. Box 308
Reburg Ida
83448
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 Fugel water
and property of which I have been handling
for her.

I'll appreciate your cooperation in
this matter.

Frank Jacobs