

RIGHT NUMBER: 35-13203 3

NAME AND ADDRESS: THEODORE L DEFFINGER
3515 SIERRA RD
SAN JOSE CA 95132

SOURCE: GROUNDWATER

QUANTITY: 0.31 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-02852 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 3.82 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 1268 AF. 4 acre ft/acre

PRIORITY-DATE: 08/12/1971 (12-19-66)

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 T04N R35E S12 SWNESE Within JEFFERSON County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.31 CFS

POSSIBLE ALTERNATIVE PERIOD OF USE 04/01 10/31
SEE EXPLANATORY MATERIAL BELOW.

PLACE OF USE:	IRRIGATION	Within JEFFERSON County
	T04N R35E S12	NENE 39 NWNE 40 SWNE 40 SENE 40 NESE 40 NWSE 40 SWSE 39 SESE 39
	317 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 35-02852 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 317 ACRES IN A SINGLE
IRRIGATION SEASON.

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT
NO. 35-02852 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

IRRIGATION PERIOD OF USE IS CURRENTLY ON APPEAL TO THE IDAHO
SUPREME COURT. THE SRBA COURT RULED "IRRIGATION SEASON" IS
ADEQUATE AND APPROPRIATE TO DESCRIBE THE PERIOD OF USE.

APPELLANTS ARGUE A SPECIFIC CALENDAR DESCRIPTION IS NECESSARY
TO DESCRIBE THE PERIOD OF USE FOR A WATER RIGHT. IF THE IDAHO
SUPREME COURT OVERTURNS THE DECISION OF THE SRBA COURT ON USING
"IRRIGATION SEASON" THE SPECIFIC CALENDAR DESCRIPTION SHOWN MAY
BE USED.

35-13203 CONTINUED

RIGHT NO. 35-02852 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS FOR AN ENLARGEMENT OF 25 ACRES WITHIN THE
PLACE OF USE DESCRIBED FOR THIS RIGHT.

February 27, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

MAR 10 1998

Department of Water Resources
Eastern Region

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 27, 1998

Water right number:

35-13203

THEODORE L DEFFINGER
3515 SIERRA RD
SAN JOSE CA 95132

Daytime Telephone Number: 408-258-1094

Evening Telephone Number: Same

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
Correct Priority Date is 12/19/66
Water Right No. is 35-02852 unless 35-13203 is Enlargement No.
Quantity is 3.82 cfs vs. .31 cfs
2. Describe the changes you wish to make in the proposed recommendation:

Please adjust and correct information as stated above.
3. Give a brief explanation as to why you disagree with these portions:
My records substantiate the corrections requested.

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

DATE: 3/2/98

SIGNATURE: Theodore L. Deffinger
Please print your name: Theodore L. Deffinger

AJ0749NP
No. R35-13203

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

DATE: 02/23/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THEODORE L DEFFINGER 3515 SIERRA RD SAN JOSE CA 95132 (408) 258-1094	08/12/1971	IRRIGATION	04-01 10-31	0.31 CFS	
					TOTAL DIVERSION:	0.31 CFS

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Points(s) of Diversion:

T04N R35E S12

SWNESE

JEFFERSON County

Place of use Legal Description for: IRRIGATION

	NE	NESE	SE	SESE	SUM
T R S	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac	: Lt Ac
04N 35E 12	: 39	: 40	: 40	: 40	: 40
					TOTAL ACRES
					317.0

POU County: JEFFERSON

Other Rights: 35-02852

Conditions of Approval:

- 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.

Remarks: QNT

USE OF THIS RIGHT WITH RIGHT NO. 35-02852 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.82 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1268 AF.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 35-02852 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 317 ACRES IN A SINGLE IRRIGATION SEASON.

GEN THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-02852 PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXP RIGHT NO. 35-02852 IS ALSO OVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. THIS RIGHT IS FOR AN ENLARGEMENT OF 25 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Dates:

Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

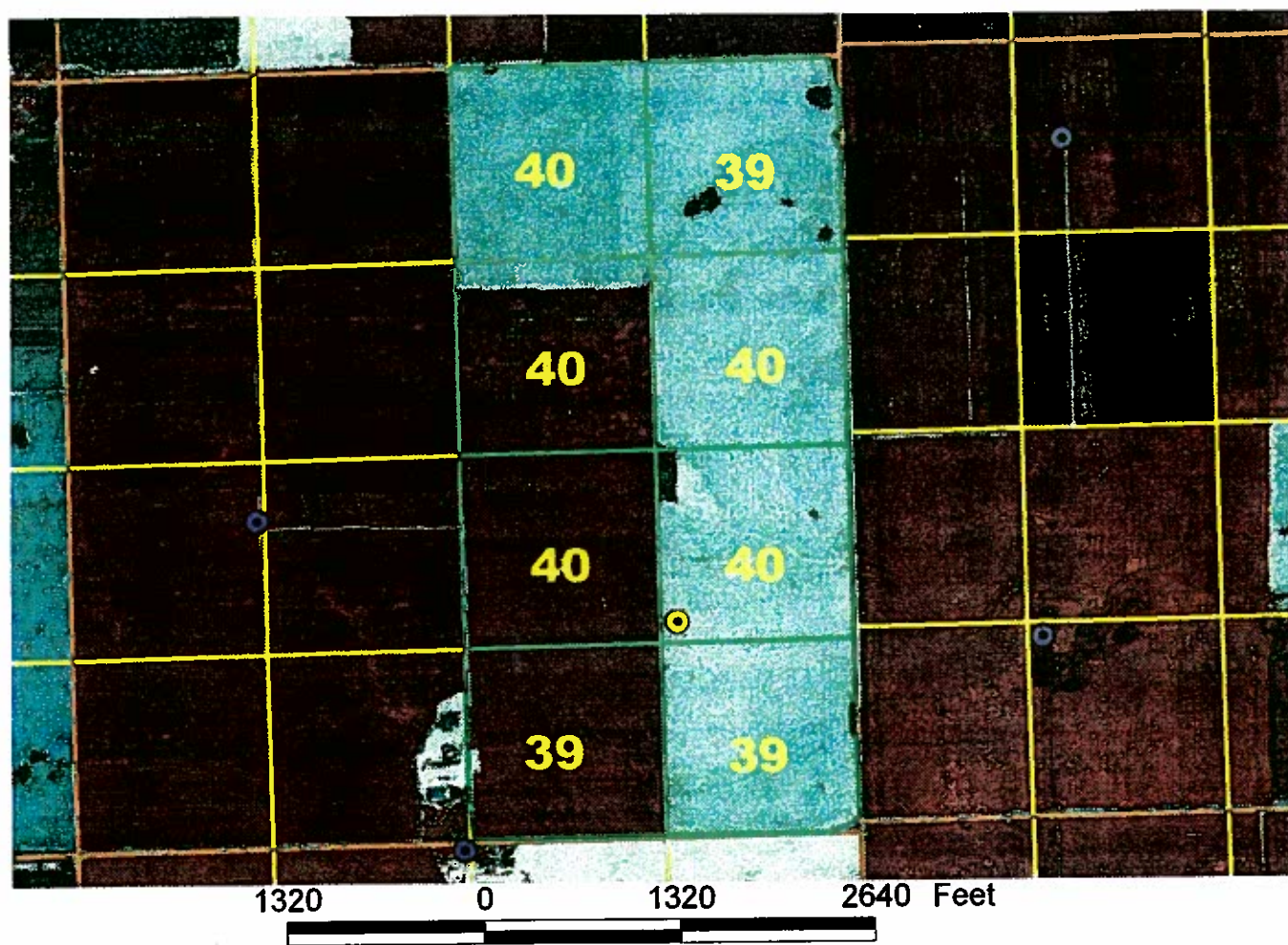
Field Inspection Flag:

IDAHO DEPARTMENT OF WATER RESOURCES

THEODORE L DEFINGER

35-02852, 35-13203

Township 04N, Range 35E, Section 12



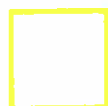
Point of Diversion



Place of Use/ # Acres irrigated



Section Lines



Quarter/Quarter Lines



GIS place of use illustration
1987/1988 NAPP photography
prepared by: Dave Carlson
date: 02-03-1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:21:19
02/25/98

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A35-13203

LAST: DEFFINGER
ADDRESS: 3515 SIERRA RD
CITY: SAM JOSE
PHONE NUMBER: 408-258-1094
STATE: CA ZIP: 95132
OWNER CODE: C

FIRST: THEODORE L
FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE
Y FIELD EXAMINER
Y() N()
CLAIM REMARKS: GEN THIS RIGHT IS AN EXPANSION OF 35-02852

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: () ____-____
DATE OF FIELD EXAM: 2/25/98 APPOINTMENT MADE: Y() N() X TIME: ____:____ A() P()
ACCOMPANIED BY: _____
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

Office Review

A. AJ CLAIM: # A35-13203 PRIORITY DATE: 12-19-1966

STAGE: J

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

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N(☒)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE AD1 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

N/A() Y(☒) N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N()

NOTES:

EXPANSION CLAIM

Photo from soil book 1975

PRIORITY DATE - 8/12/1971 DAY OF FIELD EXAM.

SOURCE

RECOMMENDED PRIORITY DATE:

8-12-1971

REVIEWED BY DC

DATE 2/25/98

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A35-13203	04N	35E	12	<u>SW</u> ~~NE~~ ~~SE~~	JEFFERSON		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A35-02852 NONE

SOURCE: GROUNDWATER

TRIB:

B. MR 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. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N() X

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y() N() X

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N() X

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N() X

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y() N() X

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N() X

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM 1971) Y() N() X

AJ FIELD EXAM (DATE OF FIELD EXAM) NAME OF EXAMINER Y() N() X

OTHER (DESCRIBE IN NOTES BELOW)

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP.	RGE.	SEC.	POD	COUNTY	DIVERSION NAME	DIVERSION NBR
04N	35E	12	FLAG	JEFFERSON		
		1/4 SW				
		1/4 NE				
		1/4 SW				
			LOT			

SW NE SE

SOURCE:

TRIB:

REVIEWED BY:

DATE: 2/25/98

SYSTEM DESCRIPTION: DESCRIBED BELOW (____), SEE LICENSE FILE (____), OR SEE ATTACHMENT (____)

A. ROOT WATER RIGHT NUMBERS: A35-13203

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04N	35E	12	NE	NE		DEFFINGER, THEODORE L	A35-13203 / 40.0	-	/	29.0	39
			NE	NE		DEFFINGER, THEODORE L	R35-02852 / 39.0	35-02852	/	38.0	
			NE	NE		DEFFINGER, THEODORE L	R35-13203 / 39.0	-	/		
			NE	NE		DEFFINGER, THEODORE L	A35-02852 / 40.0	-	/		
04N	35E	12	NW	NE		DEFFINGER, THEODORE L	A35-13203 / 40.0	-	/	27.0	40
			NW	NE		DEFFINGER, THEODORE L	R35-02852 / 40.0	35-02852	/	38.0	
			NW	NE		DEFFINGER, THEODORE L	R35-13203 / 40.0	-	/		
			NW	NE		DEFFINGER, THEODORE L	A35-02852 / 40.0	-	/		
04N	35E	12	SW	NE		DEFFINGER, THEODORE L	A35-13203 / 40.0	-	/	40.0	40
			SW	NE		DEFFINGER, THEODORE L	R35-02852 / 40.0	35-02852	/	34.0	
			SW	NE		DEFFINGER, THEODORE L	R35-13203 / 40.0	-	/		
			SW	NE		DEFFINGER, THEODORE L	A35-02852 / 40.0	-	/		
04N	35E	12	SE	NE		DEFFINGER, THEODORE L	A35-13203 / 40.0	-	/	38.0	40
			SE	NE		DEFFINGER, THEODORE L	R35-02852 / 40.0	35-02852	/	32.0	
			SE	NE		DEFFINGER, THEODORE L	R35-13203 / 40.0	-	/		
			SE	NE		DEFFINGER, THEODORE L	A35-02852 / 40.0	-	/		
04N	35E	12	NE	SE		DEFFINGER, THEODORE L	A35-13203 / 40.0	-	/	38.0	40
			NE	SE		DEFFINGER, THEODORE L	R35-02852 / 40.0	35-02852	/	33.0	
			NE	SE		DEFFINGER, THEODORE L	R35-13203 / 40.0	-	/		
			NE	SE		DEFFINGER, THEODORE L	A35-02852 / 40.0	-	/		
04N	35E	12	NW	SE		DEFFINGER, THEODORE L	A35-13203 / 40.0	-	/	41.0	40
			NW	SE		DEFFINGER, THEODORE L	R35-02852 / 40.0	35-02852	/	38.0	
			NW	SE		DEFFINGER, THEODORE L	R35-13203 / 40.0	-	/		
			NW	SE		DEFFINGER, THEODORE L	A35-02852 / 40.0	-	/		
04N	35E	12	SW	SE		DEFFINGER, THEODORE L	A35-13203 / 40.0	-	/	41.0	39
			SW	SE		DEFFINGER, THEODORE L	R35-02852 / 39.0	35-02852	/	40.0	
			SW	SE		DEFFINGER, THEODORE L	R35-13203 / 39.0	-	/		
			SW	SE		DEFFINGER, THEODORE L	A35-02852 / 40.0	-	/		
04N	35E	12	SE	SE		DEFFINGER, THEODORE L	A35-13203 / 40.0	-	/	38.0	39
			SE	SE		DEFFINGER, THEODORE L	R35-02852 / 39.0	35-02852	/	39.0	
			SE	SE		DEFFINGER, THEODORE L	R35-13203 / 39.0	-	/		
			SE	SE		DEFFINGER, THEODORE L	A35-02852 / 40.0	-	/		

ADDITIONAL POU FOUND

TOTAL ACRES	A35-13203	320.00	292.00

POU COUNTY: JEFFERSON

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A35-13203	GROUNDWATER	DEFFINGER, THEODORE L	6.450	0.020		
R35-02852	GROUNDWATER	DEFFINGER, THEODORE L	3.820	0.012		
A35-02852	GROUNDWATER	DEFFINGER, THEODORE L	6.450	0.020		
R35-13203	GROUNDWATER	DEFFINGER, THEODORE L	0.310			

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 35-2852

Y() N()

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y() N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N()

CHECK DOCUMENTS USED TO VERIFY POB:

☒ ORTHOPHOTOQUAD, IDWR NO. _____; ☐ TOPOGRAPHIC QUAD, IDWR NO. _____;
☒ NAPP, IDWR NO. _____; ☐ ASCS PHOTO; ☐ OTHER _____

NOTES:

ARE 116u
EXPANSION OF 35-2852

317-292 = 25 ACRES

RECOMMENDATIONS:

TOTAL ACRES: 317 N/A()
REVIEWED BY: DC DATE: 2/25/03

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A35-13203 IRRIGATION	FROM 04-01 TO 11-01	6.450 CFS	
TOTAL DIVERSION RATE/VOLUME		6.450 CFS	

1973/

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
----------------	---------------------------	------------------------	------------------------

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y() N()

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y() N()

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y() N()

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y() N()

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N()

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A() Y() N()

NOTES:

OK New standard 7/01-10/31

AJ CLAIM TOTAL DIVERSION RATE: 6.450 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y() N()
B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y() N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N()

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N()

E. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES x 0.02 CFS/ACRE = CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

$$\frac{3.82}{317} (25 \text{ AC}) = 0.31 \text{ CFS}$$

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 317 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 1268 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 317 x CONSUMPTIVE VOL. AF/A FOR AREA 1268 =

TOTAL CONSUMPTIVE USE AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

[illegible]

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV RATE CFS	REC. DIV VOL. AF/A		REC. CONS. USE
	FROM	TO		EXAMINER	EXAMINER	
IRRIGATION	04-01	11-01	6.450	0.91		0.0
		10/31				
TOTAL FOR THIS RIGHT						

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: DE

DATE: 2/24/98

FLAG: E

STANDARD CONDITIONS (CODE):

C11

STANDARD REMARKS (CODE):

F05

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP ACCEPTED AS CLAIMED ☒ NEEDS REVIEW ☒
 FORFEIT/ABANDON ☒
 ADDITIONAL DIV. AMOUNT ☒

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-13203

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	DIVERSION RATE
-	A35-13203	6.450	R35-13203	0.310	-	
TOTAL CFS		6.450		0.310		

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE N FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

[Signature]

DATE:

2/25/98

NAME OF FIELD EXAMINER:

[Signature]

TITLE:

WR

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION COPY INCLUDED IN FILE?

() ORTHOPHOTOQUAD	DATE OF PHOTO	IDWR ID NO.	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED	IDWR ID NO.	Y() N()
() MAP	DATE OF PHOTO	IDWR ID NO.	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO		Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO		Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO		Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY		Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED		Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP		Y() N()
() OTHER	DATE		Y() N()
() OTHER	DATE		Y() N()
() OTHER	DATE		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM		
() WATER RIGHT LICENSE	DATE LICENSE SIGNED		
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED		
() SYSTEM DESCRIPTION	DATE DRAIN		
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN		
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED		
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED		
() OTHER	DATE		
() OTHER	DATE		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A35-13203

09:21:19
02/25/98

MR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		DC 2/98	Y				
POINT OF DIV	Y			Y				
SOURCE	Y			Y				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			Y				
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y			Y				
PERIOD OF USE	Y			Y				
BASIS OF CLAIM	Y			Y				
REMARKS	Y			Y				

BARCODE UPDATED
WHOM/DATE

Field Inspection Flag: E
Presumption Flag:

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: A35-13203
Date Received: 11/22/1988
Receipt No: E023908
Received By: DE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THEODORE L DEFFINGER
Address: 3515 SIERRA RD
SAN JOSE CA

408-258-1094

95132

2. Date of Priority: DEC 19, 1966

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	35E	12	SW	NE	SW		JEFFERSON

5. Description of diverting works:

WELL PUMP AND PIPELINE. DEPTH, 500 '. NO CHANGES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.450		

7. Total Quantity Appropriated is:

6.450 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	35E	12	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0

A3513203

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	35E	12	NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 320.0

Total Acres 320.0

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:
35-2852

14. Remarks:
THIS RIGHT IS AN EXPANSION OF 35-02852

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 33392

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: _____

tiling fee "50⁰⁰

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: A35-13203

Date Received: 11/22/1988

Receipt No: E023908

Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THEODORE L DEFFINGER 408-258-1094
Address: 3515 SIERRA RD
SAN JOSE CA 95132

2. Date of Priority: ~~007-30, -1986~~ Dec..19, 1966 TD

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	35E	12	SW	NE	SW		JEFFERSON

5. Description of diverting works:
WELL PUMP AND PIPELINE. DEPTH, 500 '. NO CHANGES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	~~0-300~~	6.45 CFS	<u>TD</u>

7. Total Quantity Appropriated is:
TD 6.45 CFS ~~0-300~~ C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	35E	12	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	35E	12	NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 320.0

Total Acres 320.0

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:
35-2852

14. Remarks:
THIS RIGHT IS AN EXPANSION OF 35-02852

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 33392

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 X 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): Theodore Peffinger Date: 2-20-98
Date:

State of California)
~~Idaho~~) SS.
County of Santa Clara)

Subscribed and sworn (or affirmed) before me this 20th day
of February 19 98

Mary Arreola-Lopez
Notary Public

Seal

Residing at San Jose CA
My Commission Expires 1/29/02



TED L. DEFFINGER
3515 SIERRA ROAD
SAN JOSE, CALIFORNIA 95132
(408) 258-1094
Feb. 20, 1998

Mr. Dave Carlson
Water Right Agent
Dept. of Water Resources
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

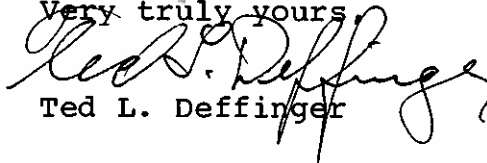
Dear Mr. Carlson.

Enclosed please find the corrected and notarized
Notice of Claim to a Water Right.

I made the corrections from my records and as you can see involve primarily the Date of Priority and the Total Quantity Appropriated. These data were taken from my copy of a Notice of Claim to a Water Right dated Oct. 27, 1988.

I want to thank you for your assistance in bringing this matter to my attention for correction and if you have any other suggestions please advise me at your earliest convenience.

Very truly yours,


Ted L. Deffinger

Enc: 1. Water Right
2. \$50.00 Filing fee

**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	)	Water Rights: SEE ATTACHED LIST
	)	
Case No. 39576	)	NOTICE OF ADMINISTRATIVE PROCEEDING
_____	)	

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

- ☐ Substitution of Party (waiting for documentation)
- ☐ Substitution of Party/Split Water Right
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
- ☒ **OTHER: ADVERTISING ENLARGEMENT CLAIMS PURSUANT TO IDAHO CODE 42-1426 TO PROVIDE AN OPPORTUNITY FOR NON-CLAIMANTS TO ASSERT INJURY**

IDWR projects the Administrative Proceeding shall be completed no later than:
JANUARY 8, 1999

DATED: 21 Oct 98

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10-23, 1998, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
SEE ATTACHED LIST
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

35-12915 & 35-07575
AG AMERICA FCB
PO BOX 50030

IDAHO FALLS ID 83405-0030

35-12391 & 35-07030 & 35-07304
BRENT CALL
JUNE CALL
PO BOX 77
MENAN ID 83434

35-13061 & 35-02602
CARLSON FIVE A PARTNERSHIP
PO BOX 50682
IDAHO FALLS ID 83405

35-10248 & 35-02899
ALLAN M COOK
2681 W 17TH S
IDAHO FALLS ID 83402

35-13069 & 35-07065 & 35-07064
LEON D DANCE
599 MC ADOO
BLACKFOOT ID 83221

35-13203 & 35-02852
THEODORE L DEFFINGER
3515 SIERRA RD
SAN JOSE CA 95132

35-12933 & 35-02653
THAYNE GNEITING
190 N 400 W
BLACKFOOT ID 83221

35-10054 & 35-02586B & 35-0736
J WARD JOHN
MARY V JOHN
246 HARTERT DR
IDAHO FALLS ID 83404

35-13011 & 35-02704
IRVIN G LANDON
MELBA J LANDON
6276 N 26TH W
IDAHO FALLS ID 83402

35-13064 & 35-02500A & 35-02661C
RICHARD B REED
3843 N 105TH WEST
IDAHO FALLS ID 83402

35-10189 & 35-07338
DEAN SNARR & SONS
C/O DENNIS SNARR
201 N 2600 E
ROBERTS ID 83444

35-13211 & 35-02787
TOPHILL FARMS INC
PO BOX 99
LEWISVILLE ID 83431

35-12915 & 35-07575
CHARLES B WELLS
MARIE WELLS
PO BOX 263
ROBERTS ID 83444

35-11572 & 35-02454
WINDING BROOK CORPORATION
C/O RANDY MOORE
PO BOX 53
NAMPA ID 83653

35-12935 & 35-02617
WINDING BROOK CORPORATION
C/O RODNEY MOORE
PO BOX 53
NAMPA ID 83653

35-11573 & 35-02282
WINDING BROOK CORPORATION
C/O RANDY MOORE
PO BOX 53
NAMPA ID 83653



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

October 23, 1998

RE: Notice of Administrative Proceeding (NAP) for
Enlargement Claim

Dear Claimant:

The Snake River Basin Adjudication (SRBA) Court will soon complete the issuing of partial decrees for the area in which your enlargement claim is located. The Idaho Department of Water Resources (IDWR) is required to advertise these claims and is required to notify the SRBA.

Therefore, this office is sending the enclosed NAP to the SRBA Court and other parties listed on page 2 of the form. The intent of this mailing is to notify those parties of the enlargement claims advertising.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Hoagland
Technical Records Specialist

Enclosure

The Jefferson Star
Rigby, Idaho

AFFIDAVIT OF PUBLICATION

State of Idaho)
County of Jefferson) SS

I, Terry Carr of The Jefferson Star,
published weekly at Rigby, Jefferson
County, Idaho, do solemnly swear that the

Notice of
Enlargement of Water Right

a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not in
any supplement issue thereof for 2
consecutive issues, the first publication
having been made on 9-2-99
and the last publication having been made
on 9-9-99

Further, that said newspaper is one of gen-
eral circulation in said county; that it is a
legal newspaper, conforming to legal
specifications under the Idaho Statutes;
that it has at least two hundred bona fide
subscribers living within the county of
publication; and that it has been continu-
ously and uninterruptedly published in
said county during a period of seventy
eight consecutive weeks prior to the first
publication of the said notice.

Terry Carr

On this 9th day of Sept
in the year of 1998, before me, a Notary
Public, personally appeared

Terry Carr,

known or identified to me to be the person
whose name subscribed to the within
instrument, and being by me first duly
sworn, declared that the statements there-
in are: true, and acknowledged to me that
she executed the same.

Cynthia Foster
Notary Public of Idaho
Residing at 1032 N 1100 E, Shelley, ID

My commission expires March 8, 1999

The following claims to water rights have been filed in the Snake River
Basin Adjudication as enlargements to existing water rights under Idaho
Code §42-1426. Note that the places of use are shown to the nearest sec-
tion — more specific locations are available upon request.

Water Right: 35-10189
NAME & ADDRESS:

DEAN SNARR & SONS
C/O DENNIS SNARR

201 N 2600 E
ROBERTS ID 83444
GROUNDWATER

SOURCE:
PRIORITY DATE:
POINT OF DIVERSION:
PURPOSE OF USE:
PLACE OF USE:

04/01/1985
T04N R36E 27 SENWNE
IRRIGATION
T04N R36E 22 NESE NWSE SWSE SESE
23 NESW NWSW SWSW SESW
26 NENW NWNW SWNW SENW
27 NENE NWNE

This right is for an enlargement of 189 Acres within the total 421 acres
recommended.

Water Right: 35-10248
NAME & ADDRESS:

ALLEN M COOK
2681 W 17TH S
IDAHO FALLS ID 83402

SOURCE:
PRIORITY DATE:
POINT OF DIVERSION:
PURPOSE OF USE:
PLACE OF USE:

GROUNDWATER
05/01/1980
T04N R36E 22 NWNENE NWNE NWNENW
IRRIGATION
T04N R36E 14 SWSW SESW
15 NENE NWNE SWNE SENE
NESW NWSW SWSW SESW
NESE NWSE SWSE SESE
16 SENE NESE SESE
22 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW

This right is for an enlargement of 28 Acres within the total 828 acres
recommended.

Water Right: 35-12915
NAME & ADDRESS:

FARM CREDIT BANK OF SPOKANE
PO BOX 30
IDAHO FALLS ID 83405

SOURCE:
PRIORITY DATE:
POINT OF DIVERSION:
PURPOSE OF USE:
PLACE OF USE:

GROUNDWATER
10/31/1986
T05N R36E 31 SENWNE
IRRIGATION
T05N R36E 29 SWSW
30 SWSW SESW SWSE SESE
31 NENE NWNE SWNE SENE
NENW NWNW SWNW SENW
NESW NWSW SWSW SESW
NESE NWSE
32 NWNW SWNW NWSW

This right is for an enlargement of 140 acres within the total 533 acres
recommended.

Water Right: 35-13203
NAME & ADDRESS:

THEODORE L DEFFINGER
3515 SIERRA RD
SAN JOSE CA 95132

SOURCE:
PRIORITY DATE:
POINT OF DIVERSION:
PURPOSE OF USE:
PLACE OF USE:

GROUNDWATER
08/12/1971
T04N R35E 12 SWNESE
IRRIGATION
T04N R35E 12 NENE NWNE SWNE SENE
NESE NWSE SWSE SESE

This right is for an enlargement of 25 acres within the total 317 acres
recommended.

Water Right: 35-13204
NAME & ADDRESS:

CLARA R ANDERSON
VAUGHN C ANDERSON
PO BOX 181

SOURCE:

ROBERTS ID 83444
ROBERTS SLOUGH
TRIBUTARY: SNAKE RIVER

PRIORITY DATE:
POINT OF DIVERSION:
PURPOSE OF USE:
PLACE OF USE:

05/01/1985
T05N R37E 34 SENW GVMT LOT 3
IRRIGATION
T04N R37E 03 NENW NWNW SWNW SENW
34 GVMT LOTS 3, 4, 5, 12, 43

This right is for an enlargement of 158 acres within the total 301 acres
recommended.

Water Right: 35-13211
NAME & ADDRESS:

TOPHILL FARMS INC
PO BOX 99
LEWISVILLE ID 83431

SOURCE:
PRIORITY DATE:
POINT OF DIVERSION:
PURPOSE OF USE:
PLACE OF USE:

GROUNDWATER
04/23/1968
T04N R36E 34 NESE
IRRIGATION
T04N R36E 34 SWNE SENE SWNW SENW
NESW NWSW SWSW SESW
NESE NWSE SWSE
35 SWNE SENE SWNW SENW
NESW NWSW NESE NWSE

This right is for an enlargement of 25 acres within the total 734 acres
recommended.

The water rights will be subject to all prior water rights. Those asserting
injury from the enlargements may file petitions with the Director, Idaho

RECEIVED

SEP 11 1998

Department of Water Resources
Eastern Region