

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: A63-09084
Date Received: 2/05/1990
Receipt No: MOO 5734
Received By: JPC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH M. OBERST 208-466-3724
Address: 3614 E. OBERST
NAMPA, ID 83686
AND/OR
Name: ELIZABETH I. OBERST 208-466-3724
Address: 3614 E. OBERST
NAMPA, ID 83686

2. Date of Priority: NOV 18, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	02W	1	SW	SE	SW		CANYON

5. Description of diverting works:
8" CASING 62' DEEP WITH 5 HP SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		166.50

7. Total Quantity Appropriated is:
0.600 C.F.S. (and/or) 166.50 A.F.A.

8. Total consumptive use is 129.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	02W	1	NE	SW		IRR	9.0
			SE	SW		IRR	28.0
Section Acres							37.0
Total Acres							37.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
NAMPA-MERIDIAN IRR. DIST.

14. Remarks:

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): *J.M. Clark* Date: 5 Feb 1990
Date: _____

State of Idaho)
County of Lapeer) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of Feb. 19 90

John Dale Carlson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 4/2/94



T T

4822

4821

32° 30'

4820

4819

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705

ADDRESS SERVICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A \$ 00.8
0004389393 FEB 02 2
MAILED FROM ZIP CODE 83

 **NO SUCH
ADDRESS**

RECEIVED

FEB 05 2007

WATER RESOURCES
WESTERN REGION

ELIZABETH LOBERST

JOSEPH M LOBERST
JOHN E LOBERST
NANPA ID 83685

63-9084

ADDRESS SERVICE
REQUESTED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
1725 AIRPORT WAY
BOISE, IDAHO 83705

FIRST CLASS



UNITED STATES
POSTAGE
METEV BODIES
02 1A
0004310839 OCT 06 2006
MAILED FROM ZIP CODE 83702

 NO SUCH
NUMBER

NSA

JOSEPH M OBERST

ELIZABETH I OBERST
3614 E OBERST
Nampa ID 83686

RECEIVED

OCT 10 2006

WATER RESOURCES
WESTERN REGION

3614 E Locust Ln
Nampa 83686

63-9084

Resent 10-11-06

05/22/2006

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

RIGHT NUMBER: 63-9084

NAME AND ADDRESS: JOSEPH M OBERST
3614 E OBERST
NAMPA ID 83686

ELIZABETH I OBERST
3614 E OBERST
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.600 CFS
166.500 AFY

PRIORITY DATE: 11/18/1977

POINT OF DIVERSION:

T02N R02W S1 SWSESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

0.600 CFS
166.50 AFY

The use of water for irrigation under this right may begin as early as March 1, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T02N R02W S01	NESW	9.00	T02N R02W S01	SESW	28.00
---------------	------	------	---------------	------	-------

37 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

Use of this right is combined with water from Nampa Meridian Irrigation District.



Idaho Department of Water Resources

63-9084

T02N R02W S1



● Point of Diversion

□ Place of Use

□ Sections

□ Quarter Quarter

Total irrigated
acres = 37



500 0 500 Feet

IDWR

Prepared by: Sandy Egbert

Date: May 22, 2006

1987 NAAP Photography

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-9084**

04/12/2006

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
63-9084	Claim	02N	02W	1	NE	SW		IRRIGATION	9/37	JOSEPH M OBERST
63-9084	Water Right	02N	02W	1	NE	SW		IRRIGATION	9/37	JOSEPH M OBERST
63-19765	Water Right	02N	02W	1	NE	SW		STOCKWATER		LARRY L BUFFINGTON
63-19766	Water Right	02N	02W	1	NE	SW		STOCKWATER		LARRY L BUFFINGTON
63-19765	Water Right	02N	02W	1	NE	SW		DOMESTIC		LARRY L BUFFINGTON
63-19766	Water Right	02N	02W	1	NE	SW		DOMESTIC		LARRY L BUFFINGTON
63-9084	Claim	02N	02W	1	SE	SW		IRRIGATION	28/37	JOSEPH M OBERST
63-9084	Water Right	02N	02W	1	SE	SW		IRRIGATION	28/37	JOSEPH M OBERST
63-20620	Water Right	02N	02W	1	SE	SW		STOCKWATER		JOSEPH M OBERST
63-20620	Water Right	02N	02W	1	SE	SW		DOMESTIC		JOSEPH M OBERST

AJ5809NP
No. A63-09084

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/00
PAGE: 176

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH M OBERST	11/18/1977	IRRIGATION	03-15 11-15	0.600 CFS	166.50 AFA
C	ELIZABETH I OBERST					
	3614 E OBERST			TOTAL DIVERSION:	0.600 CFS	166.50 AFA
	NAMPA ID 83686			CONSUMPTIVE USE:		129.50 AFA
	(208) 466-3724					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02N R02W S01 SWSESW

CANYON County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
		NENE	NWNE	SWNE	SENE	: NENW	NWNW	SWNW	SENW	: NESW	NWSW	SWSW	SESW	: NESE	NWSE	SWSE	SESE	:
T	R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: SUM
02N	02W 1	:				:				:	09		28	:				: 37.0
																	TOTAL ACRES	37.0

POU County: CANYON

Non-Irrigation Uses: NONE

Other Rights: NAMPA-MERIDIAN IRR. DIST.

Other Water Rights Listing Overlapping Place(s) of Use:
A63-3018120

Conditions of Approval:

- R32 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Dates: Exam Made Date: Verified Date: 07/23/1985 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 02/05/90 CARLSON 03/30/95 POST-STD

Water Right Number - A63-09084

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
OBERST

JOSEPH M

1 - 3614 E OBERST

2 -
3 -

City- NAMPA

State- ID Zip- 83686

Phone - 208-466-3724

OBERST

ELIZABETH I

1 - 3614 E OBERST

2 -
3 -

City- NAMPA

State- ID Zip- 83686

Phone - 208-466-3724

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
11/18/1977 14 WESTERN L - LICENSE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name

02N 02W 1 SW SE SW (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.600 166.50+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.600 166.50 129.5+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
02N 02W 1 NE SW 9.0 01 IRRIGATION (27) CANYON
02N 02W 1 SE SW 28.0 01 IRRIGATION (27) CANYON

Total Acres: 37.0

+ - - Diversion Means - 8" CASING 62' DEEP WITH 5 HP SUB. PUMP

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NAMPA-MERIDIAN IRR. DIST.

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/30/95 07:59:23
Page 2

Water right number - A63-09084

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Conditions of Approval - - - - - +

R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for the
- lands above.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 02/05/90 CARLSON 03/30/95 POST-STD

+ - - - - -Comments- - - - - +
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 07/23/1985	Old Judicial District	-
Claim Received Date	- 02/05/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- M005734	Federal/State Indicator	- S
Claims Tape Error Flg	-	PDU Ownership Flag	- Y	Presumption Flag	-
Fee Exempt Flag	-	Name Connector	- AND/OR	Notice of Error Flag	-

6.2 10/23/95 10:00:00 AM 10/23/95 10:00:00 AM

WATER RIGHT LICENSE

Director

Identification No. _____

Application No. 63-9084

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Joseph M. Oberst Phone: 466-3724
post office address Route 3, Box 3822, Nampa, ID 83651
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1 Township 2N
Range 2W B.M. Canyon 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 1.2 for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.2 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. well with 5-7 $\frac{1}{2}$ H.P. submersible pump

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 8 inches; proposed depth of well is 100 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 \$ _____.
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 _____

MICROFILMED

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	2W	1									20			40					60

Total number of acres to be irrigated 60

c. Describe any other water rights used for the same purposes as described above. Nampa-Meridian
Irrigation District.

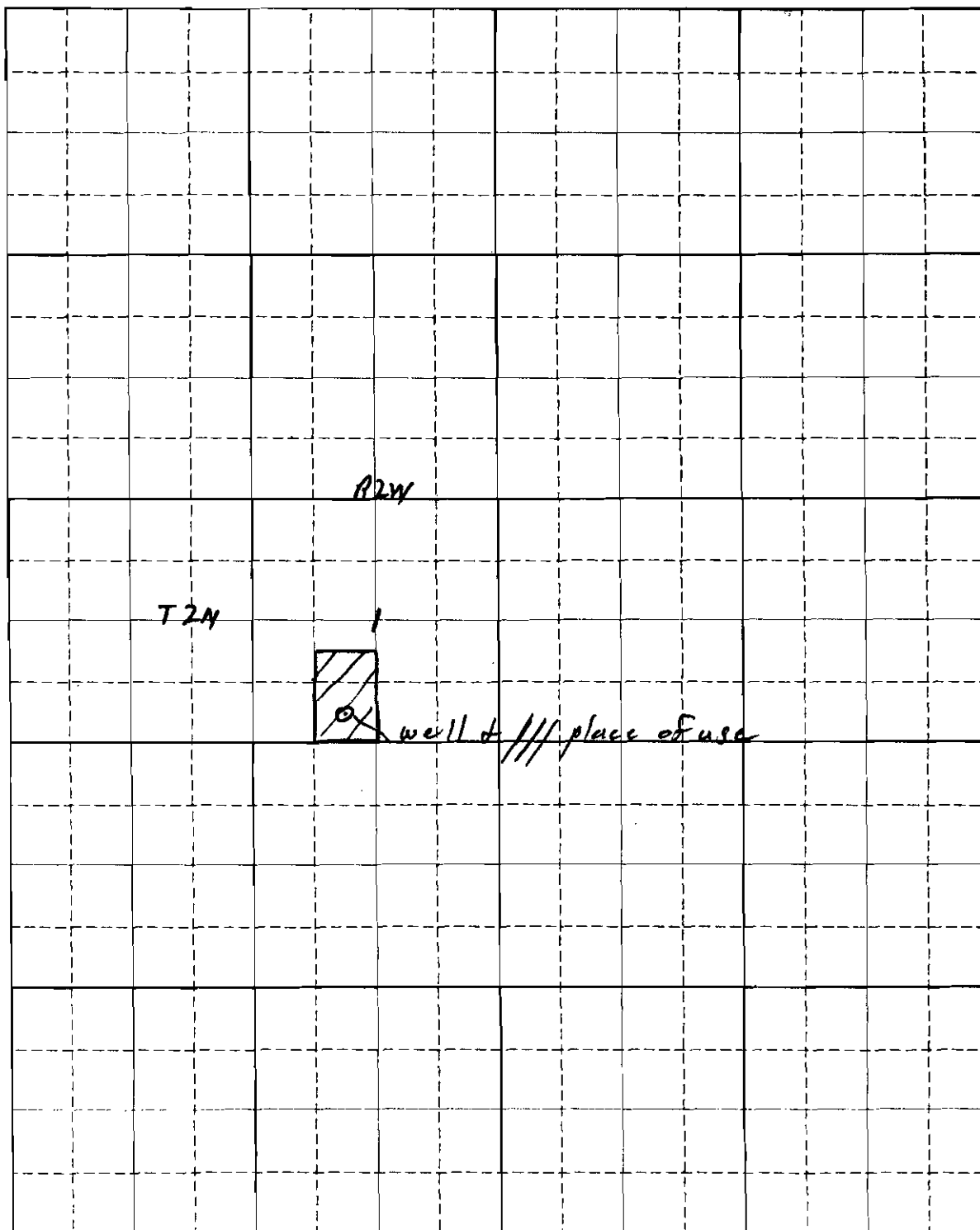
9. a. Who owns the property at the point of diversion applicant

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 _____

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.

x Joseph M. Christ
(Applicant)

2000

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by llh

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9084, 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, 1983.
- c. Other: For licensing purposes a scientific measurement of _____ the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. (2) The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 29 day of January, 19 78


Director

South
2 miles South

East on Locust
1/2 mile north

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

Need PHOTO

SE SW S. 1
T. 2N
R. 2W

63-9084

Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☒ Appointment letter mailed:	7-17-80	KC	
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 17 Sept. 2000 Accompanied by Joe Oberst Total Q measured .60 ✓

If source is surface water, estimate total flow of source _____

Methods of measurement Cup/plate/Wait Meets Permit requirements? yes

Measurement calculations:

24" CI Poll 271, WBR $.2' = .6\phi$ CFS ✓

$37A \times .02 = .74 \text{ ess}$ Recommend .60 ess ✓

$$37 \times 4.5 = 166.5 \text{ AF} \checkmark \quad .60 \times 1.98 \times 245 = 291 \text{ AF}$$
[illegible]

System Description 4" pipe into concrete ditch

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

USE	Q (cfs)	V (afa)	FROM	TO
IRRIGATION	60 ✓	166.5 ✓	3/15	11/15
Total				

[illegible]

This is a supplemental it to ~~the~~ ~~first~~
~~amendment~~ Tampa-Meredon
Navigation District

		R2W					
T 2 N							
	9A ORD 28A						

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: SE SW S-1 2N 2W

Place(s) of Use

[illegible]

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature John K. Noyes

Checked by DBS

Approved by Kobu

Date 10/21/80

Date - 11/11/80.

Date 13/8/

NOT TO SCALE