

COPY

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Department of Water Resources

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
APR 19 1995	
By _____	Clerk _____

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	)	STANDARD FORM 5
	)	
Case No. 39576	)	SUBCASE NO: 36-07202
	)	
	)	
	)	PROPOSED ELEMENTS OF A
	)	WATER RIGHT

This form is used to report the proposed elements of one federal reserved water right or one water right acquired under state law. Submission of this form will not result in the automatic issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; and they have been served with sufficient process, according to the law, and have appeared, prosecuted and defended their positions with regard to this water right dispute.

Instructions For Use

A copy of this water right as recommended in the director's report shall be submitted with this form. A statement shall accompany **each** element of a water right.

Elements where there has been no objection should be listed exactly as they appear in the director's report. The statement as to an uncontested element shall state "as recommended in the director's report."

Contested elements that are the result of an objection filed with the court shall be accompanied by a statement fully describing all facts, documents, expert opinions and law which support the element of the water right (attach additional pages if necessary).

1. The name and address of the claimant is:

JEROME HOLDING CO INC
C/O SPEARS MANUFACTURING
15853 OLDEN ST
SYLMAR CA 91342

Required Statement: As recommended in the director's report.

2. The source of water is: GROUNDWATER

Required Statement: As recommended in the director's report.

3. The quantity of water used in cubic feet per second or the quantity of water stored in acre-feet per year is:

INDUSTRIAL	0.06	CFS
	43.4	AFY
FIRE PROTECTION	0.06	CFS
DOMESTIC	0.06	CFS
IRRIGATION	0.02	CFS
	4.0	AFY
TOTAL QUANTITY:	0.06	CFS
	43.4	AFY

Required Statement: As recommended in the director's report.

4. The priority date is: 08/06/1971

Required Statement: As recommended in the director's report.

5. The legal description of the point(s) of diversion is; if the claim is for an instream flow, then a legal description of the beginning and ending points of the claimed instream flow:

T08S R17E S30 SWNESW

(2) POINTS OF DIVERSION LOCATED IN SWNESW, S30, T08S, R17E.

Required Statement: IDWR and the parties stipulate that this is the correct description of the point of diversion. Due to clerical error the legal description of the two points of diversion was incorrectly stated in the director's report. The claim is not for an instream flow.

6. The purpose of use is: INDUSTRIAL
FIRE PROTECTION
DOMESTIC
IRRIGATION

NON-IRRIGATION USES: INDUSTRIAL - PLASTIC PIPE MANUFACTURING
DOMESTIC - 1 HOME

Required Statement: As recommended in the director's report.

7. The period of year when the water is to be used is:

INDUSTRIAL	01-01 to 12-31
FIRE PROTECTION	01-01 to 12-31
DOMESTIC	01-01 to 12-31
IRRIGATION	04-01 to 10-31

Required Statement: As recommended in the director's report.

8. The legal description of the place of use or of the reservation is:

INDUSTRIAL
T08S R17E S30 NESW

FIRE PROTECTION
T08S R17E S30 NESW

DOMESTIC
T08S R17E S30 NESW

IRRIGATION
T08S R17E S30 NESW 1.0 (acre)
1.0 ACRE TOTAL

Required Statement: As recommended in the director's report. The place of use is located in Jerome County, Idaho.

9. The annual volume of consumptive use is: 3.0 AFY

Required Statement: As recommended in the director's report.

10. Other matters necessary to define this water right: Not applicable.

These matters are necessary because: Not applicable.

These matters do not fall within the 9 elements listed above because: Not applicable.

Signature and Address of Parties and their Attorney of Record

I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Name: Jerome Holding Co. Inc.

Address: 15853 Olden St.

City/State/Zip: Sylmar CA 91342

Attorney of Record: Thomas A. Miller

Name: Idaho Dept. of Water Resources

Address: P.O. Box 83720

City/State/Zip: Boise, ID 83720-0098

Attorney of Record: Daniel L. Steckel

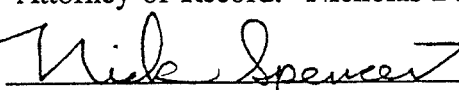
Attorney of Record: Nicholas B. Spencer



Attorney's Signature

4-12-95

Date



Attorney's Signature

3-16-95

Date

Court Representative (if necessary)

Date

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on APRIL 17, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

U.S. Department of Justice
Environment and Natural
Resources Division
550 West Fort Street, Box 33
Boise, ID 83724-0663

Thomas A. Miller
P.O. Box 1617
Boise, ID 83701



Signature of person or attorney mailing the form

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
36-13039	EDNA M WELLS 632 DORIS AVE PAUL ID 83347	08/04/1971	DOMESTIC	01-01 12-31	.06	CFS BENEFICIAL USE
NON-IRRIGATION-USES:						
	DOMESTIC 1 HOUSE AND SHOP					
	POINT OF DIVERSION:					
	T09S R23E S32		SENE			
	PLACE OF USE: DOMESTIC				.06	CFS
	T09S R23E S32		SENE			
	REMARKS: PROPERTY ALSO KNOWN AS LOT 6, BLOCK 2, RICH SUBDIVISION PARCEL NO. RP047500020060					
36-07202	35 LAKE AVENUE A LIMITED PARTNERSHIP JOEL MICHAEL KANTOR 1990 S BUNDY DR SUITE 600 LOS ANGELES CA 90025	08/06/1971	INDUSTRIAL	01-01 12-31	.06	CFS LICENSE
	FIRE PROTECTION			01-01 12-31	43.4	AFY
	DOMESTIC			01-01 12-31	.06	CFS
	IRRIGATION			04-01 10-31	.02	CFS
	TOTAL QUANTITY:				4.0	AFY
	CONSUMPTIVE USE:				.06	CFS
					43.4	AFY
					3.0	AFY
NON-IRRIGATION-USES:						
	DOMESTIC/1 HOME; INDUSTRIAL/ PLASTIC PIPE MANUFACTURING					
	POINT OF DIVERSION:					
	T08S R17E S30		NNNESH			
	PLACE OF USE: INDUSTRIAL					
	T08S R17E S30		NESH			
	PLACE OF USE: FIRE PROTECTION					
	T08S R17E S30		NESH			
	PLACE OF USE: DOMESTIC					
	T08S R17E S30		NESH			
	PLACE OF USE: IRRIGATION					
	T08S R17E S30		NESH			
	1.0 ACRES TOTAL					
	REMARKS: A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS. (2) POINTS OF DIVERSION LOCATED IN NNNESH, S 30, T 08S, R 17E.					

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
36-07202	JEROME HOLDING CO INC C/O SPEARS MANUFACTURING 15853 OLDEN ST SYLMAR CA 91342	08/06/1971	INDUSTRIAL	01-01 12-31	.06 43.4	CFS AFY CFS AFY
			FIRE PROTECTION	01-01 12-31	.06	CFS
			DOMESTIC	01-01 12-31	.06	CFS
			IRRIGATION	04-01 10-31	.02	CFS
					4.0	AFY
				TOTAL QUANTITY:	.06	CFS
				TOTAL VOLUME:	43.4	AFY
				CONSUMPTIVE USE:	3.0	AFY

NON-IRRIGATION USES:
DOMESTIC/1 HOME; INDUSTRIAL/ PLASTIC PIPE MANUFACTURING

POINT OF DIVERSION:

T08S R17E S30
SNWESH
WNPESH

PLACE OF USE: INDUSTRIAL

T08S R17E S30

NESW

PLACE OF USE: FIRE PROTECTION

T08S R17E S30

NESW

PLACE OF USE: DOMESTIC

T08S R17E S30

NESW

PLACE OF USE: IRRIGATION

T08S R17E S30

NESW 1.0

1.0 ACRES TOTAL

REMARKS:

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.

(2) POINTS OF DIVERSION LOCATED IN SNWESH, S 30, T 08S, R 17E.
721 POINTS OF DIVERSION LOCATED IN WNPESH, S 30, T 08S, R 17E.