



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: June 2, 1989

Neldon J. Palmer
2759 W. 2000 S.
Aberdeen, ID 83210

RE: Water Right Claim Returned

Dear Mr. Palmer:

The Idaho Department of Water Resources (IDWR) is returning your check #1845 (\$550.00) and Notice of Claim to a Water Right because of insufficient information. All items on the claim forms must be correctly completed and fees submitted before the IDWR can process the claim.

Please correct the items identified on each Notice of Claim and return the corrected forms to the IDWR within 30 days of the date of this letter. Failure to return the corrected claims within the 30-day period may result in an assessment of an additional \$50.00 late-fee for each claim.

If you have any questions, please call Tony Olenichak, Water Right Agent, at (208)-525-7161.

Sincerely,

Tony Olenichak
Ernest Carlsen

Ernest Carlsen
Adjudication Supervisor

Enclosure

MICROFILMED

DEC 10 1992

- Refer to attached copy of Water Right License G-30481 (35-2712) for recorded information.
- Licensed priority date is April 27, 1962 (Item #2).
- Licensed amount is 2.28 cfs (Items #6 and #7).
- Licensed acreage is 137 acres (Item #10). Note: If the acreage is changed on your Notice of Claim, the consumptive use (Item #8) should also be changed. The consumptive use can be calculated by multiplying the total acreage by 3 (411 acre feet per annum).
- The filing fee for an irrigation Notice of Claim is \$50.00 plus \$1.00 per acre claimed in Item #10.
- If you currently irrigate more acreage than listed on the license, you must complete an additional Notice of Claim (form enclosed) for the acreage not covered. The priority date for the additional claim would be the date the expansion of acreage occurred.

MICROFILMED

DEC 10 1992

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED

DEC 16 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: December 18, 1998

Water right number: 35-02712

PAUL BEHREND
2706 W 1800 S
ABERDEEN ID 83210

Daytime Telephone Number:

Evening Telephone Number:

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: 11-28-98 SIGNATURE: Paul Behrend
Please print your name: Paul Behrend

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

NO. OF CLAMS IN POLYGON _____

TRANSFER NUMBER _____

CLAM NUMBERS 35-02712

DATE _____

OBJECTION FILED _____

AGENT _____

TOTAL ACRES FROM RECOMMENDATION 137⁰

GEOGRAPHIC INFO SYSTEM 137⁰

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NB	NW	SW	SE	NE	NW	SW	SE
RECOM	65	31E	16	26	36	39	36												
GIS				25	36	37	39												
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B35-DBPOU.DBF _____

ATTRIBUTES OF B35-POU.SHP () _____

B35-DBPOD.DBF _____

ATTRIBUTES OF B35-POD.SHP () _____

PAUL BEHREND

P.O.D. / Sources

G.W.

2706 W 1800 S

T. 65. R 31E Sec. 16 NW/NE/NE

ABANDONED TO B3210

ABANDONED SPRINGFIELD Canal SWARDS

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()

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

AJ0749NP
No. R35-02712

OWNER CODE: C
NAME & ADDRESS: PAUL BEHREND
2706 W 1800 S
ABERDEEN ID 83210
(208) 397-4456

PRIORITY DATE: 04/27/1962
WATER USE: IRRIGATION

USE PERIOD FROM: 04-01 10-31
TO: 10-31

DIVERSION RATE: 2.28 CFS
DIVERSION VOLUME: 548.00 AFA

TOTAL DIVERSION: 2.28 CFS
548.00 AFA

Water Source: GROUNDWATER
Tributary to: BINGHAM County

Point(s) of Diversion: T06S R31E S16 NWENW

Place of use Legal Description for: IRRIGATION

NE		NW		SW		SE						
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
06S	31E	16	:	25	36	37	39	:	:	:	:	:
TOTAL ACRES										:	137.0	

POU County: BINGHAM

Other Rights: ABERDEEN-SPRINGFIELD CANAL CO.

Conditions of Approval:
E02 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- ABERDEEN SPRINGFIELD CANAL CO.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Audit: 10/20/98 ARUBERRY



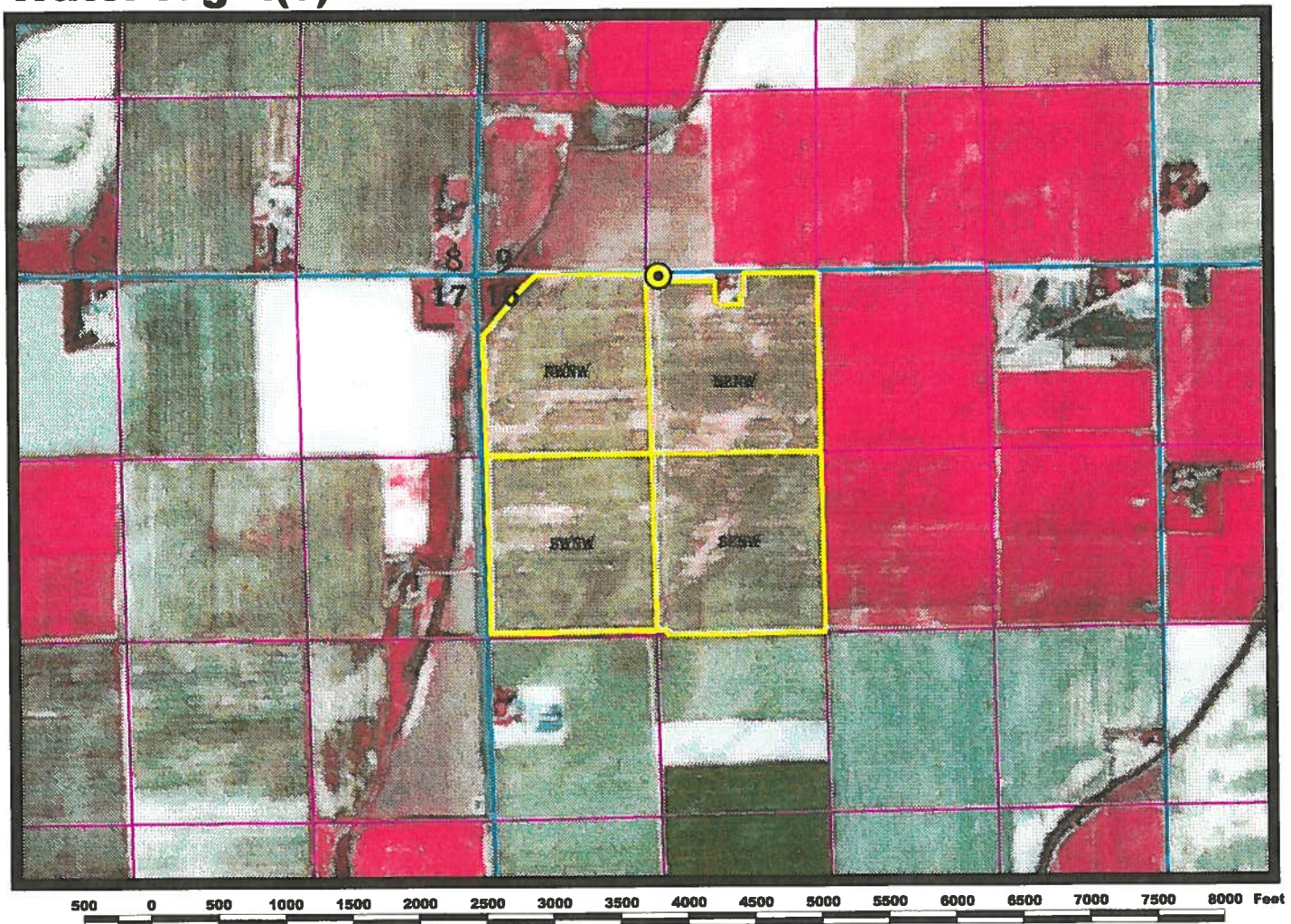
STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Paul Behrend

Water Right(s): 35-02712



LEGEND



Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

**Legal Description: T.6S., R.31E.
Sec. 16 NE**

**Point(s) of Diversion: T.6S., R.31E.,
Sec. 16 NWNENW**

**Note: Non-Adjudication License
35-08597 is also appurtenant to
14.5 acres in NENW.**



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1998



STATE OF IDAHO

Department of Water Resources

Eastern Region

Claimant: Paul Behrend

Water Right(s): 35-02712



LEGEND



Point of Diversion

SESE

Place of Use



Section Line



Quarter-section line

**Legal Description: T.6S., R.31E.
Sec. 16 NE**

**Point(s) of Diversion: T.6S., R.31E.,
Sec. 16 NWNENW**



GIS Place of Use illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 1998

A35-02712

PAUL BEHREND

2706 W 1800 S

ABERDEEN ID 83210

ST: NELSON X

ID TYP: 93210

TRANSFER OF WE OWNERSHIP RIGHTS
11-5-93

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE FIELD EXAMINER
N

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

DATE OF FIELD EXAM: 9/9/93

ACCOMPANIED BY:

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

PHONE NUMBER: () - - - -

APPOINTMENT MADE: Y() V(X) TIME: - - - - A() P()

PHONE NUMBER: () - - - -

Tell Mr. Palmer - He sold property to Paul Behrend about 3 years ago.

2706 W 1800 S

ABERDEEN, ID 83210.

A. AD CLAIM: # A35-02712 PRIORITY DATE: 04-27-1952 / STAGE: 1 2

B. WR RECORD: # 35-02712 PRIORITY DATE: 04-27-1952 / STAGE: 1

C. FIELD EXAM REQUIRED?

FIELD EXAMINER
DATABASE N

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

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

REMARKS: PD CLAIMED MATTERS HERE

RECOMMENDED PRIORITY DATE:

04-27-1952

REVIEWED BY

MR

DATE

11-4-53

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
ASS-02712	055	31E	10	NE	SW			BINGHAM

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

NONE NONE

AR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
35-02712	055	31E	15	NE	SW			BINGHAM

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

35-08537

ASS-12144

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)

N

DATABASE

FIELD EXAMINER

REMARKS:

RE: 00 AA-36, ASes

Legal description on claim changed to licensed p.o.d. - does not represent actual change in location of well.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. R1E. SEC. 1/4 1/4 1/4

LOT

COUNTY

65 318 16

NW

N8

NW

Bingham

SOURCE: GROUNDWATER

TR18:

REVIEWED BY: ASR

DATE: 11-4-93

A. 2021 WATER RIGHT NUMBERS: 435-02712

B. PDU LISTING

TWP RGE SEC 1/4 1/4 LOT NAME

AJ #ACRES NR #/ACRES LANDSAT DATA FIELD EXAM. RECOMM. ACRES

065 31E 16	NE	MM	PALMER, NELSON J.	435-02712	123.0	35-02712	123.0	39.0	33	2.6	14c Co. B.
NE	MM		PALMER, NELSON J.	435-12154	/	/	/	/	/	24c 45	3
NE	MM		LARGE CLAIM	401-302371/38.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-302971/39.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	435-325432/33.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	435-342462/38.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320546/38.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320586/38.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320586/38.0	-	-	-	-	-	-	-
NE	MM		BEHREND, PAUL	401-320586/38.0	-	-	-	-	-	-	-
NE	MM			35-38597	115.0	N/E					

065 31E 16	NE	MM	PALMER, NELSON J.	435-02712	137.0	35-02712	137.0	39.0	36	36.0	14c Hwy 39
NE	MM		PALMER, FERRELL	435-12265	/	/	/	/	/	24c Co. B.	4
NE	MM		PALMER, FERRELL	435-12265	/	/	/	/	/	14c Co. B.	4
NE	MM		LARGE CLAIM	401-302371/39.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-302971/39.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	435-325432/33.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	435-342462/39.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320546/39.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320586/39.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320586/39.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320586/39.0	-	-	-	-	-	-	-

065 31E 16	NE	MM	PALMER, NELSON J.	435-02712	137.0	35-02712	137.0	40.0	39	39.0	14c Hwy 39
NE	MM		LARGE CLAIM	401-302371/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-302971/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	435-325432/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	435-342462/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320546/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320586/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320586/40.0	-	-	-	-	-	-	-

065 31E 16	NE	MM	PALMER, NELSON J.	435-02712	133.0	35-02712	136.0	38.0	36	36.0	14c Hwy 39
NE	MM		LARGE CLAIM	401-302371/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-302971/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	435-325432/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	435-342462/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320546/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320586/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320586/40.0	-	-	-	-	-	-	-
NE	MM		LARGE CLAIM	401-320586/40.0	-	-	-	-	-	-	-
TOTAL ACRES			435-02712	137.0		137.0	156.00			137.0	

ACRES DETERMINATIONS ARE BASED ON DOT COUNT METHOD USING ASCS PHOTO.

SURVEY PLAT SHOWS SEC. 16 TO BE A REGULAR SECTION WITHOUT GOV? LOTS. HOWEVER

T.6S, R.31E. SEEMS TO HAVE MANY DISCREPANCIES THROUGHOUT. ACRES RECOMMENDED

CONGRUENT WITH ASCS CALCULATIONS LESS BOARDS AND HOMESTAND OUTS.

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POJ DISCREPANCY? (Y/N)

FIELD
DATEBASE
EXAMINER
#

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

137

REVIEWED BY:

AKR

DATE:

11-9-93

A. AS CLAIMED USES:

PURPOSES
A33-02712 IRRIGATIONMONTH/DAY
FROM 03-31 TO 11-31DIVERSION QUANTITY
2,280 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2,280 CFS

B. WR RECORDED USES:

PURPOSES
33-02712 IRRIGATIONMONTH/DAY
FROM 04-31 TO 10-31DIVERSION QUANTITY
2,280 CFS 420.00 AF/YA
2,280 CFS 420.00 AF/YA

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N()

EXPLAIN IN REMARKS, BELOW.

REMARKS:

Period of Use Recommended: 04-01 TO 10-31 PER DEPT. STDS.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? ☒ YES ☐ NO

AD TOTAL CLAIMED DIVERSION RATE: 2.280 CFS
 AD TOTAL RIGHT TOTAL DIVERSION RATE: 2.280 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
 ** IF AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
 ** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN REMARKS. **

FLOW MEASUREMENT REQUIRED?

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

B. FLOW MEASUREMENT
 MEASUREMENT METHOD SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: 150 SHARES OF ABERDEEN CANAL CO. STOCK #5538

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A33-02712	GROUNDWATER	PALMER, NELSON J.	2.280	0.016		
A31-0002311	LARGE CLAIM		9999.990	0.420		
A33-0254371	LARGE CLAIM		9999.990	0.420		
A33-0424621	LARGE CLAIM		9999.990	0.420		
A31-9205461	LARGE CLAIM		9999.990	0.420		
A31-9205861	LARGE CLAIM		9999.990	0.420		
A31-0205811	LARGE CLAIM		9999.990	0.420		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A33-12144	DOMESTIC	PALMER, NELSON J.	FROM 01-01 TO 12-31	0.040 CFS	
A33-12265	STOCKWATER	PALMER, FERRELL	FROM 01-01 TO 12-31	0.060 CFS	
A33-12265	DOMESTIC	PALMER, FERRELL	FROM 01-01 TO 12-31	0.060 CFS	
A33-12266	DOMESTIC	PALMER, FERRELL	FROM 01-01 TO 12-31	0.040 CFS	

ABERDEEN-SPRINGFIELD CANAL WATERS ARE NOT DELIVERED IN THE ABSENCE OF A CONVEYANCE SYSTEM. ALTHOUGH DUBUQT IS A SHARE HOLDER.

COPYRIGHT CODE: Eφ2

0.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE
 ACRES 137 X 0.02 CFS/ACRE = 2.74 CFS
 (TAKEN FROM P/U REVIEW)

1B. CALCULATIONS

DUES AMOUNT 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 = 411.0 AF/A

ACRES 137 X CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 411.0 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 327.0 AF/A

ACRES 137 X DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 548.0 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIA RATE CFS	REC. DIA VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	~~01-01~~ 04-01	~~11-15~~ 10-31	DATABASE EXAMINER 2.230 ~~44.3~~	DATABASE EXAMINER ~~44.3~~	DATABASE EXAMINER ~~44.3~~
TOTAL FOR THIS RIGHT			2.230	<u>54.0</u>	<u>41.0</u>

REVIEWED BY:

dsr

DATE:

11-4-93

A. CHECK ONLY THE FOLLOWING THAT APPLY:

DIVERSITY
FOREIGN/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
(X)
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-02712
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.280

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
	35-02712	2.280			35-02712	2.280

TOTAL CFS

2.280

2.280

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 SHEET ATTACHED? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

DATE:

NAME OF FIELD EXAMINER:

TITLE:

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAS# Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE						AMC 11-4-93	AMC 11-4-93	AMC 11-4-93
POINT OF DIV	Y							
SOURCE				4	112.5			
PLACE OF USE				4	2,1			
DIV. AMOUNT CFS/VOLUME	4							
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE	Y			4	6			
BASIS OF CLAIM				4	6			
REMARKS		TRANSFER OF WR DIVERSION 11-5-93			Depl. Sht.			

"VERIFIED BY" CODES

TOPO MAP/DRINK-PQ = 1
USCS MAP = 2
MASTER RECORDS = 3
WAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

Condition
CODE: EP2

Presumption Flag: None

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

Base Code
RR 72 11-29-93 AMC

Condition/Remarks Code:
EP2

POINT OF
DIVERSION

Funk Rd.

9

46

2356

36

26

#1212
Behrend Farms Inc.

39

36

180.4

13.1

Experiment Station Rd.

CLAIM NO(S) A35-02712
DATE: 11-4-93 T 68 R 31E
SOURCE OF DOC: ASCS PHOTO '87'
SIGNATURE: AB Ruben

T1009

#1495
H. Alan Funk

HEL
1-87.3

Homestead Rd.

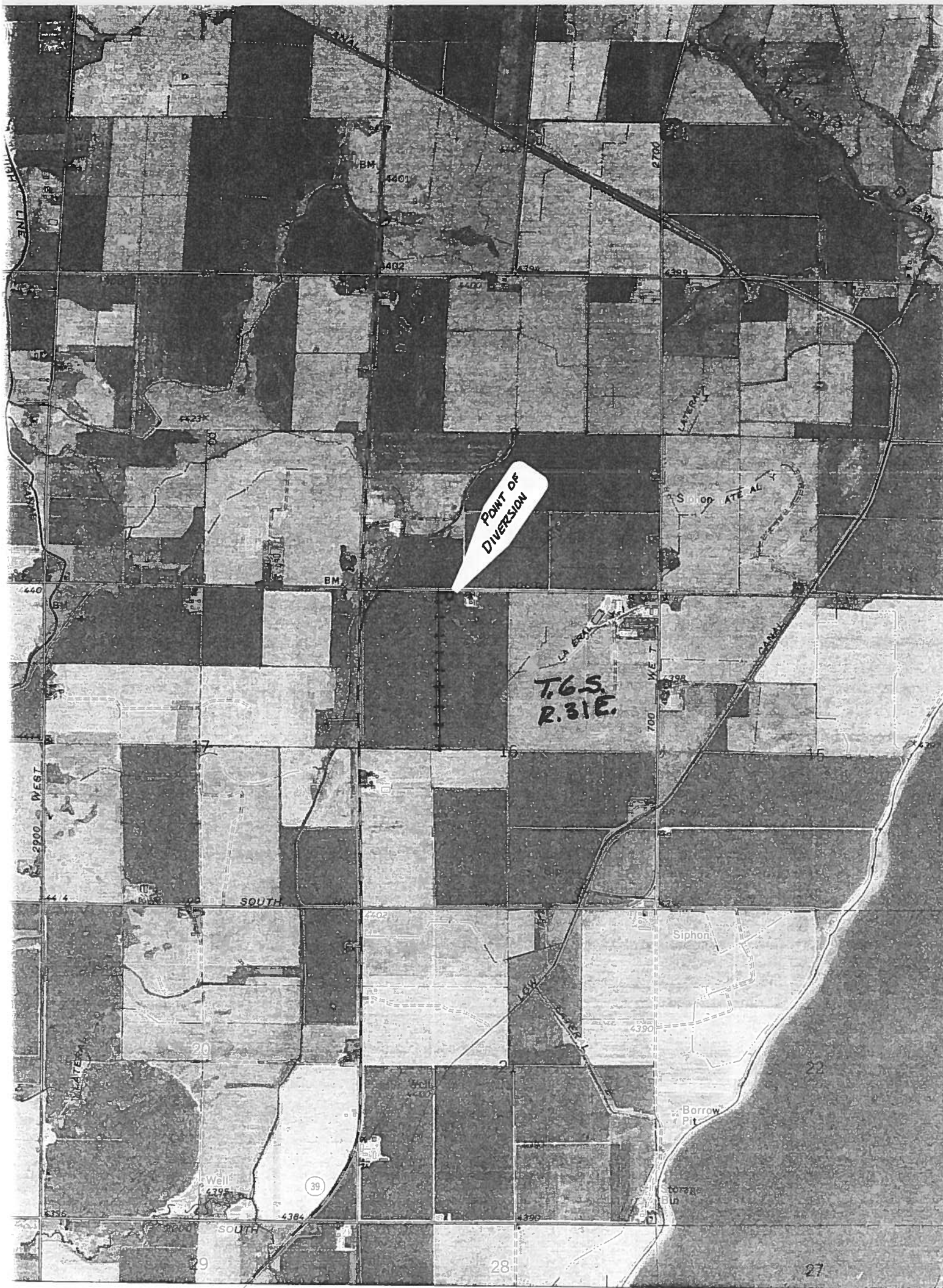
T2365
HEL
22.6

16

11.27

Aberdeen Hwy

17 16
20 21



POINT OF
DIVERSION

T.G.S.
R.31E.

LA 5000

SOUTH

SOUTH

Siphon

Borrow
Pit

Storage
Bin

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: A35-02712
Date Received: 6/14/1989
Receipt No: E009094
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: PAUL BEHREND
Address: 2706 W 1800 S
ABERDEEN ID 83210
208-397-4456
2. Date of Priority: APR 27, 1962
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 06S | 31E | 16 | NW | NW | NW | | BINGHAM |
5. Description of diverting works:
DEEP WELL, 60' DEEP, PUMPS INTO 8" MAINLINE TAPERING TO 6" ON END
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/01 | 11/15 | 2.280 | | |
7. Total Quantity Appropriated is:
2.280 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 411.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	31E	16	NE	NW		IRR	23.0
			NW	NW		IRR	39.0
			SW	NW		IRR	37.0
			SE	NW		IRR	38.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	137.0
					Total Acres	137.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
150 SHARES OF ABERDEEN CANAL CO. STOCK #3538

14. Remarks:

15. Basis of Claim: BENEFICIAL USE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

NOV 19 1993

Department of Water Resources

DATE OF CLOSING: 1989

LEGAL DESCRIPTION OF PROPERTY: Township 6S Range 31E
 Section 16, 1/4 of 1/4 of NW 1/4, Govt. Lot , Block , Subdivision/Townsite .
 If you have additional legal descriptions, please attach separate sheet.

RECEIVED

NOV 24 1993

Department of Water Resources
Eastern District Office

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s)
Assigned by IDWR: A35-02712
- [] Name and Address of Former Owner/Claimant(s)(Seller):
NELSON J. PALMER
2759 W. 2000S.
ABERDEEN ID 83210
- [] New Owner/Claimant (Purchaser):
PAUL BEHRND
- [] New Mailing Address:
2706 W. 1800S.
ABERDEEN ID 83210
- [] New Telephone Number: (208) 397-4456
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: Copy Owner's Title Ins. Policy
 (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s): Paul n Behnd Date 11-12-93
- [] Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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APR 15 1994

any fees, costs or expenses incurred by the insured in the defense of those causes of action which allege matters not insured against by this policy.

(b) The Company shall have the right, at its own cost, to institute and prosecute any action or proceeding or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest,

continue any litigation, and the policy shall be surrendered to the company for cancellation.

(b) To Pay or Otherwise Settle With Parties Other than the Insured or With the Insured Claimant.

(i) to pay or otherwise settle with other parties for or in the name

85								
1	2	3	4	5	6	7	8	9

Lawyers Title Insurance Corporation

OWNER'S POLICY

Schedule A

CASE NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	POLICY NUMBER
3-13444	September 5, 1989 at 11:58 a.m.	\$206,000.00	113-00-158273

THE POLICY NUMBER SHOWN
ON THIS SCHEDULE MUST
AGREE WITH THE PREPRINTED
NUMBER ON THE COVER SHEET

1. Name of Insured:

PAUL BEHREND and DEBBIE BEHREND

2. The estate or interest in the land described herein and which is covered by this policy is:

fee simple

3. The estate or interest referred to herein is at Date of Policy vested in:

PAUL BEHREND and DEBBIE BEHREND, husband and wife

4. The land referred to in this policy is described as follows:

Township 6 South, Range 31, E.B.M., Bingham County, Idaho,
Section 16: NW $\frac{1}{4}$, Excepting the Right-of-Way of the State Highway as described in Deed
recorded in Book 110, Page 175, records of said county.

And further excepting therefrom the following parcel:

A tract of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, Township 6 South, Range 31 East, of the
Boise Meridian described as follows:

Commencing at the NW corner of said Section 16; thence N 89°32' E, along the North
line of said SECTION, 1770.00 feet; thence S 0°28' E 30.00 feet to the South
right-of-way line of Funk Road, the TRUE POINT OF BEGINNING; thence S 0°28' E 240.00
feet; thence N 89°32' E 210.00 feet; thence N 0°28' W 240.00 feet, to said
right-of-way line; thence S 89°32' W, along said right-of-way line, 210.00 feet to the
TRUE POINT OF BEGINNING.

AMERICAN LAND TITLE COMPANY, INC.

Blackfoot,

MICROFILMED
Idaho

APR 15 1994

Issued at (Location)

NOVEMBER 26, 1993

PAUL BETHREND
2706 W 1800 S
ABERDEEN ID 83210

RE: CHANGE IN OWNERSHIP FOR A35-02712

Dear Mr. Bethrend:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice 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,

Jo Thompson
Secretary, Adjudications

Enclosure: Notice(s) of Claim

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APR 15 1994

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: A35-02712
Date Received: 5/31/1989
Receipt No: E009094
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NELDON J. PALMER
Address: 2759 W. 2000 S.
ABERDEEN, ID 83210
208-397-4474
2. Date of Priority: APR 27, 1962
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	31E	16	NW	NW	NW		BINGHAM
5. Description of diverting works:
DEEP WELL, 60' DEEP, PUMPS INTO 8" MAINLINE TAPERING TO 6" ON END
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/15	2.280		
7. Total Quantity Appropriated is:
2.280 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 411.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	31E	16	NE	NW		IRR	23.0
			NW	NW		IRR	39.0
			SW	NW		IRR	37.0

A35-02712

Page 1

Date: 08/09/89

MICROFILMED
DEC 10 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	31E	16	SE NW		IRR	38.0
Section Acres						137.0
Total Acres						137.0

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
150 SHARES OF ABERDEEN CANAL CO. STOCK #3538

14. Remarks:

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

#187

NO LATE FEE IF RECEIVED

BY 7/2/89IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A35-02712Date Received 5/31/89Receipt Number E009094NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 14 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) NELDON J. PALMER Phone (208) 392-4474Mailing Address 2759 W 2000 S Aberdeen, Id. Zip 832102. Date of Priority (Only one (1) per claim) April 27, 19623. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 6 So. Range 31 E. Section 16,
NW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Bingham

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Deep Well - 60' Deep. Pumps
into 8" mainline Tapering To 6" on the end. For a Total
of 2655' of mainline. 50 hp. US Electric motor with
Berkley Turbine pump.
50 hp. Century electric Motor and centrifugal pump.

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DEC 10 1992

A3502712



6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 3-1 to 11-15 amount 2.28 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.28 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 411 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>6S</u>	<u>31E</u>	<u>16</u>					<u>23</u>	<u>39</u>	<u>37</u>	<u>38</u>									<u>137</u>

Total number of acres irrigated 137

11. In which county (ies) are lands listed above as place of use located? Bingham

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
150 shares of Aberdeen Canal Co. Stock # 3538 or None ()

14. Remarks:

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DEC 10 1992

Last Name PALMER Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree 8-30481
If applicable provide IDWR Water Right Number (352712) (License #)
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Nelson Palmer Date 6-13-89
Jean Palmer Date 6-13-89

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Jean Palmer

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 13th day of June 19 89

SEAL

Notary Public Larone Warner

Residing at Aberdeen

My Commission Expires 7-7-92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Palmer Ident. Number _____

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DEC 10 1992

Copies White-State, Yellow-Claimant

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Weldon J. Palmer CLAIM IDENT. NO. A3S-02712

DATE RECEIVED 5-31-89 CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☐ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☐ | ☐ | * |
| 4. Is the legal description of the p.d. sufficient? | ☐ | ☐ | * |
| 5. Is there a description of the diverting works? | ☐ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☐ | ☐ | * |
| Is the period of use included? | ☐ | ☐ | |
| Is a quantity claimed for each use? | ☐ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☐ | ☐ | |
| 8. If required is a consumptive use entered? | ☐ | ☐ | |
| Is the consumptive use correct? | ☐ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☐ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☐ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☐ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☐ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☐ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☐ | ☐ | |
| 15. Is the basis of the claim indicated? | ☐ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☐ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☐ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☐ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☐ | ☐ | * |
| 20. Is the fee enclosed correct? | ☐ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☐ | ☐ | |
| 22. Should this claim be data entered? | ☐ | ☐ | |

Claim checked by: SSV Date: 7-21-89

Claim must be returned to claimant: ☐ (Yes) ☒ (No)

Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____ Date: _____
Claim data entered by: SSV Date: 8/9/89 Checked by: _____ Date: _____
Sent to claimant by: _____ Date: _____

Comments: _____

MICROFILMED
DEC 10 1992

State of Idaho

WATER LICENSE

Water License No. G-30481 Priority April 27, 1962 Amount 2.28 c. f. s.

THIS IS TO CERTIFY, that JOHN W. PALMER
 of Aberdeen, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated April 27, 1962; that Permit G-30481 was issued pursuant
 to said application; that the proposed works were completed on or about 1958,
 with a storage or carrying capacity of 2.28 c. f. s., said works consisting of
well, pump and motor; and that on December 15, 1966,
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 420
 acre feet per season, with a maximum rate of diversion of 2.28 cubic feet per second of the waters
 of ground water, tributary of _____,
 for the purpose of irrigation from April 1 to October 31;
 and for _____ from _____ to _____; and for
 _____ from _____ to _____; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, T. 6 S, R. 31 E., B.M., and
 other additional points _____, in the County of
Bingham; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 420 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>6 S</u>	<u>31 E</u>	<u>16</u>					<u>23</u>	<u>39</u>	<u>37</u>	<u>38</u>									<u>137</u>

Total number of acres irrigated 137

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
 as provided by the laws of Idaho.

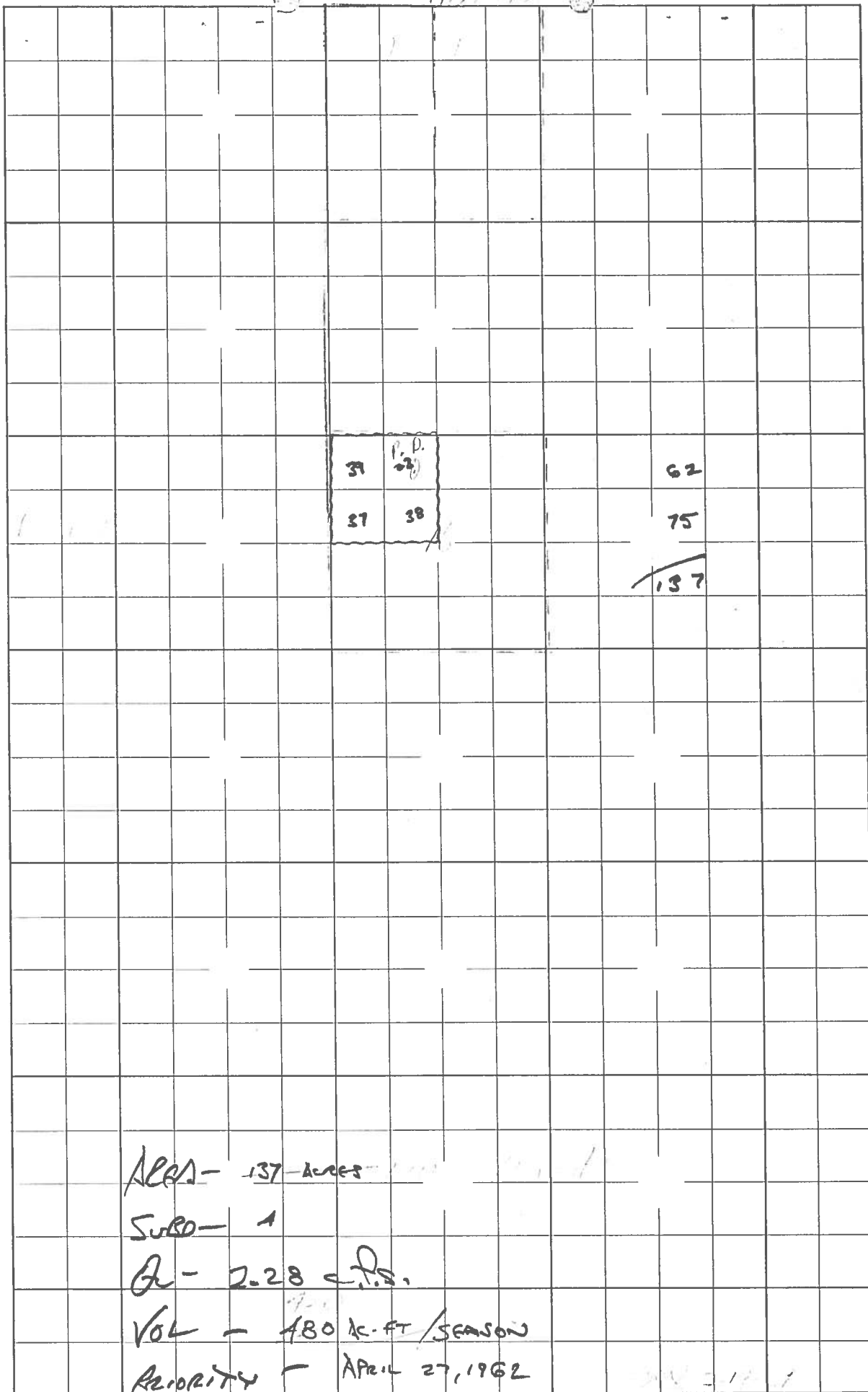
Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

7th day of April, 19 69.

R. Kid Hagg
 State Reclamation Engineer

30481

55 2712



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-30481

This proof is for Comp. of Works & Beneficial Use In Water District No. _____1. Name of applicant John W. Palmer2. Source of water supply: subterranean3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16T. 6 S R. 31 E County of Bingham

4. Describe works as they exist, giving dimensions and capacities of same:

50 HP U.S. F.C.C. MOTOR # 1095568
4" DISCHARGE - G.V. - UNARMED STEEL MAIN LINE
92165

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW $\frac{1}{4}$, Sec. 16, T. 6 S, R. 31 E, B.M. (120 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

1" PROBE 100 ft in 1:29 A
 $Q_1 = 1.12 \text{ c.f.s.}$

NOTE. 2 $\frac{1}{4}$ inch LAT $\frac{3}{16}$ RAIN TAP 850 @ 40 lbs
 $Q_2 = \left(\frac{8.1 \text{ in.}}{18.8 \text{ gpm}} \right) (5.41 \text{ gpm}) = 1.16 \text{ c.f.s.}$

 $Q \text{ TOTAL} = 2.28 \text{ c.f.s.}$ IRRIGATION REQUIREMENT = 3.5 AC-FT / ACRE / SEASONThis examination was made on the _____ day of Aug, 1968(Signed) Ken Reynolds Examiner.

30481

2-18-69
DRB

