

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: A63-08540
Date Received: 3-30-89
Receipt No: C006110
Received By: GA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAN ROHRBACHER 208-722-5477
Address: 24329 MARKET ROAD
PARMA, ID 83660

OR

Name: CAROL ROHRBACHER 208-722-5477
Address: 24329 MARKET ROAD
PARMA, ID 83660

2. Date of Priority: MAY 04, 1977

3. Source: UNNAMED DRAIN Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	05W	10	SE	NE	SE		CANYON

5. Description of diverting works:
PUMP, 20 HP PARMA WATER LIFTER, PIPE INTO CONCRETE DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.410		

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

8. Total consumptive use is 290.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05N	05W	10	SW		NE		IRR	1.0
			SE		NE		IRR	1.0
			SE		SW		IRR	19.0
			NE		SE		IRR	13.0
			NW		SE		IRR	27.0
			SW		SE		IRR	22.0

Section Acres 83.0

Total Acres 83.0

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:
FARMERS COOP.

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 X 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):

Don M. Rohrbaugh
Carol A. Rohrbaugh

Date: 3/30/89
Date: 3/30/89

State of Idaho)

County of Ada)

SS.

Subscribed and sworn (or affirmed) before me this 30th day

of March 19 89

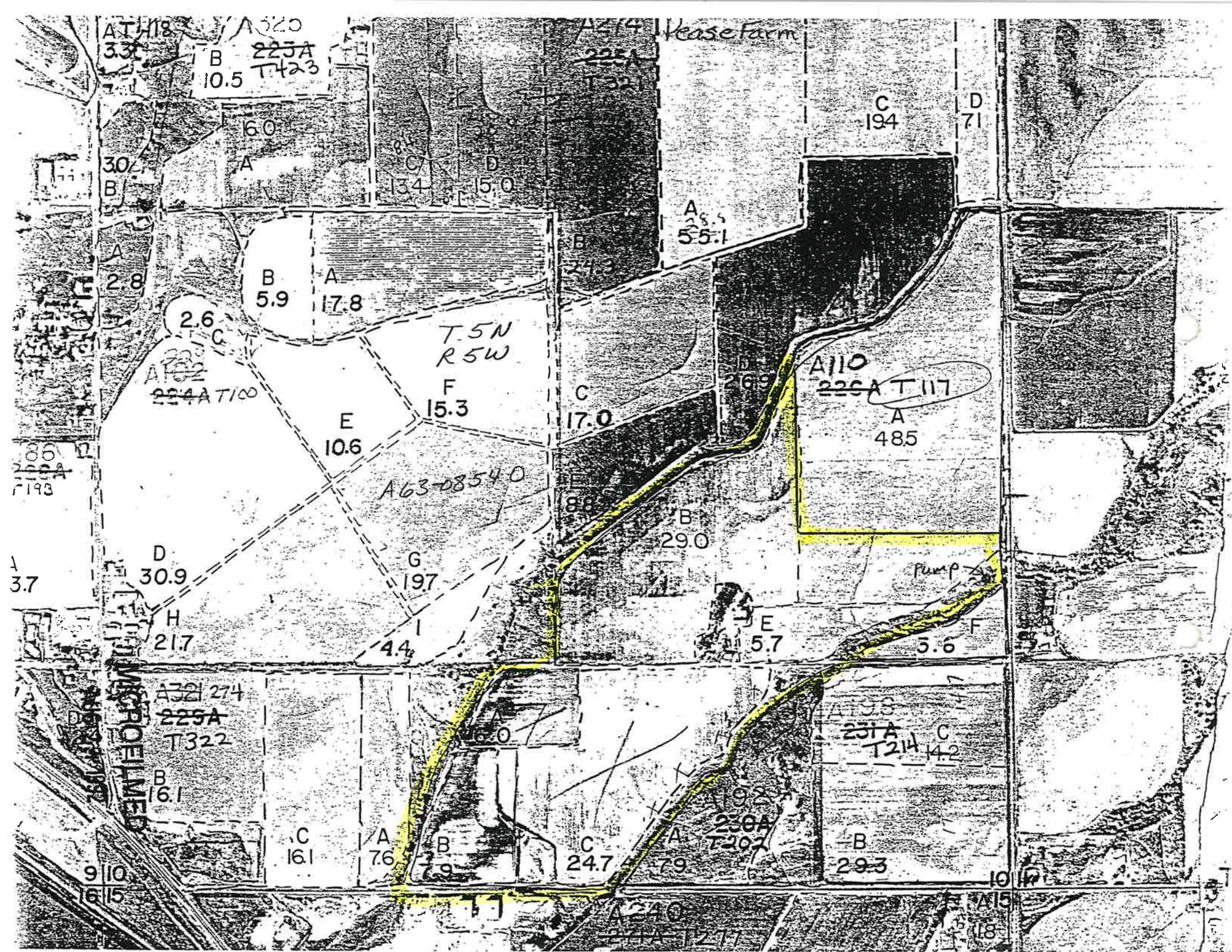
Carter Fritschle
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994



Receipt Details for ID C006110

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/30/1989 10:27:21 AM	3/30/1989	State	\$348.00	Check
Payer		ROHRBACHER, MR/MRS DAN		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
7491			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$348.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	8540		\$133.00	Claim
63	8536		\$115.00	Claim
63	15174		\$25.00	Claim
63	15175		\$25.00	Claim
63	15176		\$25.00	Claim
63	15178		\$25.00	Claim

Print Report

NOT TO SCALE

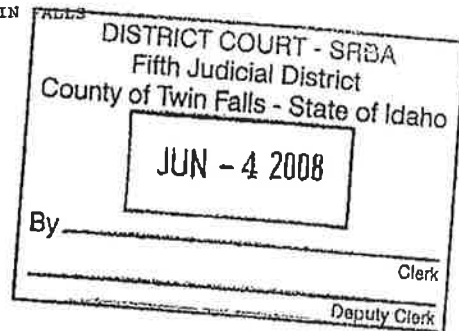


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-08540



NAME AND ADDRESS: CAROL A ROHRBACHER
DAN M ROHRBACHER
24392 MARKET RD
PARMA, ID 83660

SOURCE: UNNAMED DRAIN TRIBUTARY: BOISE RIVER

QUANTITY: 1.41 CFS
373.50 AFY

PRIORITY DATE: 05/04/1977

POINT OF DIVERSION: T05N R05W S10 NESE Within Canyon County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.41 CFS 373.50 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
	T05N R05W S10	SWNE 1.0 SENE 1.0
		SESW 19.0 NESE 13.0
		NWSE 27.0 SWSE 22.0
	83.0 Acres Total	

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

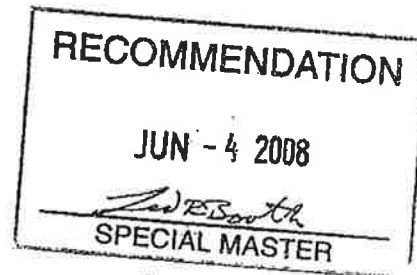
This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication



RECEIVED

JUN 06 2008
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN - 4 2008	
By _____	Clerk
Deputy 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	)	SPECIAL MASTER'S REPORT
	)	
Case No. 39576	)	FINDINGS OF FACT AND
	)	CONCLUSIONS OF LAW
	)	
	)	FOR WATER RIGHTS 63-08536
	)	and 63-08540

I. FINDINGS OF FACT

Notices of claim were filed for the above-captioned water rights pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources (IDWR) examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of these water rights.

On June 15, 2007, the claimants of the water rights, Dan and Carol Rohrbacher, filed objections to the *Director's Report*, objecting to the place of use for each water right. An initial hearing on the objections was held on May 29, 2008. At the initial hearing, Mr. Rohrbacher withdrew his objections.

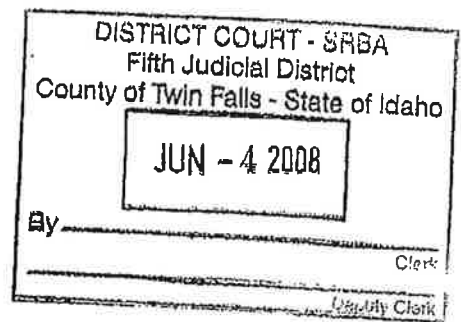
II. CONCLUSIONS OF LAW

Therefore based on the file and record herein, IT IS RECOMMENDED that water rights 63-08536 and 63-08540 be decreed with the elements as set forth in the attached *Recommendations for Partial Decrees Pursuant to I.R.C.P. 54(b)*.

Dated

June 4, 2008


Theodore R. Booth
Special Master
Snake River Basin Adjudication



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)

Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

Water Right(s): 63-08536
63-08540

On June 04, 2008, Special Master THEODORE R. BOOTH
issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s)
pursuant to SRBA Administrative Order 1 (AO1), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party
to the adjudication including parties to the subcase, may file a Motion
to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate
in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION
shall constitute a waiver of the right to challenge it before the
Presiding Judge.

DATED June 04, 2008.


DIANA R DELANEY
Deputy Clerk

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN - 4 2008

By _____ Clerk
Deputy 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)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 63-08536
63-08540

CERTIFICATE OF MAILING

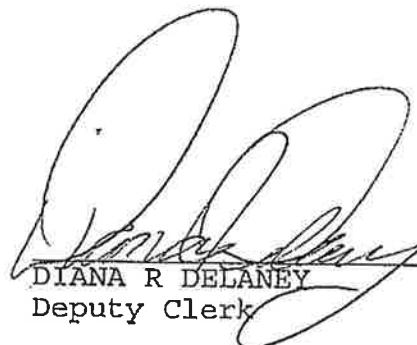
I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on June 05, 2008, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CAROL A ROHRBACHER
DAN M ROHRBACHER
24392 MARKET RD
PARMA, ID 83660
Phone: 208-722-5477

HAROLD ROHRBACHER
28253 SHELTON RD
PARMA, ID 83660
Phone: 208-880-7874

CERTIFICATE OF MAILING


DIANA R DELANEY
Deputy Clerk

PAGE 1
06/04/08

RECEIVED

APR 27 2008
DEPARTMENT OF
WATER RESOURCES

2008 APR 18 PM 05:15
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	ORDER SETTING SUBCASE(S)	
	)	FOR INITIAL HEARING	
Case No. 39576	)		
_____	)	SUBCASE NOS: 63-08536	63-08540

The Initial Hearing for this subcase will be held before
Special Master THEODORE R. BOOTH

THURSDAY, MAY 29, 2008 at 10:30 AM (MT)
IDAHO SUPREME COURT BUILDING
451 WEST STATE STREET
BOISE, ID

ATTENDANCE IS MANDATORY. All parties are required to
attend and must have full settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) and/or the objector in an attempt
to reconcile any difference between the claim and the
Director's Report. Bring any and all information you
believe is relevant to your claim and/or objection. If
the claim cannot be reconciled at the Initial Hearing,
the court will set the subcase(s) for trial within 45
days of the Initial Hearing. IF YOU INTEND TO AMEND YOUR
CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL HEARING.

Settlement documents must be filed with the court by
MAY 27, 2008 or hearing will not be vacated.

IT IS SO ORDERED.

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

(continued)

Dated: APRIL 18, 2008

/S/ THEODORE R. BOOTH
Special Master
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING
SUBCASE(S) FOR INITIAL HEARING was mailed on APRIL 18, 2008,
with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CAROL A ROHRBACHER
DAN M ROHRBACHER
24392 MARKET RD
PARMA, ID 83660
Phone: 208-722-5477

HAROLD ROHRBACHER
28253 SHELTON RD
PARMA, ID 83660
Phone: 208-880-7874



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

~~March 30, 1984~~

May 31, 1984

RE: Permit No. 63-8540

Dan Rohrbacher
Route 1
Parma, ID 83660

Dear Mr. Rohrbacher:

A representative of this Department made an examination of the works covered by your Permit No. 63-8540 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.41 cfs Source: unnamed drain trib to Boise River

The maximum quantity diverted shall not exceed 373.5 acre feet
per year.

Point(s) of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, Twp 5N, Rge 5W

Beneficial Use: Irrigation of 83 acres within S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 10, Twp 5N, Rge 5W

Priority date established: May 4, 1977 (Late Proof)

Conditions (if any): 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.

In order for the Department to issue the above license, it will be necessary for
you to amend the permit to correspond with the findings of the field examiner. We
are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a
\$20.00 filing fee within 30 days in order that we might issue your license as set
forth above. If you do not concur with these findings or have any questions,
please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-8540 (Late Proof)
Priority May 4, 1977 Amount 1.41 cfs

THIS IS TO CERTIFY, that Dan Rohrbacher
of Parma, Idaho, has complied with the terms and conditions of Permit
No. 63-8540 issued pursuant to Application for Permit dated March 4, 1977
and has submitted proof to the Department of Water Resources on June 1, 1982
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.41 cfs of water from unnamed drain
tributary to Boise River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>1.41</u> cfs and	<u>373.5</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 1.41 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
373.5 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10,
Twp 5N, Rge 5W in the County of Canyon

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 $\frac{1}{4}$	
5N	5W	10			1	1								19	13	27	22		83

Total number of acres irrigated 83

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.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of
JUNE, 19 84.



Acting for the

Director

Norm C. Young

JUN 6 1984

STATE OF IDAHO

Department of Water Resources

Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

APPROVED

Comes now Dan Rohrbacher

Phone _____

of (address) Route 1 Parma, ID 83660

, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-8540, and requests that the permit and permit map be changed as follows:

1. Point of diversion: No change $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M., County of _____ . Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount No change for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	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 $\frac{1}{4}$	
5N	5W	10			1	1								19	13	27	22		83

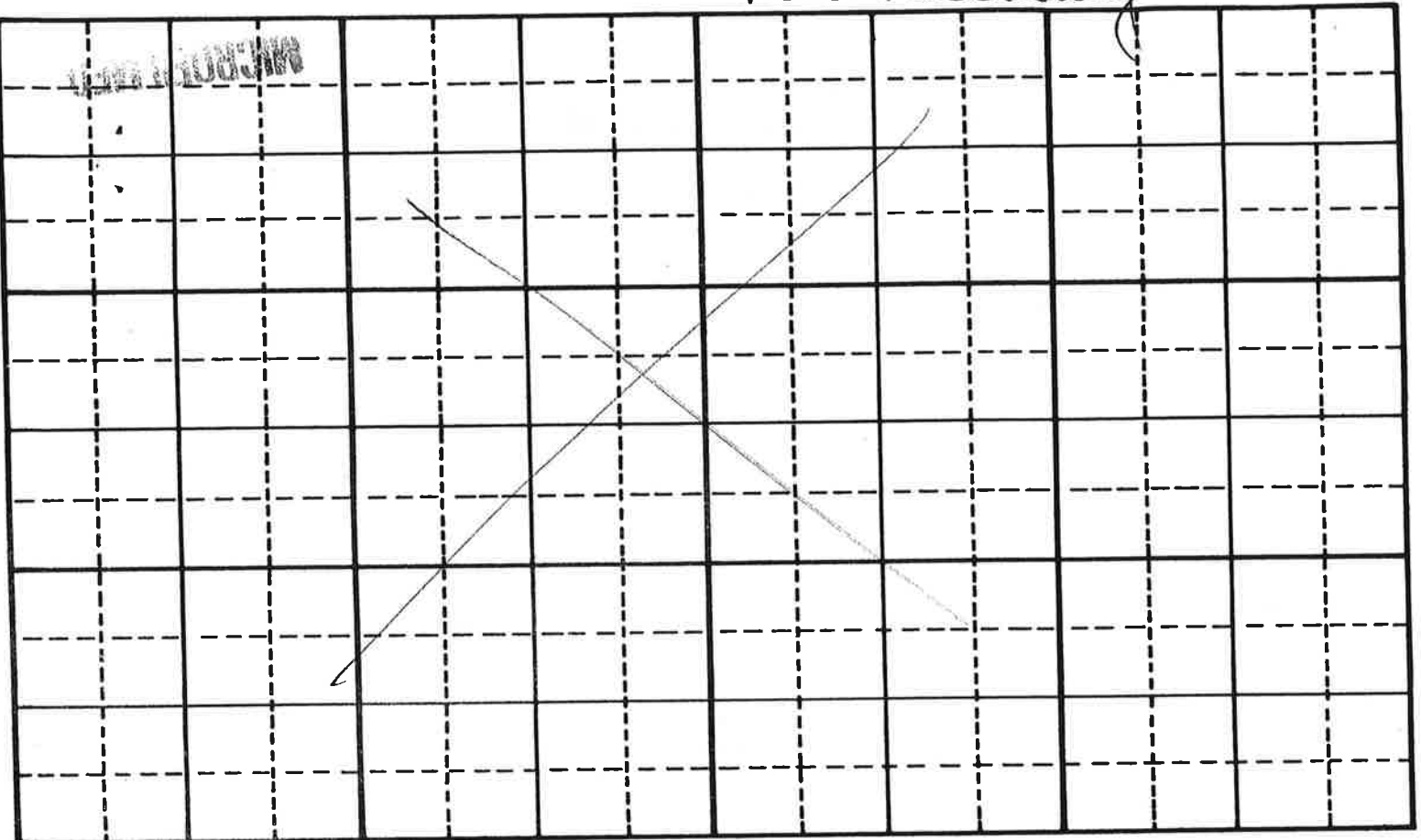
Total number of acres to be irrigated = 83

4. a. Who owns the property at the point of diversion? _____
- b. Who owns the land to be irrigated or the place of use? _____
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40-acre subdivisions, townships, ranges and ditches.

Not necessary



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at _____, this 4 day of JUNE, 1984.
Dan Rohbach
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ☒

Received by fy Date 6-6-84 # 34707

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby

Approve the above Application for Amendment for Permit No. 63-8540.

Witness my hand this 29TH day of JUNE, 19 84.

Acting for the Director

Norman Cygus
Dkt

Identification No. _____

Application No. 63-8540

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 William Pease Phone: 482-6882
post office address Box 37 Wilder, Idaho
2. Source of water supply Unnamed drain which is a tributary of Sand Hollow Drain
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10 Township 5N
Range 5W 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 2.96 for irrigation purpose from March 1 to Oct. 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. 2.96 cfs cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. pump, pipe and ditches

- 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 _____ inches; proposed depth of well is _____ 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 \$ 2000
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: _____

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JAN 10 1964
IDAHO DEPT. OF WATER RESOURCES

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	
5N	5W	10				28								21	40	30	29		148

Total number of acres to be irrigated 148

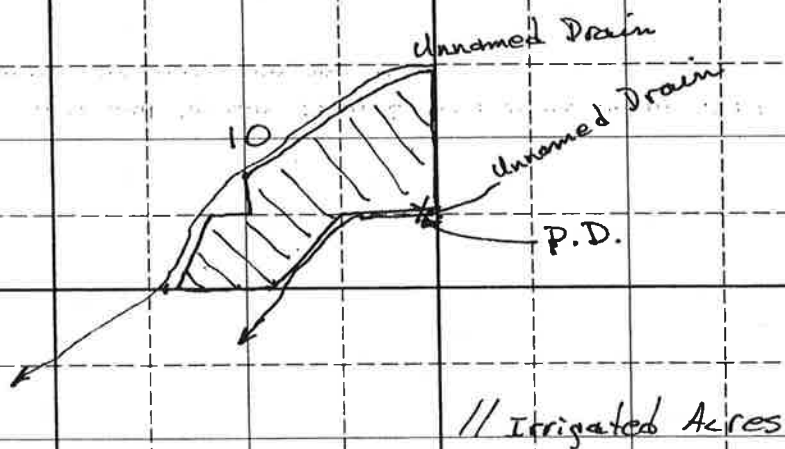
c. Describe any other water rights used for the same purposes as described above.
Farmers Coop

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 This right and Farmers Coop water not to exceed 0.02 cfs per acre nor 4.5 acre feet per acre per year.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

5 West



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.

William Pease
(Applicant)

Proposed Priority 3/ 4/77

Received by WLM Date 3-4-77 Time 2:30

Preliminary check by RWH Fee \$ 45.00 # 6770

Received by CS Date March 4, 1977

Publication prepared by LP Date 3/9/77

Published in News-Tribune, Caldwell, Id

Publication dates March 17 & March 24, 1977

Publication approved rf Date 4-4-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by WLM

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8540, 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 April 1, 19 82.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

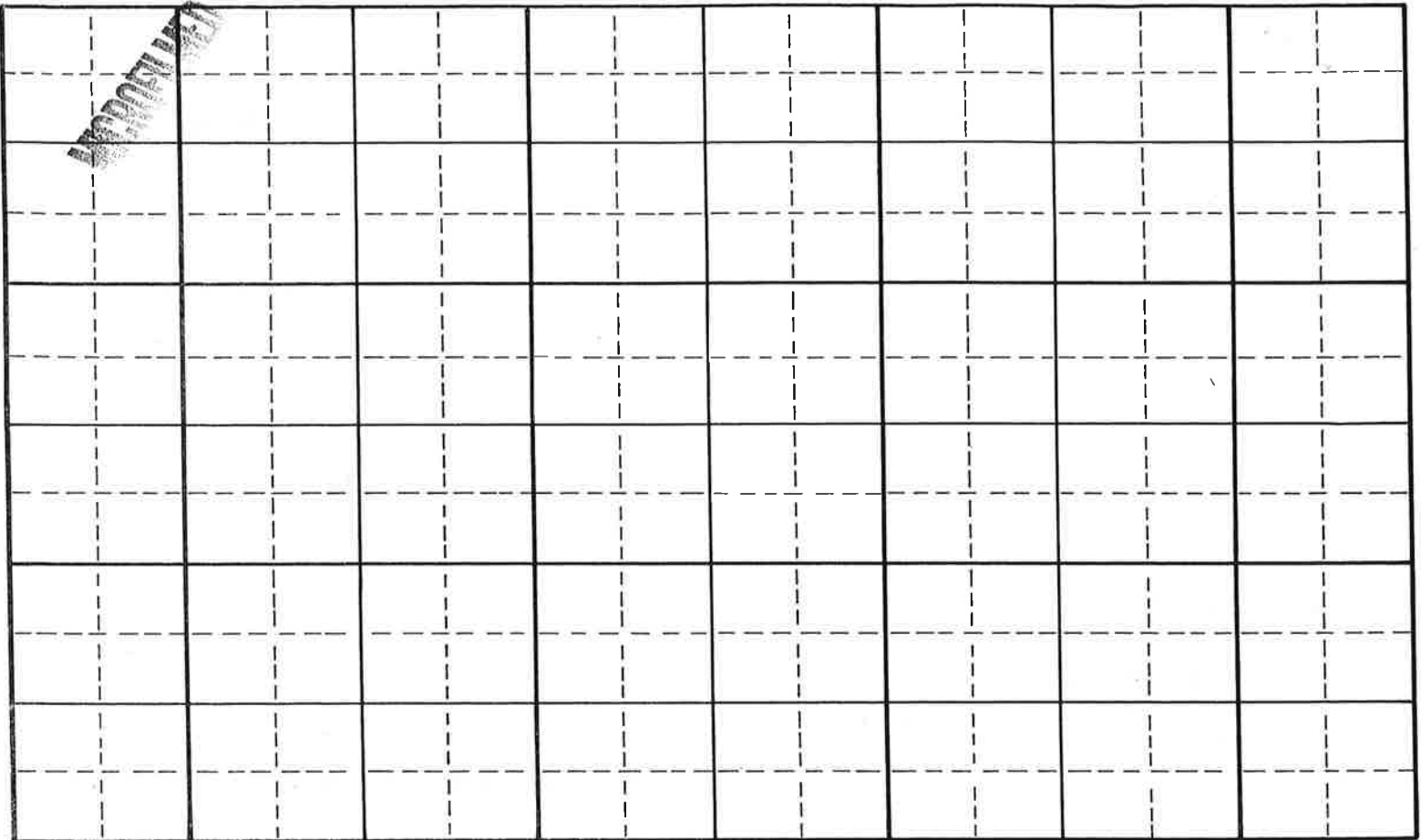
The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 26 day of April 1977.


Director

NOT RECORDED

MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: NE SE S10 SN SW ✓

Place(s) of Use

TWP.	RGE.	SEC.	NE% ✓ ✓				NW%				SW% ✓				SE% ✓				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
5N	5W	10			(5)	1							19.5	13	27	22			83 ✓
					1								19						

Recommended Amendments:

- ☐ Change P.D. as reflected above
☒ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
☐ Add P.U. as reflected above

- ☐ None
☐ Other

Examiner's Signature W. J. Sisco

Checked by Ray Walker

Approved by

Date 29 May 1981

Date 2/25/82

Date 2-24-84

09/29/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-8540

CAROL A ROHRBACHER
24392 MARKET RD
PARMA ID 83660

Telephone Number: (208)722-5477

DAN M ROHRBACHER
24392 MARKET RD
PARMA ID 83660

Telephone Number: (208)722-5477

- wrong # -
attempted to call
10/31/06. NO change
made. vhm

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

THAT 3 ACRE PORTION SOUTH AND WEST
OF DEURSION MARKED ON MAP WITH
PEN

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

THAT 3 ACRE PORTION SOUTH AND WEST
OF DEURSION NEED TO BE INCLUDED
WITH REST OF PROPERTY

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

CLAIM # 63-08540

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

DATE: 10/17/06 SIGNATURE: Dan Rohrbacher

Please print your name: DAN ROHRBACHER

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

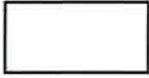
Idaho Department of Water Resources

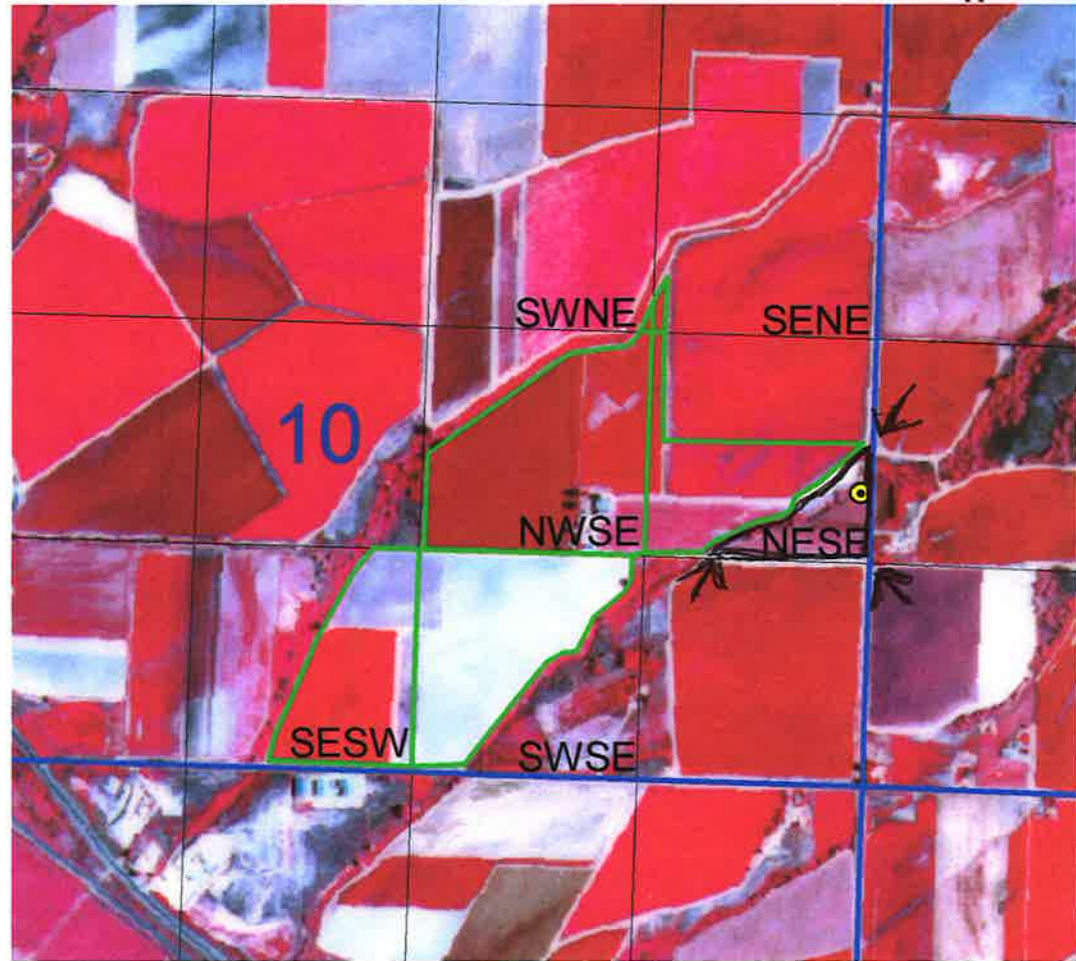
Claim Number: 63-08540

Legal: T05N, R05W, S10

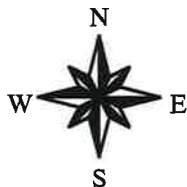
Reviewed By: **Vicky Music**

1987 Napp Photo

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



0 0.25 0.5 0.75 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-8540

WATER RIGHT NUMBER: 63-8540

Owner Type Name and Address
Original Owner WILLIAM E PEASE
24454 RUDD RD
PARMA, ID 83660
(208)722-6440
Current Owner CAROL A ROHRBACHER
24392 MARKET RD
PARMA, ID 83660
(208)722-5477
Current Owner DAN M ROHRBACHER
24392 MARKET RD
PARMA, ID 83660
(208)722-5477

*claimed & recommended
as licensed*

Priority Date: 05/04/1977 ✓

Basis: License ✓

Status: Active

Source
UNNAMED DRAIN ✓

Tributary
BOISE RIVER ✓

Beneficial Use
IRRIGATION ✓

From To
3/15 to 11/15

Diversion Rate
1.410 CFS ✓

Annual Volume
373.5

Total Diversion: 1.410 CFS

Location of Point(s) of Diversion

UNNAMED DRAIN
CANYON County

SE1/4NE1/4SE1/4

Sec. 10, Twp 05N, Rge 05W, B.M. ✓

Place of UseIRRIGATION Within CANYON County

T05N R05W S10 SWNE 1.0 ✓ T05N R05W S10 SENE 1.0 ✓

T05N R05W S10 SESW 19.0 ✓ T05N R05W S10 NESE 13.0 ✓

T05N R05W S10 NWSE 27.0 ✓ T05N R05W S10 SWSE 22.0 ✓

Total Acres: 83 ✓

23.2

23.2

Conditions of Approval:

1. 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.

Remarks:Comments:

*W24 Farmers Co-op water used
534' 50" shoulder remark for 3/1*

Overlaps - none

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POD REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8540

08/18/2006

1

ater Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Source	Name
63-8540	Claim	05N	05W	10	NE	SE		UNNAMED DRAIN BOISE RIVER	CAROL A ROHRBACHER
63-8540	Water Right	05N	05W	10	NE	SE		UNNAMED DRAIN BOISE RIVER	DAN M ROHRBACHER

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8540

08/18/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
138C	Claim	05N	05W	10	SW	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-188	Claim	05N	05W	10	SW	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-189	Claim	05N	05W	10	SW	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-190	Claim	05N	05W	10	SW	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-191	Claim	05N	05W	10	SW	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-296	Claim	05N	05W	10	SW	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4851	Claim	05N	05W	10	SW	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4852	Claim	05N	05W	10	SW	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
8540	Claim	05N	05W	10	SW	NE		IRRIGATION	1/83	CAROL A ROHRBACHER
8540	Water Right	05N	05W	10	SW	NE		IRRIGATION	1/83	DAN M ROHRBACHER
303A	Claim	05N	05W	10	SW	NE		IRRIGATION FROM STORAGE	40/16031	FARMERS COOPERATIVE DITCH CO
138C	Claim	05N	05W	10	SE	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-188	Claim	05N	05W	10	SE	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-189	Claim	05N	05W	10	SE	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-190	Claim	05N	05W	10	SE	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-191	Claim	05N	05W	10	SE	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-296	Claim	05N	05W	10	SE	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4851	Claim	05N	05W	10	SE	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4852	Claim	05N	05W	10	SE	NE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
8540	Claim	05N	05W	10	SE	NE		IRRIGATION	1/83	CAROL A ROHRBACHER
8540	Water Right	05N	05W	10	SE	NE		IRRIGATION	1/83	DAN M ROHRBACHER
303A	Claim	05N	05W	10	SE	NE		IRRIGATION FROM STORAGE	40/16031	FARMERS COOPERATIVE DITCH CO
138C	Claim	05N	05W	10	SE	SW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-188	Claim	05N	05W	10	SE	SW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-189	Claim	05N	05W	10	SE	SW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-190	Claim	05N	05W	10	SE	SW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-191	Claim	05N	05W	10	SE	SW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-296	Claim	05N	05W	10	SE	SW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8540

08/18/2006

2

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
4851	Claim	05N	05W	10	SE	SW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4852	Claim	05N	05W	10	SE	SW		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
8540	Claim	05N	05W	10	SE	SW		IRRIGATION	19/83	CAROL A ROHRBACHER
8540	Water Right	05N	05W	10	SE	SW		IRRIGATION	19/83	DAN M ROHRBACHER
303A	Claim	05N	05W	10	SE	SW		IRRIGATION FROM STORAGE	40/16031	FARMERS COOPERATIVE DITCH CO
138C	Claim	05N	05W	10	NE	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-188	Claim	05N	05W	10	NE	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-189	Claim	05N	05W	10	NE	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-190	Claim	05N	05W	10	NE	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-191	Claim	05N	05W	10	NE	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-296	Claim	05N	05W	10	NE	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4851	Claim	05N	05W	10	NE	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4852	Claim	05N	05W	10	NE	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
8540	Claim	05N	05W	10	NE	SE		IRRIGATION	13/83	CAROL A ROHRBACHER
8540	Water Right	05N	05W	10	NE	SE		IRRIGATION	13/83	DAN M ROHRBACHER
303A	Claim	05N	05W	10	NE	SE		IRRIGATION FROM STORAGE	40/16031	FARMERS COOPERATIVE DITCH CO
138C	Claim	05N	05W	10	NW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-188	Claim	05N	05W	10	NW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-189	Claim	05N	05W	10	NW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-190	Claim	05N	05W	10	NW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-191	Claim	05N	05W	10	NW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-296	Claim	05N	05W	10	NW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4851	Claim	05N	05W	10	NW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4852	Claim	05N	05W	10	NW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
8540	Claim	05N	05W	10	NW	SE		IRRIGATION	27/83	CAROL A ROHRBACHER
8540	Water Right	05N	05W	10	NW	SE		IRRIGATION	27/83	DAN M ROHRBACHER
303A	Claim	05N	05W	10	NW	SE		IRRIGATION FROM STORAGE	40/16031	FARMERS COOPERATIVE DITCH CO
15175	Water Right	05N	05W	10	NW	SE		STOCKWATER		CAROL A ROHRBACHER

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-8540**

08/18/2006

3

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
15175	Water Right	05N	05W	10	NW	SE		DOMESTIC		CAROL A ROHRBACHER
138C	Claim	05N	05W	10	SW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-188	Claim	05N	05W	10	SW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-189	Claim	05N	05W	10	SW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-190	Claim	05N	05W	10	SW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-191	Claim	05N	05W	10	SW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
-296	Claim	05N	05W	10	SW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4851	Claim	05N	05W	10	SW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
4852	Claim	05N	05W	10	SW	SE		IRRIGATION	40/16111	FARMERS COOPERATIVE DITCH CO
8540	Claim	05N	05W	10	SW	SE		IRRIGATION	22/83	CAROL A ROHRBACHER
8540	Water Right	05N	05W	10	SW	SE		IRRIGATION	22/83	DAN M ROHRBACHER
303A	Claim	05N	05W	10	SW	SE		IRRIGATION FROM STORAGE	40/16031	FARMERS COOPERATIVE DITCH CO

12/10/2006

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

RIGHT NUMBER: 63-8540
NAME AND ADDRESS: CAROL A ROHRBACHER
24392 MARKET RD
PARMA ID 83660

DAN M ROHRBACHER
24392 MARKET RD
PARMA ID 83660

SOURCE: UNNAMED DRAIN TRIBUTARY: BOISE RIVER

QUANTITY: 1.410 CFS
373.50 AFY

PRIORITY DATE: 05/04/1977

POINT OF
DIVERSION: T05N R05W S10 NESE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.410 CFS 373.50 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 in CANYON County

T05N R05W S10	SWNE	1.00	T05N R05W S10	SENE	1.00
T05N R05W S10	SESW	19.00	T05N R05W S10	NESE	13.00
T05N R05W S10	NWSE	27.00	T05N R05W S10	SWSE	22.00

83 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Farmers Cooperative Irrigation Co., Ltd.

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.

RECEIVED

JUN 14 2007

DEPARTMENT OF
WATER RESOURCES

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

Case No. 39576

A. Subcase

63-8540

(insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

HAROLD ROHRBACHER IN BEHALF OF DAN & CAROL ROHRBACHER

Address:

28253 SHELTON RD PARMA IDAHO
83660

Daytime Phone: 208-880-7874

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

DAN & CAROL ROHRBACHER

Address:

24329 MARKET RD PARMA
IDAHO 83660

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: ALL AREAS OUTLINED BY IDWR BUT
SHOULD ALSO INCLUDE SMALL TRIANGULAR
PIECE WHICH THE POINT OF DIVERSION
IS LOCATED IN-OUTLINED IN ORANGE
SEE ATTACHED
11. **I object because:**
☐ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): THE POINT OF

DIVERSION IS LOCATED IN THIS TRIANGULAR
PIECE AND WE FEEL IT SHOULD BE INCLUDED WITH
THE REST OF THE WATER RIGHT AS IT IS
CONTIGUOUS WITH THE REST OF THE FARM AND
WATER RIGHT

F.

VERIFICATION (Must be Completed)

State of Idaho)
County of Canyon) ss.

HAROLD ROHRBACHER, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Harold Rohrbacher
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6-13-2007

Debbie Johnson
Notary Public for Payson Idaho
Residing at: Payson
My Commission Expires: 11-7-2011



INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on JUNE 13, 1997, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: DAN & CAROL ROHRBACHER
Address: 24329 MARKET RD PARMA IDAHO 83660

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney
mailing on Objector's behalf



Idaho Department of Water Resources

SRBA Recommendation:

63-8540

(Irrigation)

Legend

⊙ Point of Diversion
Place of Use



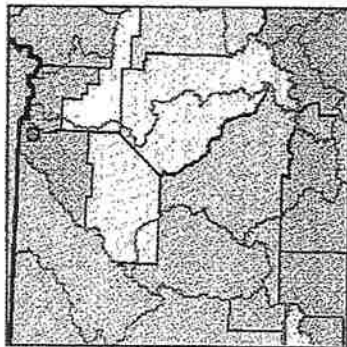
Townships



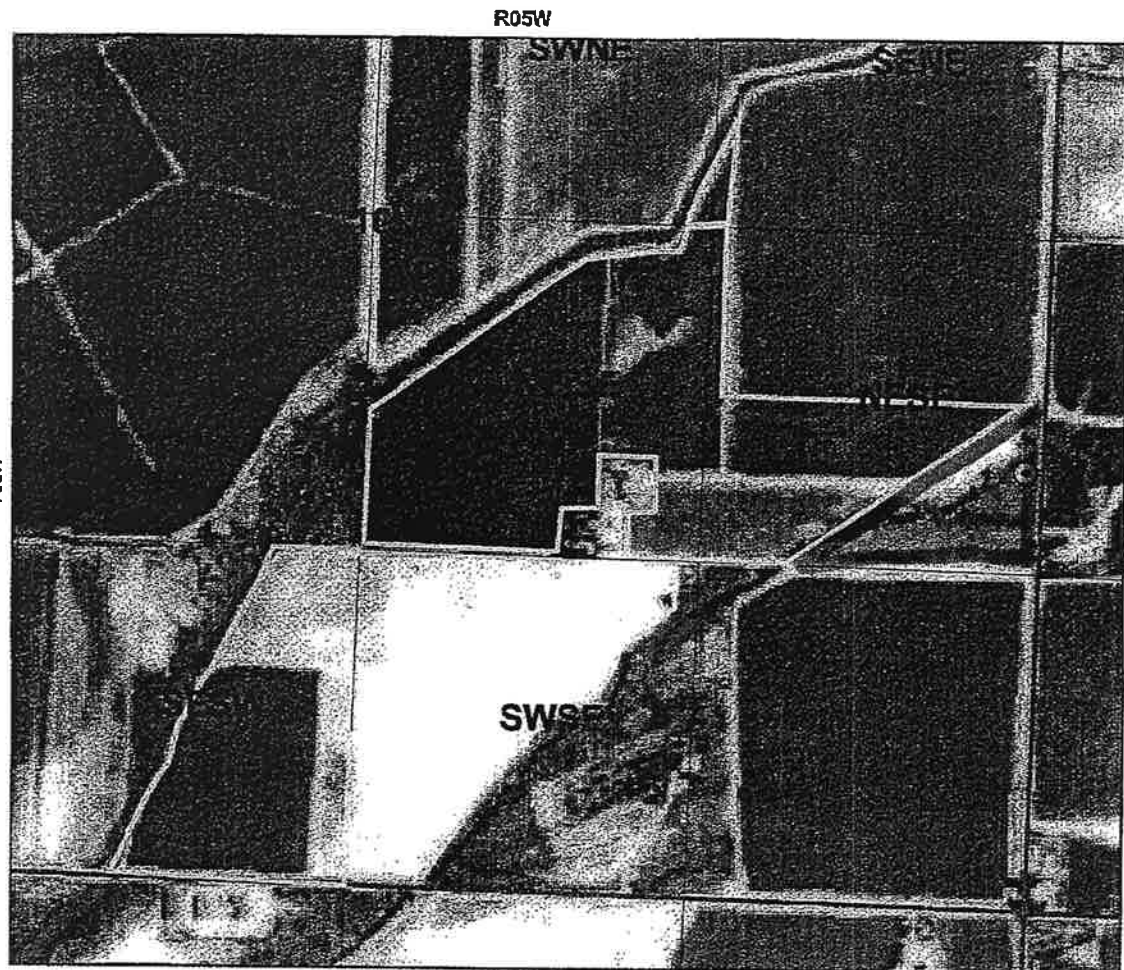
PLS Sections



Quarter Quarters



Canyon County
IDWR Basin 63



Prepared by D. Smith
On Thursday, February 22, 2007
1987/88 Aerial Photography

