

07/01/2004

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

RIGHT NUMBER: 27-11762

NAME AND ADDRESS: ELNA V MULBERRY
2243 W 81 S
IDAHO FALLS ID 83402

STEVE N MULBERRY
2243 W 81 S
IDAHO FALLS ID 83402

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/07/1926

POINT OF DIVERSION:

T01N R37E S14 NWENW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: DOMESTIC Within BONNEVILLE County
T01N R37E S14 NENW
STOCKWATER same as DOMESTIC

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: **Beneficial Use**

PARCEL NO. RP01N37E142427

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.

Notes

27-11763

6/25/03 8:45am Mark Mulberry (Steve's brother) called to find out why his dad (Ted) and brother got notices for evidence of priority and he didn't. Marks right ask basin 25 decreed (4/16/99) rights.

In 1993/94 Steve sold the farm to Ted and the home to Roger & Jennifer Manweller. The home was sold with 1.2 acres. The 80 acres is irrigated with canal shares out of Idaho Irrigation District. Steve Mulberry moved to Buhl.

- Need an ownership change

SCANNED

MAY 26 2006

PROFILED

Notes

Claim A
Exam date 12-11-2003

GPS data 000055627
000059945

File # 11762
Tag # A001248

Photo 1 - inside well holding area
2 - House

* Only home + barn + room for 1-5 hours
No dairy on site anymore.
* Recommended 0.04 cfs - Domestic
0.02 cfs - Stockwater
Total 0.04 cfs

Barn

Well box

House



I advised Roger Manwiler to send in his
change of ownership along with evidence of priority
Phone # 523-6803.
Hef

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____

Current Owner _____ *see claim*

Name connector: and _____, or _____, and/or _____

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: *11-5-2003* Time: _____

Directions to Property (if different from above) and/or update owner information:

*6/30/04 No ownership change received. CB
recommended to claimant*

Reviewer: *CP*

Date: *6/30/04*

Contacts Data Entry Form

Priority Date Data Entry Form

Claim Number: A27-11762

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: _____ Recommended Basis: _____

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

*none submitted, field exam established
this is domestic/stock claim only. no
evid.*

Reviewer: CPDate: 6/30/04

Priority Date Data Entry Form

Priority DateClaim No. 27-11762

1. Should this water use have been included in a later court decree of the water rights from this source? Yes ☐ No ☒
If Yes, go to 2
If No, go to 4
2. Was the owner or the owner's predecessor in interest of the place of use joined in the later decree? Yes ☐ No ☐
If Yes, go to 3a
If No, go to 4
- 3a. Is the date the decree was entered after the date a permit is required for the source and the water use? Yes ☐ No ☐
If Yes, consult the attorney assigned to the Basin. Go to 3b
If No, go to 4
- 3b. Do the facts support disallowing the claim, or recommending the claim as an enlargement or an expansion? Yes ☐ No ☐
If Yes, go to 11
If No, go to 4
4. Is the basis of claim a decree or license? Yes ☐ No ☒
If Yes, go to 5
If No, go to 7
5. Does the decree or license have a Priority Date? Yes ☐ No ☐
If Yes, go to 6
If No, Consult the attorney assigned to the Basin, go to 15
6. Did the Claimant claim the decreed or licensed Priority Date? Yes ☐ No ☐
If Yes, recommend the Priority Date claimed. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
If No, Obtain an amended claim if necessary. If questions 1. and 2. were both answered yes, consult attorney. Go to 15
7. Is the basis of claim a Permit or Application? Yes ☐ No ☒
If Yes, go to 10e
If No, go to 8
8. Is the basis of claim a posted notice? Yes ☐ No ☒
If Yes, consult the attorney assigned to the Basin, go to 15
If No, go to 9
9. Is the Priority Date claimed after the date a permit is required for the source and the water use? Yes ☐ No ☒
If Yes, go to 11
If No, go to 12
- 10e. Will the license be issued prior to filing the Director's Report? Yes ☐ No ☐
If Yes, recommend the Priority Date shown on the license, go to 15
If No, recommend the Priority Date shown on the Permit. All other elements should be recommended as shown on the Permit. Add Condition Code A01 to the Recommendation, go to 15
11. Is the claim for an expansion or enlargement under 42-1416B or 42-1426? Yes ☐ No ☐
If Yes, go to 12
If No, disallow with condition P01.
12. Does the claim file contain sufficient evidence of Priority Date? Yes ☒ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, Request additional evidence of Priority Date, go to 13
13. Has additional evidence of priority date been submitted? Yes ☐ No ☐
If Yes, recommend the date supported by the evidence submitted, go to 15
If No, recommend a Priority Date based on available evidence if possible. If some of the claimed water uses can be recommended with the Priority Date supported by the evidence, then do so, go to 14
14. Can any portion of the claim be recommended as a valid water right? Yes ☐ No ☐
If Yes, go to 15
If No, disallow with condition P01.
15. Is the basis of claim coded correctly? Yes ☒ No ☐
If Yes, go to 16
If No, Enter the appropriate basis of claim. B.U.
16. Is a Priority Date remark and/or condition required? Yes ☐ No ☒
If Yes, Enter the appropriate basis of claim. Priority Date review is complete
If No, Priority Date review is complete.

Priority Date

Point of Diversion and Source Data Entry Form

Claim Number: A27-11762

Water Right Point of Diversion: T____, R____, Sec.____, County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____, R____, Sec.____, County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____, R____, Sec.____, County:_____

Source:_____ Tributary:_____

☐ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
						<u>file 11762</u>
GPS Coordinates: <u>0655627</u> <u>0259945</u>						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

link POD
Tag No. A0012487

Transfers Changing POD noReviewer: CBDate: 6/30/04

Point of Diversion and Source Data Entry Form

Point of Diversion

Claim No. 27-11762

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes (☒) No (☒)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes (☐) No (☒)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the POD as shown on the Permit. Go to 10
Yes (☐) No (☐)
4. Does the parent right have a POD?
If Yes, go to 5
If No, go to 6
Yes (☐) No (☐)
5. Can the claimed POD be verified using the water right file?
If Yes, recommend the POD as shown in the water right file. Go to 10
If No, go to 6
Yes (☐) No (☐)
6. Is there evidence that there has been a change in the POD?
If Yes, go to 7
If No, go to 9
Yes (☐) No (☒)
7. Can the change be verified as an accomplished transfer?
If Yes, add condition C03, go to 9
If No, Notify claimant that a transfer is necessary before the claimed POD can be recommended. Go to 8
Yes (☐) No (☐)
8. Was a transfer filed?
If Yes, recommend the POD as shown on the approved transfer. Go to 10
If No, go to 9
Yes (☐) No (☐)
9. Does the file contain all of the necessary information to verify the POD?
If Yes, recommend the POD as it existed on 11-19-1987. Describe how the POD was verified. Go to 10
If No, collect the necessary information. Conduct field exam if necessary. Recommend the POD as it existed on 11-19-1987. Go to 10
Yes (☒) No (☐)
10. Is a POD remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POD review is complete
If No, POD review is complete.
Yes (☐) No (☒)

Point of Diversion

Source

Claim No. 27-11702

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes ☐ No ☒
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes ☐ No ☒
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Source as shown on the Permit. Go to 11
Yes ☐ No ☐
4. Does the parent right have a Source?
If Yes, go to 5
If No, go to 7
Yes ☐ No ☐
5. Can the claimed Source be verified using the water right file?
If Yes, recommend the Source as shown in the water right file. Go to 11
If No, go to 7
Yes ☐ No ☐
6. Is the basis of claim a Posted Notice?
If Yes, consult the attorney assigned to the basin. Go to 7
If No, go to 7
Yes ☐ No ☒
7. Is there evidence that there has been a change in the Source?
If Yes, go to 8
If No, go to 10
Yes ☐ No ☒
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C02, go to 10
If No, Notify claimant that a transfer is necessary before the claimed Source can be recommended. Go to 9
Yes ☐ No ☐
9. Did the claimant file a transfer?
If Yes, recommend the Source as shown in the transfer. Go to 11
If No, go to 10
Yes ☐ No ☐
10. Does the file contain all of the necessary information to verify the Source?
If Yes, recommend the Source as it existed on 11-19-1987. Go to 11
If No, collect the necessary information. Recommend the Source as it existed on 11-19-1987. Go to 11
Yes ☒ No ☐
11. Is a Source remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Source review is complete.
If No, Source review is complete.
Yes ☐ No ☒

Source

Purpose of Use Data Entry Form

Claim Number: A27-11762☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
domestic	1			
stock		5		

Document how the Purpose of Use was verified:

field exam

Transfers Changing Purpose of Use noReviewer: CBDate: 6/30/04

Purpose of Use Data Entry Form

Purpose of Use

Claim No. 27-11762

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2
Yes () No (☒)
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6
Yes () No (☒)
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Purpose(s) of Use as shown on the Permit. Go to 13
Yes () No ()
4. Does the parent right have a Purpose of Use?
If Yes, go to 5
If No, go to 6
Yes () No ()
5. Can the claimed Purpose of Use be verified using the water right file?
If Yes, recommend the Purpose(s) of Use that is (are) claimed and shown in the water right file. Go to 13
If No, go to 6
Yes () No ()
6. Is there evidence that there has been a change in the Purpose of Use?
If Yes, go to 7
If No, go to 11
Yes (☒) No (☒)
7. Can the change be verified as an accomplished transfer?
If Yes, add condition C04, go to 11
If No, go to 8
Yes (☒) No ()
8. Does the change include an enlargement of the Purpose of Use?
If Yes, describe the evidence that supports that there has been an enlargement in the Purpose of Use. Go to 9
If No, Describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed Purpose(s) of Use can be recommended. Go to 12
Yes () No ()
9. Was an enlargement claim filed?
If Yes, go to 11
If No, Notify claimant that an enlargement claim is necessary. Go to 10
Yes () No ()
10. Did the claimant file an enlargement claim?
If Yes, go to 11
If No, recommend only the Purpose(s) of Use that existed on the date established as the priority date of this right. Go to 13
Yes () No ()
11. Does the file contain all of the necessary information to verify the Water Use?
If Yes, recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
If No, collect the necessary information. Conduct field exam if necessary. Recommend the Purpose(s) of Use in existence on 11-19-1987. Go to 13
Yes (☒) No ()
12. Did the claimant file a transfer?
If Yes, recommend the Purpose(s) of Use shown on the approved transfer. Go to 13
If No, recommend only the Purpose(s) of Use in existence on 11-19-1987. Go to 13
Yes () No ()
13. Is a Purpose of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Purpose of Use review is complete.
If No, purpose of Use review is complete.
Yes () No (☒)

Purpose of Use

Place Of Use Data Entry Form

Claim Number: A27-11762☒ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

field exam

Transfers Changing POU _____

Reviewer: CBDate: 8/30/04

Place of Use

Claim No. 27-11762

1. Is the basis of claim a Decree or License.
If Yes, go to 2a
If No, go to 2b
Yes ☐ No ☒
- 2a. Is a POU required?
If Yes, go to 5
If No, go to 14
Yes ☐ No ☐
- 2b. Is a POU required?
If Yes, go to 3
If No, go to 14
Yes ☐ No ☒
3. Is the basis of claim a Permit or Application?
If Yes, go to 4
If No, go to 7
Yes ☐ No ☐
4. Has the License been issued?
If Yes, go to 6
If No, recommend the POU as shown on the Permit. Go to 14
Yes ☐ No ☐
5. Does the parent right have a POU?
If Yes, go to 6
If No, go to 7
Yes ☐ No ☐
6. Can the claimed POU be verified using the water right file?
If Yes, recommend the POU as shown in the water right file. Go to 14
If No, go to 7
Yes ☐ No ☐
7. Is there evidence that there has been a change in the POU?
If Yes, go to 8
If No, go to 13
Yes ☐ No ☐
8. Can the change be verified as an accomplished transfer?
If Yes, add condition C05, go to 13
If No, go to 9
Yes ☐ No ☐
9. Does the change include an enlargement of the POU?
If Yes, describe the evidence that supports that there has been an enlargement in the POU. Go to 10
If No, describe the evidence that supports the change occurred after 11-19-1987. Notify claimant that a transfer is necessary before the claimed POU can be recommended. Go to 12
Yes ☐ No ☐
10. Was an enlargement claim filed?
If Yes, go to 13
If No, notify claimant that an enlargement claim is necessary. Go to 11
Yes ☐ No ☐
11. Did the claimant file an enlargement claim?
If Yes, go to 13
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13
Yes ☐ No ☐
12. Was a transfer filed?
If Yes, recommend the POU as shown on the approved transfer. Go to 14
If No, recommend the POU as it existed on of 11-19-1987. The size of the POU is limited to the size that existed on the date established as the priority date of this right. Go to 13
Yes ☐ No ☐
13. Does the file contain all of the necessary information to verify the POU?
If Yes, go to 14
If No, collect the necessary information. Conduct field exam if necessary. Go to 14
Yes ☐ No ☐
14. Is a POU remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. POU review is complete.
If No, POU review is complete.
Yes ☐ No ☒

Place of Use

Period of Use and Quantity Data Entry Form

Claim Number: A27-11762☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
domestic	1/1	12/31	0.04	
Stock	1/1	12/31	0.02	

Overall Diversion Rate 0.04 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

field exam

Reviewer: CBDate: 6/30/04

1. Is the basis of claim a Decree or License?
If Yes, go to 4
If No, go to 2 Yes ☐ No ☒
2. Is the basis of claim a Permit or Application?
If Yes, go to 3
If No, go to 6 Yes ☐ No ☒
3. Has the License been issued?
If Yes, go to 5
If No, recommend the Period of Use as shown on the Permit. Go to 18 Yes ☐ No ☐
4. Does the parent right have a Period of Use?
If Yes, go to 5
If No, go to 6 Yes ☐ No ☐
5. Can the claimed Period of Use be verified using the water right file?
If Yes, go to 14
If No, go to 6 Yes ☐ No ☐
6. Is there evidence that there has been a change in the Period of Use?
If Yes, go to 7
If No, go to 12 Yes ☐ No ☒
7. Does the change include an enlargement in the Period of Use?
If Yes, go to 9
If No, go to 8 Yes ☐ No ☐
8. Can the change be recommended as an accomplished transfer?
If Yes, add Condition C10. Describe the evidence that supports the change occurred after 11-19-1987. Go to 12
If No, notify claimant that a transfer is necessary. Go to 11 Yes ☐ No ☐
9. Was an enlargement claim filed?
If Yes, go to 12
If No, notify claimant that an enlargement claim is necessary. Go to 10 Yes ☐ No ☐
10. Did the claimant file an enlargement claim?
If Yes, go to 12
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12 Yes ☐ No ☐
11. Was a transfer filed?
If Yes, go to 14
If No, recommend the Period of Use as it existed on 11-19-1987, subject to completing the review. Go to 12 Yes ☐ No ☐
12. Does the file contain all of the necessary information to verify the Period of Use?
If Yes, go to 13
If No, collect the necessary information. Conduct field exam if necessary. Go to 13 Yes ☒ No ☐
13. Is the basis of claim a decree, license or a transferred beneficial use right that has had the Period of Use administratively determined?
If Yes, go to 14
If No, go to 15 Yes ☐ No ☒
14. Is irrigation claimed as a purpose of use?
If Yes, go to 16
If No, recommend the Period of Use of the parent right. Go to 18 Yes ☐ No ☐
15. Is irrigation claimed as a purpose of use?
If Yes, recommend the "standard" Period of Use for the location of the POU. Go to 18
If No, the Period of Use is usually recommended as claimed. Go to 18 Yes ☐ No ☒
16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
If Yes, go to 17
If No, recommend the Period of Use of the parent right. Go to 18 Yes ☐ No ☐
17. Was the Period of Use shortened by a Transfer to a "standard" Period of Use that is shorter than the current standard Period of Use?
If Yes, recommend the current standard Period of Use if the Period of Use of the parent right prior to the transfer was not established, equal to, or longer than the current standard. If the Period of Use of the parent right prior to the transfer was shorter than the current standard, recommend the Period of Use of the parent right and add the appropriate shoulder remark. Consult attorney assigned to the Basin if the Period of Use was an element transferred. Go to 18
If No, recommend the Period of Use of the parent right. Add appropriate shoulder remark. Go to 18 Yes ☐ No ☐
18. Is a Period of Use remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Period of Use review is complete. Yes ☐ No ☒

Period of Use

Quantity

Claim No. 27-11762

1. Is the basis of claim a Decree or License?

If Yes, go to 4

If No, go to 2

Yes ☐ No ☒

2. Is the basis of claim a Permit or Application?

If Yes, go to 3

If No, go to 6

Yes ☐ No ☒

3. Has the License been issued?

If Yes, go to 5

If No, recommend the Quantity shown on the Permit. Go to 11

Yes ☐ No ☐

4. Does the parent right have a diversion rate and/or volume?

If Yes, go to 5

If No, go to 7

Yes ☐ No ☐

5. Can the claimed diversion rate and/or volume be verified using the water right file?

If Yes, go to 8

If No, go to 7

Yes ☐ No ☐

6. Is the basis of claim a posted notice?

If Yes, consult the attorney assigned to the Basin. Go to 7

If No, go to 7

Yes ☐ No ☒

7. Is a flow measurement required?

If Yes, attach all related measurement documents. Describe the flow measurement that was made. Go to 9

If No, describe why a flow measurement is not required. Go to 9

Yes ☐ No ☒

8. Does the parent right have an annual diversion volume limit?

If Yes, go to 10

If No, go to 9

Yes ☐ No ☐

9. Is the source Ground Water and does the purpose of use require a diversion volume limit?

If Yes, go to 10

If No, go to 11

Yes ☒ No ☐

10. Is irrigation a purpose of use?

If Yes, view the map of field irrigation requirements. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

Yes ☐ No ☒

11. Has a diversion volume limit for this water use been established by a decree, license or transfer?

If Yes, recommend an annual diversion volume. Show the calculation of the annual diversion volume or describe how the annual diversion volume was determined. Go to 12

If No, go to 12

Yes ☐ No ☐

12. Is a Quantity remark and/or condition required?

If Yes, enter the appropriate remark and/or condition. Quantity review is complete.

If No, quantity review is complete.

Yes ☒ No ☐

Quantity

Summary

Claim No. 27 - 11762

1. Is the basis of claim a Decree, License, Permit, Application or Posted Notice?
If Yes, go to 2
If No, go to 3
Yes () No (X)
2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?
If Yes, consult the attorney assigned to the Basin. Document the period of time the right or portion of the right was not used. Go to 4
If No, status will be set as Active. Go to 5
Yes () No ()
3. Is the water being used for all of the purposes claimed and to the extent claimed?
If Yes, status will be set as Active. Go to 5
If No, consult the attorney assigned to the Basin. Recommend only the uses found and limit the elements of those uses to the extent of the beneficial use found. Go to 4
Yes () No (X)
4. Is any portion of the claim being recommended?
If Yes, status will be set as Active. Go to 5
If No, claim will be disallowed. Enter the appropriate condition code. Status will be set as Disallowed. Go to 5
Yes (X) No ()
5. Is an additional remark and/or condition required?
If Yes, enter the appropriate remark and/or condition. Go to 6
If No, go to 6
Yes (X) No ()
6. Would you like to view the recommended right?
If Yes, go to 7
If No, the review is incomplete. The recommendation must be viewed to complete the review.
Yes (X) No ()
7. Is this a "split" or "combined" right?
If Yes, go to the Update Pedigree Process in Workflow when the review is complete. Do any necessary data entry. Go to 8
If No, go to 8
Yes () No (X)
8. Do you have documents you would like to attach or link to the file?
If Yes, go to PowerDOCS and profile the documents. Go to 9
If No, go to 9
Yes () No (X)
9. Would you like to set the verification date?
If Yes, the review is complete.
If No, the review is incomplete. The recommendation must be verified to complete the review.
Yes (X) No ()

Summary

Summary Data Entry Form

Claim No.: _____

Remarks and Conditions (Include Type, Category and Code if applicable):

C18

004

N09 Gen com.

X13 Qty cond

Split or Combined Right Analysis:

NX

Attached Field Notes or Other Documents:

yes

Claim No.:

27-11762

Reviewer

CB

Date

6/30/04

Notes

4/30/04 recommend as noted by Ship's
field notes. CB
Domestic / stock de-minimis use only.

Notes

Jennifer called this morning
6-26-03, Asked what they need to
do. I told her a change of
ownership was sent out yesterday,
and that they needed to fill it out
send it back with a copy of the
warranty deed, map, etc... She
thought the earliest priority date
they could prove would be early 1930's
instead of 1926. I told her they
would have to change the priority
date to when they could prove the
water had been put to bu. She
also said they were leaving town in
2 days and wouldn't be back until
July 23rd.

INTER-DEPARTMENT MEMO

TO: Skip
FROM: Cindy

SUBJECT: evidence/ownership change
DATE: 9-24-03

May 12, 2003 Roger & Jennifer Manweiler was sent an ownership change form and request for evidence. They have not responded. Please have them sign & return the ownership change form. Verify pod, and explain that this will be disallowed if evidence is not submitted. They have until 1 give them 2wks after your visit.

523-6803

AC

~~523-6~~
523-6

CP

signature

() For your information

(X) Response required

Claim A27-11762



Home, looking South.

Street Address is 2243 W. 81 S.

Claim A27- 11762



Photo inside of underground well pit



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Roger & Jennifer Manweller
2243 West 81 South
Idaho Falls, Idaho 83402

June 25, 2003

REF: Snake River Basin Adjudication (SRBA)
Water Right Claim No. A27-11762

Subject: Change in Ownership

Dear Claimant(s),

We have been advised; you are one of the current owners of the property and water right referenced above. Before we can modify our records to reflect your ownership of the property and water right, we need form 42-248/42-1409(6) Notice of Change in Water Right Ownership, completed and returned to us.

We will also need a copy of the warranty deed, plat, survey map or aerial photo with the appropriate area marked.

Please fill out the highlighted areas on the notice of change form and submit with the necessary documents by July 18, 2003.

If you have any questions not covered by this letter please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: form 42-248/42-1409(6) "Notice of Change in Water Right Ownership"
Water Right Report # 27-04112



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Steve Mulberry
2243 West 81 South
Idaho Falls, Idaho 83402

May 12, 2003

Re: Evidence of Priority

Claim No.(s) A27-11762

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by June 30, 2003, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Adjudication Claim Report



A25-13124
00.14 N 0 1/4 NE 1/4 N 0 1/4
4-7 1926



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

June 11, 1996

RECEIVED
KARL J. DREHER
DIRECTOR

JUN 18 1996

STEVE N OR ELNA V MULBERRY
PO BOX 228
BUHL ID 83316-0228

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A25-13126
Change of Address

Dear Claimants,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim(s) can be sent only to the address on your claim(s) or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right(s) referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

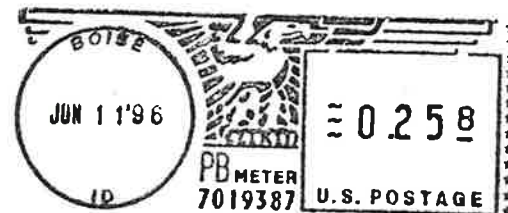
MICROFILMED
NOV 12 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

RECEIVED
JUN 18 1996

Department of Water Resources

PRESORTED
FIRST CLASS



STEVE N OR ELNA V MULBERRY
PO BOX 228
BUHL ID 83316-0228

Re: Snake River Basin Adjudication (S
Notice of Claim No. A25-13126

MULB228 833162012 1N 06/13/96
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER





State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1998

STEVE N MULBERRY
2243 W 81 S
IDAHO FALLS ID 83402

RE: RENUMBERED NOTICE

Dear Mr. & Mrs. Mulberry:

The Department has changed the identification number for Notice of Claim #A25-13126. The new number is #A27-11762. We have also modified receipt #E010519 to reflect the new number.

A copy of the receipt and the Notice of Claim are enclosed for your records.

Respectfully submitted,

Autumn Jones
Records Clerk
Adjudication Bureau

Enclosure: Notice #A27-11762
Receipt #E010519

cc: file



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 19, 1998

~~STEVE N MULBERRY~~
~~2243 W 81 S~~
~~IDAHO FALLS ID 83402~~

→ current owner

RE: RENUMBERED NOTICE

Dear Mr. & ~~Mrs.~~ Mulberry:

The Department has changed the identification number for Notice of Claim #A25-13126. The new number is #A27-11762. We have also modified receipt #E010519 to reflect the new number.

A copy of the receipt and the Notice of Claim are enclosed for your records.

Respectfully submitted,

Autumn Jones
Records Clerk
Adjudication Bureau

Enclosure: Notice #A27-11762
Receipt #E010519

cc: file



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 7, 1998

ROGER MANWILLER
2243 W 81 S
IDAHO FALLS ID 83402

RE: CHANGE IN OWNERSHIP FOR A27-11762

Dear Mr. Manwiller:

It has come to our attention that you may have recently purchased a tract of land in Bonneville County. The property to which I am referring was most recently owned by Steve Mulberry. The legal description is as follows:

T01N R37E S14 NE1/4 NW1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

Autumn Jones
Records Clerk

Enclosure(s)

NOTE TO FILE APRIL 7, 1998 AUTUMN JONES

ON MARCH 19, 1998 I MAILED A RENUMBERED NOTICE TO STEVE MULBERRY. IT WAS RETURNED TO SENDER. SO I CONTACTED THE BONNEVILLE COUNTY ASSES. OFFICE AND RECEIVED THE NAME OF THE CURRENT OWNER FOR THE ADDRESS LISTED ON THE CLAIM. AT THAT TIME I MAILED A NCO-SEND LETTER ALONG WITH THE RENUMBERED NOTICE TO ROGER MANWILLER (CURRENT OWNER LISTED WITH THE ASSES. OFFICE).

WE ARE NOW WAITING FOR A REPLY.

ROGER MANWILLER (NCO-SEND, RENUMBERED NOTICE) LETTER SENT ON APRIL 7, 1998.

OLD (U) NUMBER -

+ - - - - ADDRESS - - - - - +

STATE- ID ZIP- 83402

STATE- IO ZIP- 83402

ELNA V.

PHONE - 208-524-2704

+ - - - STATUS - - - - +

J - BENEFICIAL USE

+ - - - - - TRIBUTARY - - - - - +

+ - - - - - TRIBUTARY

STREAM INDEX (BLANK IF NO INDEX CODE)

(19) SONNEVILLE

CODE	DESCRIPTION
------	-------------

PERIOD FROM

WATER USE
PERIOD TO

DIVERSION RATE

DIVERSION VOLUME

01/01
01/01

12/31
12/31

0.040
0.130

0.130

0.170

TWN	RNG	SEC	TRACT
14	1	1	1
14	1	2	1
14	1	3	1
14	1	4	1
14	1	5	1
14	1	6	1
14	1	7	1
14	1	8	1
14	1	9	1
14	1	10	1
14	1	11	1
14	1	12	1
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14	1	99	1
14	1	100	1
14	1	101	1
14	1	102	1
14	1	103	1
14	1	104	1
14	1	105	1
14	1	106	1
14	1	107	1
14	1	108	1
14	1	109	1
14			

01N	37E	14	NE	NW
01N	37E	14	NE	NW

04 STOCKWATER
43 DOMESTIC

(19) BONNEVILLE
(19) BONNEVILLE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+	REMARKS
	NO REMARKS FOUND.

NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - -
NO OLD WATER RIGHT NUMBERS FOUND.

NO OLD WATER RIGHT NUMBERS FOUND.

WATER RIGHT NUMBER - A25-13126

PREFIX TRANSLATION: ADJUDICATION CLAIM

CONDITIONS OF APPROVAL
NO CONDITIONS OF APPROVAL FOUND.

DEGREE PLAINTIFF

DEGREE DEFENDANT

DEGREE DATE
00/00/0000

AUDIT FIELDS - 09/15/89 ESRBA

COMMENTS
NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 09/15/1989
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 00/00/0000
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - 8010519
POU OWNERSHIP FLAG - Y
NAME CONNECTOR - DR

CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT -
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -

RP 01N37E142427

Delete stock

DATA ENTRY

ENTERED 3-1-91

CHECKED 5-10-91

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
JUN - 1991

CERTIFIED
JUN 19 1991
WATER EXAMINER

MICROFILMED
NOV 12 1991

SCANNED

JUL 13 2001

X

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

RENUMBER : A27-11762
Ident. Number: A25-13126
Date Received: 9/15/1989
Receipt No: E010519
Received By: RAH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE N. MULBERRY 208-524-2704
Address: 2243 W. 81 S.
IDAHO FALLS, ID 83402
OR
Name: ELNA V. MULBERRY 208-524-2704
Address: 2243 W. 81 S.
IDAHO FALLS, ID 83402

A2711762



2. Date of Priority: APR 07, 1926

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	37E	14	NW	NE	NW		BONNEVILLE

5. Description of diverting works:
WELL, 188' DEEP, 1-1/2 HP PUMP, 6" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.130		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/200 DAIRY COWS

SCANNED

A25-13126
MAY 26 2006

Page 1

Date: 09/15/89

PROFILED

MICROFILMED

NOV 12 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	37E	14	NE NW		DOMEST	
			NE NW		STOCK	

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

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

Number of attachments: 1 map

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): Steve Mulberry Date: Sept 15, 1989

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of September 19 89 Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission Expires _____

AJ0749NP
No. A27-11762

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

DATE: 03/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEVE N MULBERRY	04/07/1926	STOCKWATER	01-01 12-31	0.13 CFS	
C	ELNA V MULBERRY 2243 W 81 S IDAHO FALLS ID 83402 (208) 524-2704		DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.17 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T01N R37E S14 NWNEW

BONNEVILLE County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
01N	37E	14	:							S										:

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
01N	37E	14	:							D										:

POU County: BONNEVILLE

Non-Irrigation Uses: D/1 HOUSE, S/200 DAIRY COWS

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R27-11762

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

DATE: 03/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEVE N MULBERRY	04/07/1926	DOMESTIC	01-01 12-31	0.04 CFS	
C	ELNA V MULBERRY					
	2243 W 81 S					
	IDAHO FALLS ID 83402					
	(208) 524-2704					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T01N R37E S14 NWENW

BONNEVILLE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01N	37E	14	:																	:
			:																	:

POU County: BONNEVILLE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP01N37E142427

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag: