

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

DATE: January 12, 1999

PAGE: 1

RIGHT NUMBER: 35-10386

NAME AND ADDRESS: JAMES M PAHL
2174 S 3200 W
AMERICAN FALLS ID 83211

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY-DATE: 04/01/1946

POINT OF DIVERSION T06S R30E S22 NESESE Within BINGHAM County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within BINGHAM County
	T06S R30E S22	NESE SESE
	DOMESTIC	Within BINGHAM County
	T06S R30E S22	NESE SESE

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

A PORTION OF RIGHT NOS. 35-02234 AND 35-07201 ARE ALSO
DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
STOCKWATER, 2 HORSES

PROFILED

SCANNED
SEP 15 2005

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

07/17/98 11:20:34
Page 1

Water Right Number - R35-10386

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
PAHL

JAMES M

1 - 2174 S 3200 W

2 -

3 -

City- AMERICAN FALLS

Phone - 208-226-2731

State- ID Zip- 83211

+ - - Priority Date - - +
04/01/1946

+ - - - Region - - - +
ERROR IN REGION

+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot Rflg County

06S 30E 22 NE SE SE (11) BINGHAM

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31		
04 - STOCKWATER		01/01	12/31	0.040	0.020

+ - Total Div. Rate - + 0.060

+ - Total Div. Volume - +

+ - Total Consumptive Use - + 0.0

+ - KW Usage - +

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	30E	22	NE SE			04	STOCKWATER	(11) BINGHAM
06S	30E	22	SE SE			04	STOCKWATER	(11) BINGHAM
06S	30E	22	NE SE			43	DOMESTIC	(11) BINGHAM
06S	30E	22	SE SE			43	DOMESTIC	(11) BINGHAM

Total Acres:

+ - - Diversion Means - 3 HP SUBMERSIBLE PUMP, 4" WELL, 250' DEEP, 1" COPPER TUBING

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

EXP A PORTION OF RIGHT NOS. 35-02234 AND 35-07201 ARE ALSO
DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
STOCKWATER, 2 HORSES

SCANNED
SEP 15 2005

PROFILED

04 7-17-98

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

07/17/98 11:20:34
Page 2

Water right number - R35-10386

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - 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.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

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

+ - - Audit Fields - - +
07/17/98 CFRITSCH

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/21/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- E006252	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

SCANNED
SEP 15 2005

PROTECTED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

18:08:09
05/29/91

CLAIM NUMBER: A35-10386

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		CA 9-29-92	N	6	CA 7-17-98	CA 7-17-98	CA 7-17-98
POINT OF DIV	Y			N	5			
SOURCE	Y			N	5			
PLACE OF USE	Y			Y	5			
DIV. AMOUNT CFS/VOLUME	Y			Y	5			
CONSUMPTIVE USE	-			NA				
PURPOSES	Y			Y	5			
PERIOD OF USE	Y			N	6			
BASIS OF CLAIM	Y			N	6			
REMARKS				Y	6			

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAIP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

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

18:08:09
05/29/91

CLAIM NUMBER: A35-10386

LAST: PAHL
ADDRESS: 2174 S. 3200 W.
CITY: AMERICAN FALLS
PHONE NUMBER: 209-226-2731

FIRST: JAMES H.
STATE: ID ZIP: 83211

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON:

Mrs. Pahl

DATE OF FIELD EXAM:

7/27/92

ACCOMPANIED BY:

RELATIONSHIP TO CLAIMANT:

Spouse

DIRECTIONS TO PROPERTY / REMARKS:

PHONE NUMBER: () -

TIME: : A () P ()

PHONE NUMBER: () -

APPOINTMENT MADE: Y () N (X)

CLAIM NUMBER: A35-10386

A. AJ CLAIM: # A35-10386 PRIORITY DATE: 12-31-1938 STAGE: J
B. MR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED? FIELD EXAMINER DATABASE Y
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? ☒ (Y) ☐ (N)
IF YES EXPLAIN.

REMARKS: Affidavit from Erna Ruff states water was put to beneficial use "prior to 1946". Therefore, a priority date of 4-1-1946 will be recommended to correspond with the beginning of the irrigation season. This priority date applies to DTS and a acres of irrigation only.

Recommended 34-02234 with change in purpose of use. Therefore this right will be recommended for DTS only.

RECOMMENDED PRIORITY DATE: ~~7-7-1946~~ 12-31-1938
REVIEWED BY: ~~CD~~ CD

DATE: 2-19-93
7-17-98

CLAIM NUMBER: A35-10386

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	IMP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY	CITY
A35-10386	065	30E	22	NE	SE	SE			BINGHAM
OTHER AJ CLAIMS WITH SAME AJ POD									
A PREFIX									
R PREFIX									
NONE									
MR RECORDS IN SAME 40 ACRE TRACT									
35-02234									
35-07204									

SOURCE: GROUNDWATER

TRIB:

B. MR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

FIELD	DATABASE	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)
=====	=====	Y	Y
EXAMINER			

REMARKS:

The p.o.d appears to be very close to the line between the NESE and SESE of Sec. 22, T6S, R30E.

CLAIM NUMBER: 435-18386

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:		TWP.	RGE.	SEC.	DATE:	TRIB:	SOURCE:	REVIEWED BY:
65	50E 22				2-19-93		Groundwater	GA
	NE							
	SE							
	SE							
	1/4							
	100							
	COUNTY							
	Bingham							

A. ROOT WATER RIGHT NUMBERS: A35-10386

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	NR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06S	30E	22	NE	SE		PAHL, JAMES M.	A35-10386 / 2.0	-	/	36.0	
			NE	SE		PAHL, JAMES M.	A35-02234 / 37.0	35-02234 / 40.0			/
			NE	SE		PAHL, JAMES M.	A35-07201 / 37.0	35-07201 / 36.0			
06S	30E	22	NE	SE		PAHL, JAMES M.	A35-10386 /	-	/	36.0	
			NE	SE		PAHL, JAMES M.	A35-02234 / 37.0	35-02234 / 40.0			
			NE	SE		PAHL, JAMES M.	A35-07201 / 37.0	35-07201 / 36.0			
06S	30E	22	NE	SE		PAHL, JAMES M.	A35-10386 /	-	/	36.0	
			NE	SE		PAHL, JAMES M.	A35-02234 / 37.0	35-02234 / 40.0			
			NE	SE		PAHL, JAMES M.	A35-07201 / 37.0	35-07201 / 36.0			
06S	30E	22	SE	SE		PAHL, JAMES M.	A35-10386 /	-	/	41.0	
			SE	SE		PAHL, JAMES M.	A35-02234 / 38.0	35-02234 / 40.0			/ 4
			SE	SE		PAHL, JAMES M.	A35-07201 / 38.0	35-07201 / 37.0			
06S	30E	22	SE	SE		PAHL, JAMES M.	A35-10386 /	-	/	41.0	
			SE	SE		PAHL, JAMES M.	A35-02234 / 38.0	35-02234 / 40.0			
			SE	SE		PAHL, JAMES M.	A35-07201 / 38.0	35-07201 / 37.0			
TOTAL ACRES							A35-10386	2.00		190.00	

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
L

Recommending D & S only NESE & SESE

PRESUMPTION FLAG:

REMARKS:

Approximately 1 acre of trees around buildings is irrigated with water from the well described as the p.o.d. for this right. Another 1.6 acres of garden and pasture can be irrigated with this right or rights 35-02234 and 35-07201. Total irrigation is 151 acres.

RECOMMENDATIONS:

TOTAL ACRES: D & S only

REVIEWED BY: CJ

DATE: 6-1-93

CLAIM NUMBER: A35-10386

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A35-10386 DOMESTIC	FROM 01-01 TO 12-31	.040 CFS
A35-10386 COMMERCIAL	FROM 01-01 TO 12-31	~~.010 CFS~~
A35-10386 INDUSTRIAL	FROM 01-01 TO 12-31	~~.040 CFS~~
A35-10386 IRRIGATION	FROM 03-15 TO 11-15	~~.060 CFS~~
A35-10386 STOCKWATER	FROM 01-01 TO 12-31	.020 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		~~.170 CFS~~
		.060

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
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PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

N.A.

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() EXPLAIN IN REMARKS, BELOW.

REMARKS:

1-1 to 12-31 for D & S

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.170 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

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

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

B. FLOW MEASUREMENT
MEASUREMENT METHOD Theoretical, SEE ATTACHED CALCULATIONS. BELOW

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A35-10386	GROUNDWATER	PAHL, JAMES H.	0.170	0.085		
A35-02234	GROUNDWATER	PAHL, JAMES H.	2.100	0.013		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

21.12
$$\frac{3 \text{ HP} \times 8.8 \times 0.80}{200 \text{ ft} + 2.31 \times 40 \text{ psi}} = 0.072 \text{ cfs}$$

Theoretical calculation
Assumed 80% efficiency
Assumed 200 ft pumping level.
(Static level from well log for well in SW 1/4 of Sec. 22 was 195.5 ft.)
Assumed 40 PSI operating pressure

~~Limit diversion rate to 0.07 cfs for all uses. (31.4 gpm)~~
Dom .04 Stock .02 Total = 0.06 cfs

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1A. IRRIGATION RATE 0.03 *
ACRES 2 X 0.02 CFS/ACRE = 0.06 CFS
(TAKEN FROM P/D REVIEW)

1B. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(X) N() *Less than 5 acres **

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 25.5 AF/A
ACRES 2 X CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 76.5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 2 X DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 8 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(X) N()

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

*Potato humidifiers
High pressure washer sales*

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
		DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
~~Irrigation~~	~~4-1 10-31~~		~~0.06~~		~~8~~		~~6~~
Domestic	1-1 12-31		0.04				
Stockwater	1-1 12-31		0.02				
TOTAL FOR THIS RIGHT			0.06				

REVIEWED BY: CA DATE: 7-17-98

Cond.
N 11
N 13

Non Irr. 1 Home

EXP STOCKWATER, 2 Horses
F05 Portions of 35-02234 & 35-07201

Domestic, 1 home; Stockwater, 2 Horses

see (Commercial amount is combination of 0.01 cfs claimed for commercial purposes and 0.04 cfs claimed for industrial purposes. (0.01 + 0.04 = 0.05 cfs) Commercial use include sales of snow mobiles, high pressure washers and humidifier for potato storage.

CLAIM NUMBER: A35-10386

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP	()	()
FORFEIT/ABANDON	()	()
ADDITIONAL DIV. AMOUNT	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 35-10386

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A35-10386	0.170	-	-	-	-
TOTAL CFS		0.170				

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
N

FIELD
EXAMINER

REMARKS:

No splits

AUTHENTICATION:

SIGNATURE: Carter Fritschle

DATE: 7-17-98

NAME OF FIELD EXAMINER: Carter Fritschle

TITLE: W.R. Supervisor

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SEP 15 2005



Needs evidence of
Priority OK
Need info on speed
cellar - humidifier
capacity

Das

A35-10386
JAMES M. PAHL
2174 S. 3200 W.
AMERICAN FALLS
ID 83211

(X)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 12, 1999

James M. Pahl
2174 S. 3200 W.
American Falls, ID 83211

RE: Snake River Basin Adjudication (SRBA) claims A35-10386, A35-02234
and A35-07201

Dear Claimant:

I have reviewed the Notice of Error Reply you submitted for SRBA claim A35-10386. Claim A35-10386 is being recommended for only domestic and stockwater purposes because some of the claimed uses were not supported by the information in the file for the priority date claimed. However, I was able to recommend claim A35-02234 with an accomplished change in nature of use to include the commercial uses claimed for A35-10386. In addition, the irrigated place of use for claims A35-02234 and A35-07201 was intended to include the irrigation of the trees and windbreaks. (Note: The "domestic well" has been added as a point of diversion for claims A35-02234 and A35-07201.) I have revised the GIS map to include these areas, and I have enclosed a copy of the revised map for your review. The revision of the map results in an increase in the total number of irrigated acres. The additional acres will be recommended for claims A35-02234 and A35-07201. Revised copies of the Preliminary Recommendations of Water Rights Acquired under State Law for claims A35-02234 and A35-07201 are also included for your review.

Please contact me if you have any questions.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosures

Preliminary Recommendations of
Water Rights Acquired under State Law
GIS map

PROFILE

SCANNED
SEP 15 2005

November 20, 1998

Field 3/4

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: December 18, 1998

Water right number: 35-10386

JAMES M PAHL
2174 S 3200 W
AMERICAN FALLS ID 83211

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):

Insufficient.

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

Increase to - .15 cfs -

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

Insufficient in respect to normal farm usage - cellar shop - lanes w/ trees + windbreak.

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

DATE: 12-11-98 SIGNATURE:

Please print your name:

James M. Pahl
James M. Pahl

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

PROFILED

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SEP 15 2005

JP



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 2, 1993

James M. Pahl
2174 S. 3200 W.
American Falls, ID 83211

RE: Snake River Basin Adjudication (SRBA)
Claims A35-10386 and A35-10387 - Power County

Dear Mr. Pahl:

We are currently in the process of preparing the Notices of Claim to a Water Right referenced above for court decree in the Snake River Basin Adjudication.

These claims were filed based on beneficial use of water dating back to 1938 for A35-10386 and to 1949 for A35-10387. On June 28, 1991, the Department sent you a letter requesting that you submit evidence supporting the priority dates you have listed on these claims. The evidence was received on September 3, 1991. However, the evidence was not sufficient to support the priority dates claimed for all of the water uses claimed.

In reference to claim A35-10386, I need some additional information as to when the potato cellar was built and connected to the well, and when the retail sales business commenced. I also need information on how much water is used in the potato cellar. It would be helpful to know the capacity of the cellar (how many hundredweight it will hold) and/or the quantity of water actually used in the cellar (such as gallons per minute and hours per day).

In reference to claim A35-10387, I need some additional information as to when the older of the two potato cellars was built. Also, it would be helpful to know the capacity of the cellar and/or the quantity of water actually used in the cellar.

In reference to the newer potato cellar, an aerial photograph indicates that it was built after August 1, 1987, and therefore cannot be included in the recommendation of claim no. A35-10387. I have included a blank Notice of Claim to a Water Right form you may use if you wish to file a claim for the water use in the newer potato cellar. I have also enclosed an Application for Transfer of a Water Right if you wish to change the nature of use of a portion of your irrigation right (35-02605) to describe the water use in the newer potato cellar.

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SEP 15 2005

James M. Pahl
December 2, 1993
Page 2 - Power County

In order for the Department to make a recommendation to the Court for decree of this claim, the information requested must be submitted prior to December 15, 1993.

Thank you for your cooperation. If you should have any questions, or feel that you need help in any way, please contact me in Boise at 1-800-451-4129.

Sincerely,

1/5

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

CF:sf:state:tf

Enclosures:

Short form with instructions

Transfer application with instructions

Copy of claim nos. A35-10386 and A35-10387

Mr. Pahl

Has had knee surgery. Will try to get explanation of water use sent in during December

ca

12-8-93

12-27-93

Talked to Greg Pahl about getting statements as to when the spud cellars were built. His dad had a blood clot in his lower leg causing a set back in his recovery from knee surgery

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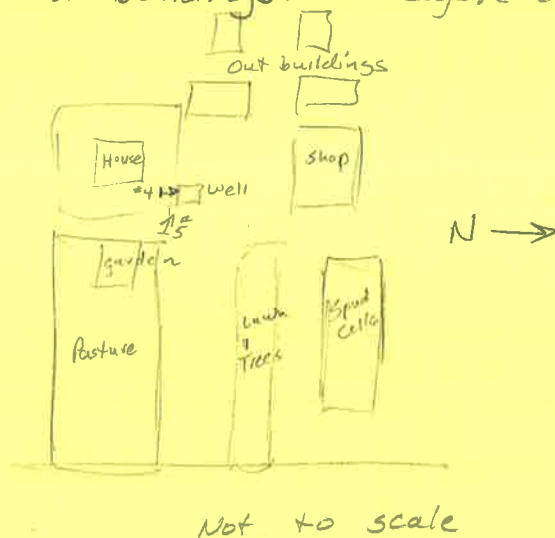
James Pahl

9-29-92 CA

Well has 8" casing - submersible pump - in pump under old windmill frame.

3 HP Franklin motor model # 282 3028 103

Photo #4 interior view of pump ^{house} from access door on south side Photo #5 looking W.N.W. at pumphouse
Toro control box for sprinkler system around lawn.
3 hand lines from u.g. mainline to irrigate pasture & garden 6 risers interconnected with main irrigation well/system 35-02234 & 35-07201
system services house, shop, spud cellar & other out buildings. System was operating



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SEP 15 2005



Left: Looking W.N.W.
at pumphouse

Below: Interior view
of pumphouse from
access door on south
side of pumphouse

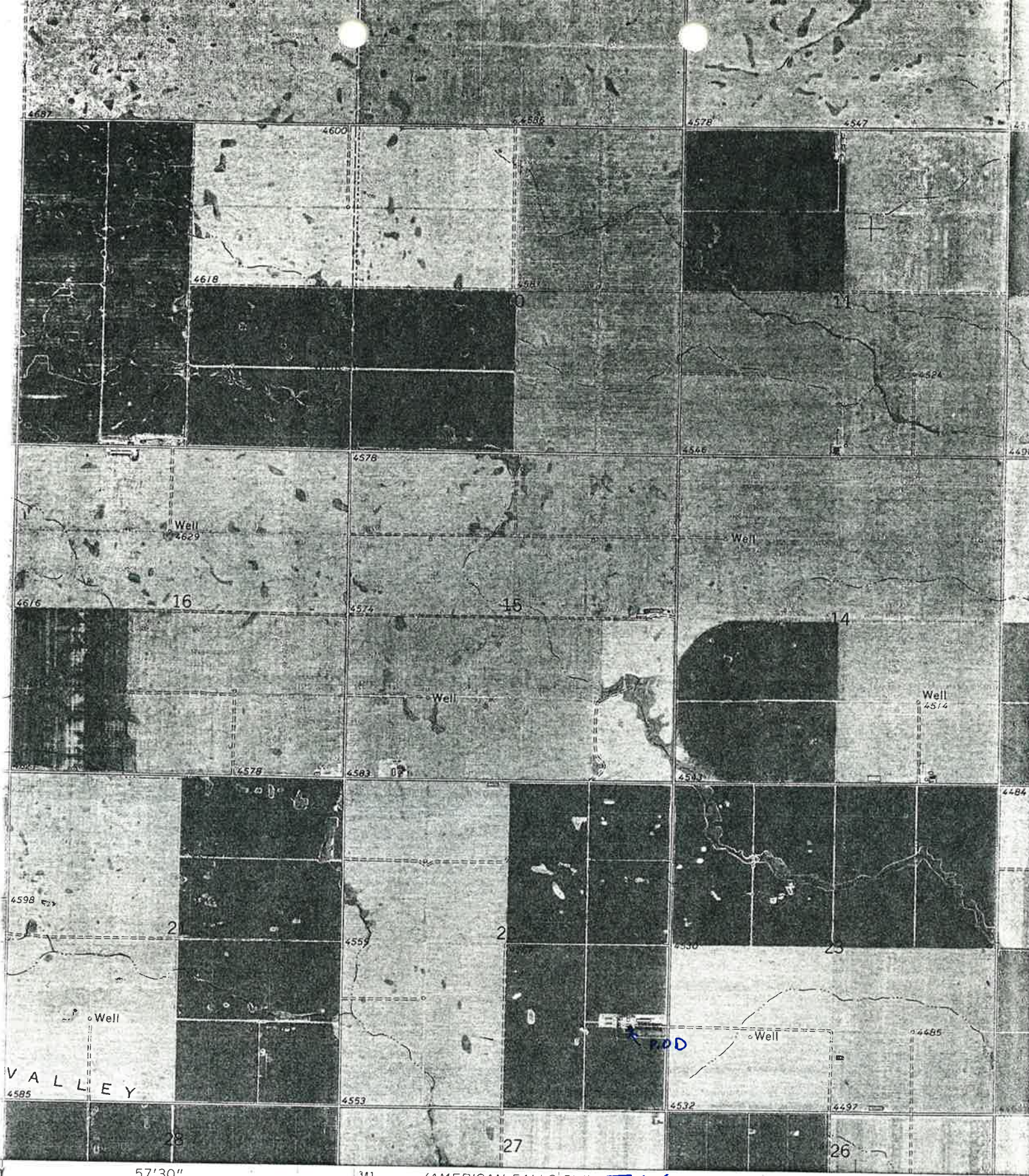
CLF 9-29-92



PROTECTED

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SEP 15 2005

CLF 9-29-92



57'30" 341 (AMERICAN FALLS SW) T65
3469 IV SW R3DE
SCALE 1:24000
0 1000 2000 3000 4000 5000 6000 7000 FEET
1 KILOMETER
17" 302 MILS
CONTOUR INTERVAL 10 FEET
DOTTED LINES REPRESENT 5-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL
1 MILE
SCANNED
SEP 15 2005
A35-10386

AFFIDAVIT

TO ESTABLISH PROOF OF WATER RIGHT PRIORITY DATE

I, ERNA RUFF, as a previous owner of the property described in claim number A35-10386, do hereby testify that the date this claim was put to beneficial use for the purposes claimed was PRIOR to 1946.

ERNA RUFF
Erna Ruff

Please Print

STATE OF IDAHO
County of Power

On this 29th day of August, 1991, before me, the undersigned Notary Public in and for said county and state, personally appeared Erna Ruff known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)

[Signature]

NOTARY PUBLIC FOR IDAHO

Residing at: American Falls, Idaho

Commission expires: 08-06-96

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RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A35-10386	JAMES M. PAHL 2174 S. 3200 W. AMERICAN FALLS ID 83211	12/31/1938	DOMESTIC COMMERCIAL INDUSTRIAL IRRIGATION STOCKWATER	01-01 12-31 01-01 12-31 01-01 12-31 03-15 11-15 01-01 12-31	0.04 CFS 0.01 CFS 0.04 CFS 0.06 CFS 0.02 CFS	BENEFICIAL USE
				TOTAL DIVERSION RATE:	0.17 CFS	
				TOTAL DIVERSION VOLUME:	0.00 AFA	
				CONSUMPTIVE USE:	25.5 AFA	

SOURCE: GROUNDWATER
OTHER RIGHTS: NONE
CONDITIONS OF APPROVAL:

TRIBUTARY:

REMARKS:

POINT OF DIVERSION:
T06S R30E S22 NESESE

PLACE OF USE: DOMESTIC
T06S R30E S22 SESE

PLACE OF USE: COMMERCIAL
T06S R30E S22 NESE

PLACE OF USE: INDUSTRIAL
T06S R30E S22 NESE

PLACE OF USE: IRRIGATION
T06S R30E S22 NESE 2.0
2.0 ACRES TOTAL

PLACE OF USE: STOCKWATER
T06S R30E S22 SESE

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PROFILE

MICROFILMED
DEC 10 1992

June 28, 1991

JAMES M PAHL
2174 S 3200 W
AMERICAN FALLS ID 83211

RE: Evidence of Priority A35-10387 & A35-10386

Dear Mr Pahl:

The Notices of Claim identified with the numbers shown at the end of this letter have been filed in the Snake River Basin Adjudication (SRBA). The Notices indicate the water usage is based on "Beneficial Use" or a "Statutory Claim". 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.

For your reference I have provided a printout of your Notice and 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 all of the 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 this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the Department will not recommend the Notices be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority dates by **July 29, 1991**, referencing all documents with the corresponding Notice numbers. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

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All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

PROFILE

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10/27/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME PAHL CLAIM I NT. NO. A35-10386
DATE RECEIVED 3/20/89 CK # _____ AMOUNT \$ _____

1. Is the name and address complete with zip code? YES ☒ NO ☐
2. Is a priority date entered? YES ☒ NO ☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS.

3. (a) Is a source entered? YES ☒ NO ☐
(b) Is a tributary to entered? (if required) N/A ☒
4. Is the legal description of the p.d. sufficient? YES ☒ NO ☐
5. Is there a description of the diverting works? YES ☒ NO ☐
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. YES ☒ NO ☐
Is the period of use included? YES ☒ NO ☐
Is a quantity claimed for each use? YES ☒ NO ☐
7. Is a total quantity claimed entered? YES ☒ NO ☐
8. If required is a consumptive use entered? N/A ☒ YES ☐
Is the consumptive use correct? N/A ☒ YES ☐
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. N/A ☒ YES ☐
10. Is (are) the place(s) of use entered? YES ☒ NO ☐
11. Is (are) the county(ies) entered? YES ☒ NO ☐
12. Is the ownership of p.u. checked? YES ☒ NO ☐
13. Are other water rights listed or "none" indicated? YES ☒ NO ☐
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.) N/A ☒ YES ☐
15. Is the basis of the claim checked? YES ☒ NO ☐
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) YES ☒ NO ☐
Has the claim been signed, sealed, and dated by a notary? YES ☒ NO ☐
Was this claim filed on time, or was an extension granted? YES ☒ NO ☐
Is the fee enclosed correct? Exempt ☒ YES ☐
If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐
Should this claim be receipted and data entered? YES ☒ NO ☐

Claim checked by: TO
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DEC 10 1992

Comments: 2 APPLY 12/31/1938

PROFILE

EC006252

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: A35-10386
Date Received: 3/20/1989
Receipt No: E006252
Received By: JK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES M. PAHL
Address: 2174 S. 3200 W.
AMERICAN FALLS, ID 83211
208-226-2731

2. Date of Priority: DEC 31, 1938

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	30E	22	NE	SE	SE		BINGHAM

5. Description of diverting works:
3 HP SUBMERSIBLE PUMP, 4" WELL, 250' DEEP, 1" COPPER TUBING

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		
COMMERCIAL	01/01	12/31	0.010		
INDUSTRIAL	01/01	12/31	0.040		
IRRIGATION	03/15	11/15	0.060		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 25.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD, C/SELL HIGH PRESS, WASHERS & SNOWMOBILES, I/&S

A35-10386

Page 1

Date: 04/05/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
06S	30E	22	NE		SE		IRR	2.0
			NE		SE		INDUST	
			NE		SE		COMMER	
			SE		SE		DOMEST	
			SE		SE		STOCK	

Section Acres 2.0

Total Acres 2.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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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 _____

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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

RECEIVED

MAR 20 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

CIVIL CASE NUMBER: 39576

Ident. Number

A35-10386

Date Received

3/20/89

Receipt Number

E006252

850 (claim)
85 (C+I)
42 (in.)
#57

Please type or print clearly

1. Name of Claimant (s) James M. Pahl Phone (208) 226-2731

Mailing Address 2174 S. 3200 W., American Falls, Idaho Zip 83211

2. Date of Priority (Only one (1) per claim) est. 1938

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 6 S Range 30 E Section 22,
NE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Bingham

Additional points of diversion if any: none

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. 3 hp submersible pump,

4" well, water level 188', well is approx. 250' deep, 1" copper tubing
supplies water to the house, shop, barn, and potato storage.

A3510386



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FILED

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount 0.04 or _____
For Commercial purposes from 1-1 to 12-31 amount 0.01 or _____
For Industrial purposes from 1-1 to 12-31 amount 0.04 or _____
For Irrigation purposes from 3-15 to 11-15 amount 0.06 or _____
For: Stockwater purposes " 1-1 to 12-31 " 0.02 or _____

7. Total quantity claimed (a) 0.17 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 25.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic: one household. Commercial: sell high press. washers and snowmobiles. Indust.: farm operation, potato storage. Stockwater: 2 horses.

10. Description of place of use: Full-time employees: 6

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	
6 S	30 E	22																	2
															I&C			D&S	

Total number of acres irrigated 2

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.

or None (X)

14. Remarks:

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DEC 10 1992

Last Name Pahl Ident No. _____

Copies: White -State, Yellow-Claimant

8

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DEC 10 1992

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 ✓ 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) James M. Pahl

Date 3-15-89

Date _____

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

of _____, Title _____, 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 _____

Title and Organization _____

Date _____

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

Subscribed and sworn (or affirmed) before me this 15 day of March 19 89

SEAL

Notary Public Bert Lynn

Residing at American Falls Idaho 83211

My Commission Expires 10/4/94

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 _____

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SCANNED
SEP 15 2005

MICROFILMED
DEC 10 1992

Last Name Pahl Ident. Number _____

Copies White-State, Yellow-Claimant