

03/18/2005

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

RIGHT NUMBER: 37-7351
NAME AND ADDRESS: JANSS FARMS
C/O PETER JANSS
PO BOX 99
BLISS ID 83314

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.140 CFS
8.100 AFY

PRIORITY DATE: 04/12/1974

POINT OF DIVERSION:

T05S R12E S3 NENE Lot 1 Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.140 CFS 8.10 AFY

PLACE OF USE: STOCKWATER Within GOODING County

T05S R12E S02	SWNE	T05S R12E S02 Lot 3 NENW
T05S R12E S02	SENE	

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 remainder of this right was abandoned.

EXPLANATORY MATERIAL: License

Right no. 37-12849 is also diverted through point of diversion described above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7351 (Late Proof)
Priority April 12, 1974 Amount 2.0 cfs

THIS IS TO CERTIFY, that Calarco, Inc.
of Bliss, ID, has complied with the terms and conditions of Permit
No. 37-7351 issued pursuant to Application for Permit dated April 4, 1974,
and has submitted proof to the Department of Water Resources on May 9, 1979,
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 2.14 cfs of water from a groundwater source,
tributary to _____, 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>April 1</u> to <u>Oct 31</u>	at <u>2.00</u> cfs and	<u>489.0</u> acre feet
Stockwater	from <u>Jan 1</u> to <u>Dec 31</u>	at <u>.14</u> cfs and	<u>8.1</u> acre feet
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 2.0 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
497.1 acre feet per year, said waters to be diverted within the NENE Section 3, Twp 5S,
Rge 12E in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	12E	3		10	3				5	25	40	30		40		5	5		163

Total number of acres irrigated 163

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than 3.0 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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
September, 19 81.

Director

RECEIVED

JUN 1 11 2004

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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-7351
Date Received: 6/9/2004
Receipt No: 50 26822
Received By: KKC

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

JANSS FARMS Phone: (208)352-4657
C/O PETER JANSS
PO BOX 99
BLISS ID USA 83314

2. Date of Priority: 04/12/1974

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	12E	3	NE NE NE 1	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.14	8.1

7. Total Quantity Appropriated is:
0.14 C.F.S. and/or 8.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05S	12E	2	SW NE	STOCKWATER	
			NE NW	STOCKWATER	
			SE NW	STOCKWATER	

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

The original license included irrigation. The irrigation practices ceased in the early 1980s. This claim is for stockwater that exceeds the 13000 gal per day limitation. Right 37-12849 has been decreed for stockwater but has the 13,000 gal per day limitation. That right is from the same source and for the same use.

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of
JANSS FARMS, INC. Title
Organization, that I have signed the foregoing document in the
space below as PRESIDENT of JANSS FARMS, INC.
Title Organization
and that the statements contained in the foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

PRESIDENT / JANSS FARMS
Title and Organization

6/8/04
Date

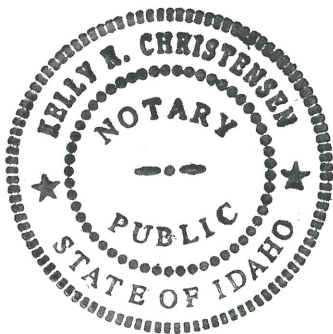
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 9th day of June 2004

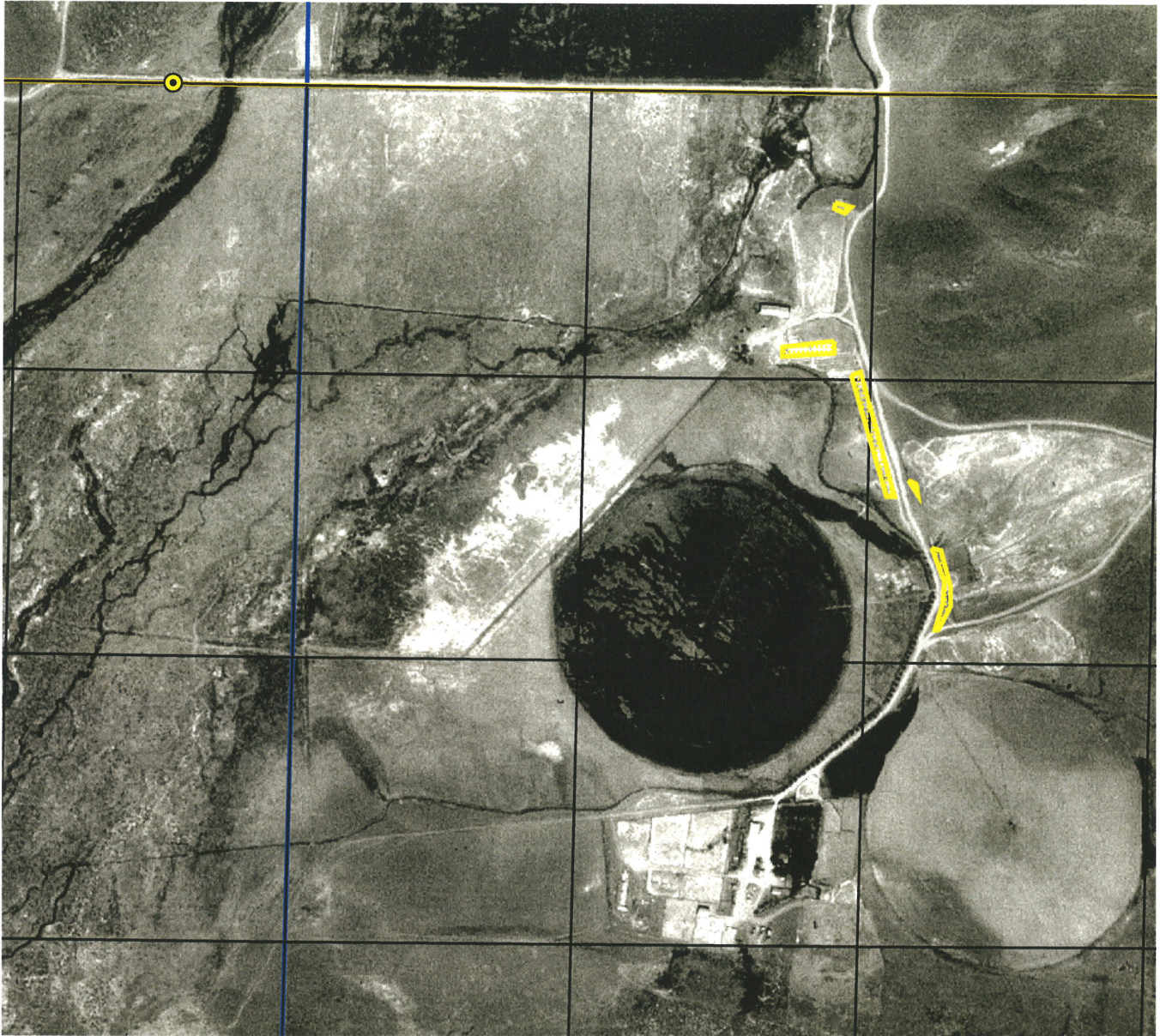
[Signature]
Notary Public

Residing at Twin Falls ID

My commission Expires 4-2-2010



CLAIMED PLACE OF USE FOR 37-7351



PLACE OF USE
TWP 5S, RNG 12E, SEC 2
Data entry on June 9, 2004

● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

TOWNSHIP LINES

SECTION LINES

QUARTER/QUARTER LINES



GIS PLACE OF USE PRESENTATION
1992 ORTHO PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN