

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: A36-02230E
Date Received: 1/23/1989
Receipt No: S006137
Received By: tw

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

1. Name: DARYL M. NEIBAUR 208-532-4436
Address: RT 1 BOX 1476
PAUL, ID 83347

AND/OR

Name: WILLIAM G. NEIBAUR 208-438-2182
Address: RT 1.
PAUL, ID 83347

2. Date of Priority: JUL 15, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	23E	28	NE	NE			LINCOLN

5. Description of diverting works:
WELL & PUMP WITH 2 TRIMATICS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.100		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 LAWN

A36-02230E

Page 1

Date: 01/23/89

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OCT 13 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	23E	28	NE		NE		IRR	35.0
			NW		NE		IRR	35.0
			SW		NE		IRR	30.0
			SE		NE		IRR	40.0
			NE		NW		IRR	30.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	35.0
							Section Acres	285.0
							Total Acres	285.0

11. Place of use in counties: LINCOLN

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: LICENSE
Water Right Number: 24323

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): Dayle H. Keibane Date: 1-23-89

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of Jan 19 89 Lon White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94

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AND/OR
Name: ~~WILLIAM G. NEIBAUR~~ 208-438-2182
Address: RT 1.
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2. Date of Priority: JUL 15, 1953

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4. Point of Diversion:

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07S	23E	28	NW	NE	NE		LINCOLN

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WELL & PUMP WITH 2 TRIMATICS

6. Water is used for the following purposes:

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IRRIGATION	04/01	11/01	4.100		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 LAWN

6661 0 7 JAN
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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	23E	28	NE		NE		IRR	35.0
			NW		NE		IRR	35.0
			SW		NE		IRR	30.0
			SE		NE		IRR	40.0
			NE		NW		IRR	30.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	35.0

Section Acres 285.0

Total Acres 285.0

11. Place of use in counties: LINCOLN

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: LICENSE
Water Right Number: 24323



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
JUL 29 1991

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 7S Range 23E
Section 28, NE 1/4 4 NW 1/4 4 1/4, Govt. Lot _____, BM. Department of Water Resources
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A36-02230E

☐ Name and Address of Former Owner/Claimant(s)(Seller): DARYL M. NEIBAUR RT 1 BOX 1476 PAUL ID 83347
AND/OR WILLIAM G. NEIBAUR RT 1 BOX 142 PAUL ID 83347

☐ New Owner/Claimant
(Purchaser): DARYL M. NEIBAUR

☐ New Mailing Address: RT 1 BOX 1476 PAUL ID 83347

☐ New Telephone Number: (208) 532 - 4436

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: N/A

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Daryl M. Neibaur Date 25 July 1991

☐ Signature of Former Owner/Claimant(s): Daryl M. Neibaur Date 25 July 1991

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: _____ By: _____

Claim Numbers of Split, if any:

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

MICROFILMED
JAN 23 1993



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

July 18, 1991

RECEIVED

JUL 22 1991

Department of Water Resources
Southern Region Office

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DARYL M NEIBAUR
RT 1 BOX 1467
PAUL ID 83347

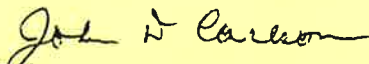
RE: Snake River Basin Adjudication (SRBA)
Minidoka County - Claim #A 36-02230F
Receipt # C021167

Dear Claimant:

Enclosed is your receipt for filing fees submitted with your Notice of Claim to a Water Right. Please retain this receipt in your records.

If you have any questions about your claim or the SRBA process, please feel free to contact this office.

Sincerely,


John D. Carlson
Adjudication Supervisor

JDC:sf:0:region
Enclosures:

Receipt # C021167

MICROFILMED
JAN 24 1993

6/3/97

310

309.34

ATTRIBUTES OF B36-POD.SHP 901 NWNENE-28

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

Water Right Number - 36-15212

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
NEIBAUR

DARYL M

1 - RT 1 BOX 1467

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-532-4436

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/15/1975 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
07S 23E 28 NW NE NE (63) LINCOLN

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.330

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.330 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 23E 28 NE NE 36.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 NW NE 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SW NE 40.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SE NE 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 NE NW 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 NW NW 38.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SW NW 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SE NW 40.0 01 IRRIGATION (63) LINCOLN

Total Acres: 310.0

+ - - Diversion Means - WELL, PUMP, SPRINKLER - 2 TRIMATICS, 2 THUNDERBIRDS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

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

EXP (K02) - GEN

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02230E PURSUANT TO
IDAHO CODE 42-1416(2).

QNT (E01 & E05)

USE OF THIS RIGHT WITH RIGHT NO. 36-02230E IS LIMITED TO A

Water right number - 36-15212

Prefix Translation: WATER RIGHT

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

~~TOTAL COMBINED DIVERSION RATE OF 4.1 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1240 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 930 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.~~

~~THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.~~

~~THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-02230E~~

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

No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 07/18/91 SCHOLER 08/26/91 SCHOLER 07/10/92 CWU-PROD 07/21/92 POST-STD 08/28/92 PR-PROD
09/25/92 SCHULTZ 10/08/92 SOUTH1 11/02/92 CPSHAW 12/05/92 ADT-SHAW 06/10/93 CM1-SEIF
08/25/93 UPD-SCHU 03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 257849 08/24/92

+ - - - - - Comments - - - - - +

Date: 07/18/1991 User Id: SCHOLER Subject: COPIED FROM REMARKS

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02230E PURSUANT TO IDAHO CODE 42-1416(2).

Date: 07/18/1991 User Id: SCHOLER Subject: REVIEW - BHS

Date: 09/25/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)

NOE RECEIVED 9/24/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 8/26/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/08/1992 User Id: SOUTH1 Subject: NOE - RESPONSE

NO CHANGE MADE TO STANDARD SEASON OF USE. LETTER SENT 10/8/92. M. STERLING

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 04/27/1993	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 08/16/1993	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/15/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C021167	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- E
		Name Connector	-	Notice of Error Flag	- B

Water Right Number - 36-02230E

Prefix Translation: WATER RIGHT

Old (D) Number - 24323

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
NEIBAUR

DARYL M

1 - RT 1 BOX 1476
2 -
3 -
City- PAUL
Phone - 208-532-4436

State- ID Zip- 83347

*** O - ORIGINAL OWNER ***
NEIBAUR

WILLIAM G

1 - RT 1
2 -
3 -
City- PAUL
Phone - 208-438-2182

State- ID Zip- 83347

NEIBAUR

DARYL M

1 - RT 1 BOX 1476
2 -
3 -
City- PAUL
Phone - 208-532-4436

State- ID Zip- 83347

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
07/15/1953 ERROR IN REGION L - LICENSE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
07S 23E 28 NW NE NE (63) LINCOLN+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 4.100
43 - DOMESTIC 01/01 12/31 0.040+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.100 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 23E 28 NE NE 36.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 NW NE 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SW NE 40.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SE NE 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 NE NW 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 NW NW 38.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SW NW 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SE NW 40.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 NE NE 43 DOMESTIC (63) LINCOLN

Total Acres: 310.0

Water right number - 36-02230E

Prefix Translation: WATER RIGHT

- + - - Diversion Means - WELL & PUMP WITH 2 TRIMATICS
+ - - Non-Irrigation Use - ~~DOMESTIC~~ ^{EXP LAWN} 1 HOUSEHOLD LAWN WATERING
+ - - Other Rights for Same Use - SEE REMARKS

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

^{EXP (KBI)} - GEN RIGHT NO. 36-15212 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
IDAHO CODE 42-1416(2)
^{QNT (EQ1 & EQ5)} USE OF THIS RIGHT WITH RIGHT NO. 36-15212 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.1 CFS, A TOTAL COMBINED
^{POU1 (E11)} ANNUAL DIVERSION VOLUME OF 1240 AF, A TOTAL COMBINED ANNUAL
^{POU1 (K06)} CONSUMPTIVE USE VOLUME OF 930 AF, AND TO THE IRRIGATION OF A
^{EXP F05} COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 285 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-15212

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

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

+ - - Audit Fields - 07/18/91 SCHOLER 07/19/91 SCHOLER 08/26/91 SCHOLER 07/15/92 CWU-PROD 07/17/92 MERRITT
07/18/92 POST-STD 08/28/92 PR-PROD 09/25/92 SCHULTZ 10/08/92 SOUTH1 11/02/92 CPSHAW
12/05/92 ADT-SHAW 06/03/93 CM1-SEIF 08/25/93 UPD-SCHU 03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 257660 08/24/92

+ - - - - - Comments - - - - - +
Date: 07/18/1991 User Id: SCHOLER Subject: REVIEW - BHS
Date: 09/25/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/24/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 7/17/92. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/08/1992 User Id: SOUTH1 Subject: NOE - RESPONSE
NO CHANGE MADE TO STANDARD SEASON OF USE. LETTER SENT 10/8/92. M. STERLING

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Response Filed Date	- 08/16/1993	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/23/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S006137	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	- AND/OR	Notice of Error Flag	- B

R PROOF

CVR

MAPS

PHOTOS

MISC

RECEIVED
OCT 13 1994

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

In Re the General Adjudication
of the Rights to the Use of Water
from the Snake River Basin
Water System

Case No. 36-02230E -0001

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

RESPONSE TO OBJECTION

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System,

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: DARYL M NEIBAUR
Address: ROUTE 1 BOX 1476
PAUL ID 83347

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR's irrigation season of use standards have evolved over time as better technical information has become available. A necessary consequence of this is that, depending on when a particular license was issued, water rights in the same area have been licensed inconsistently, some licenses being issued with different lengths of season listed and some being issued with no season of use listed. To remedy this problem IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree

fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. The director's report does not prohibit pre-season or post-season irrigation; subject to the conditions set forth in general provision 12b of the director's report, water may be used for irrigation outside the standard season of use. In further response to this objection item, IDWR responds that the claimant claimed a 4-1 to 11-1 season of use for this right; the standard season of use recommended for this right is 4-1 to 10-31.

In response to Statement of the Objection item 10 and all allegations of the objection regarding this item, IDWR responds as follows: The license upon which the claimant's claim is based does not set an annual volume of consumptive use for this water right. Idaho Code Sec. 42-1411(2)(i) requires the director to determine the annual volume of consumptive use for each water right acquired under state law and recommended in the director's report. IDWR has developed uniform standards of consumptive use for various climatic areas throughout the state, based upon the definition of consumptive use contained in Idaho Code Sec. 42-1401A(2), which is the maximum volume of water consumed by "the most water consumptive crop that can be grown in the area during the period of year when water is used for irrigation." The consumptive use recommended for this water right is based upon the maximum volume of water consumed by the most water consumptive crop (pasture) that can be grown in the area during the irrigation season. Idaho Code Sec. 42-1401A(2) provides that the quantification of consumptive use "is included as a rebuttable presumption in a decree only for the purpose of transfers pursuant to section 42-222, Idaho Code." Therefore, the consumptive use recommended for this water right is included solely for use in future transfer proceedings, and not as a limitation on the quantity of water that the claimant may divert pursuant to this recommended right. As consumptive use volume and diversion volume are two different elements of the water right, the diversion volume cannot properly be substituted for the consumptive use volume of this recommended water right.

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

(Over)

MICROFILMED
OCT 13 1994

☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary:

No. of
Pages

Notice of Claim No. A36-02230E

4

VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

David B. Shaw, being first duly sworn, upon oath, deposes and says:

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By:


(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16th day of August, 1993.



Notary Public for Idaho

Residing at: _____

My Commission expires: _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: DARYL M NEIBAUR
Address: ROUTE 1 BOX 1476
PAUL ID 83347

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Respondent or attorney
mailing on Respondent's behalf

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: A36-02230E
Date Received: 1/23/1989
Receipt No: S006137
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARYL M. NEIBAUR 208-532-4436
Address: RT 1 BOX 1476
PAUL, ID 83347

AND/OR

Name: WILLIAM G. NEIBAUR 208-438-2182
Address: RT 1.
PAUL, ID 83347

2. Date of Priority: JUL 15, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	23E	28	NE	NE			LINCOLN

5. Description of diverting works:
WELL & PUMP WITH 2 TRIMATICS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	4.100		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 LAWN

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	23E	28	NE		NE		IRR	35.0
			NW		NE		IRR	35.0
			SW		NE		IRR	30.0
			SE		NE		IRR	40.0
			NE		NW		IRR	30.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	35.0
							Section Acres	285.0
							Total Acres	285.0

11. Place of use in counties: LINCOLN

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: LICENSE
Water Right Number: 24323

(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.

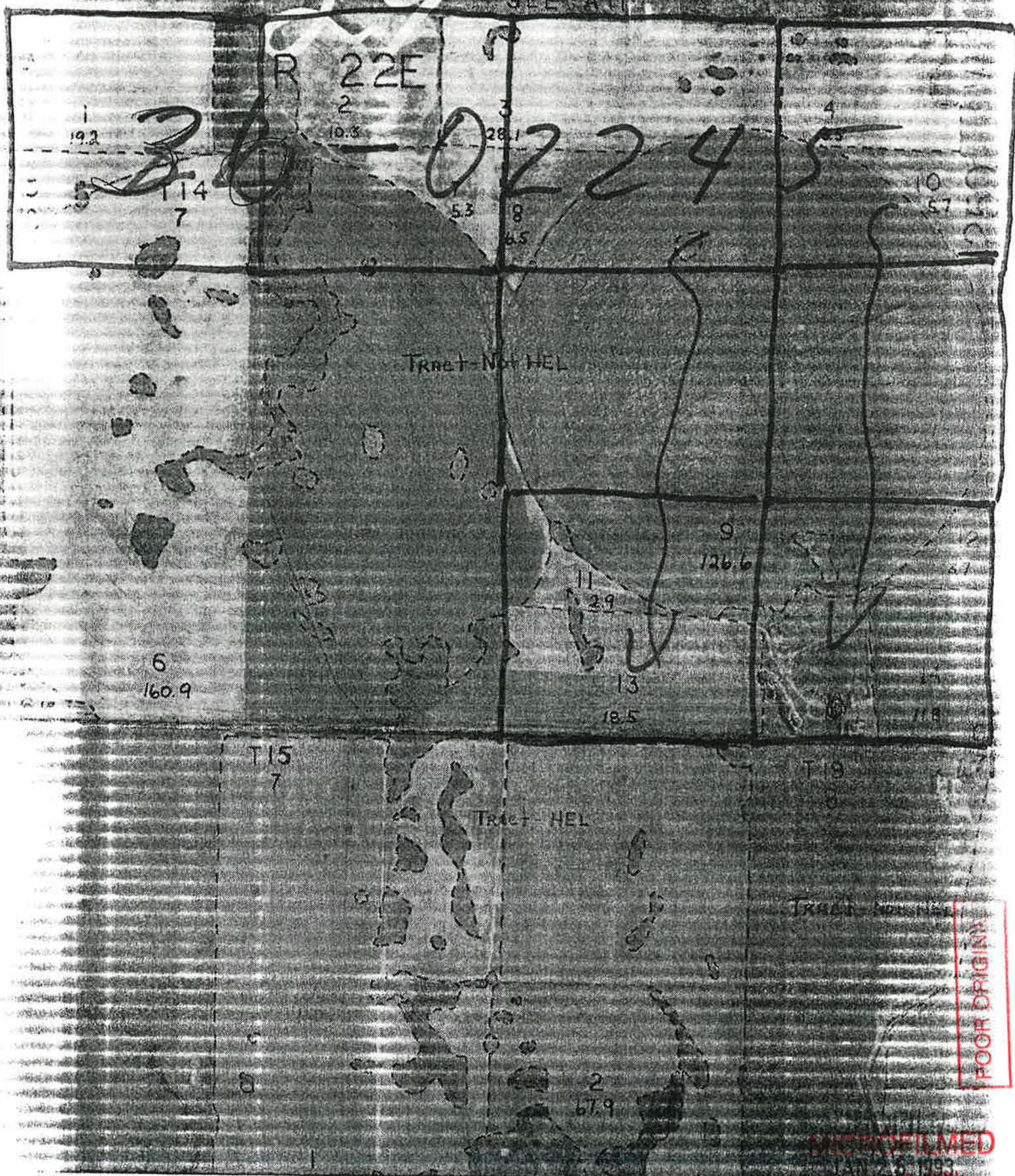
MICROFILMED
JAN 20
OCT 13 1994

H 12

NOT TO SCALE

20

SEE ATT



77.6 Ac. = 4 wh line Fields

95 22E 6

MICROFILMED
OCT 15 1994

APR 29 1993

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

Case No. 36-02230E

(You must insert the water
 right number you are
 objecting to)

The State of Idaho, ex rel. R. Keith
 Higginson in his official capacity as
 Director of the Idaho Department of
 Water Resources,

OBJECTION

Petitioner,

vs.

36-02230E -0001/
 93-04-0184

The United States; the State of Idaho; and
 all Claimants to the Use of Water from the
 Snake River Basin Water System,

Respondents.

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in the Director's Report. *You may object to one water right per objection form.* The water right number you are objecting to must be indicated above in the blank space following "Case No." *To object to more than one water right, you must file a separate objection form for each.* Forms may be obtained from the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form, as long as it is identical to the court's form. You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be received by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

Any party physically filing 25 (twenty-five) or more objections must make an appointment with the Clerk of the Adjudication Court and arrange for an appointment to file multiple objections.

By filing an objection form, you are certifying that the objection is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and that it is not filed for any improper purpose, such as to harass, cause unnecessary delay or needless increase in the cost of litigation.

I. GENERAL INFORMATION

Please fill in the following information:

1. *Person objecting:*

Name: DARYL M. NEIBAUER
Address: RT 1 Box 1476
PAUL, IDAHO 83347
Phone: Days: 532-4240 or 4360948 Evenings: 532-4436

Briefly describe your interest in this water right: I am the owner
of the property AND the water right.

2. *Owner of the water right:*

Name: DARYL M. NEIBAUER
Address: RT 1 Box 1476
PAUL, IDA. 83347

3. *If this objection is filed by an attorney:*

Attorney Name: _____
Attorney Address: _____
Attorney Phone No.: _____

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ *Name and Address*: I object to the name and/or address of the owner of the water right.
2. ☐ *Source*: I object to the source of water.
3. ☐ *Quantity*: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ *Priority Date*: I object to the priority date.
5. ☐ *Points of Diversion*: I object to the legal description of the point(s) of diversion.
6. ☐ *Instream Flow*: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ *Purpose(s) of Use*: I object to the purpose(s) of use.
8. ☒ *Period of Year*: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ *Place of Use*: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ *Consumptive Use*: I object to the annual volume of consumptive use.
11. ☐ *Remarks*: I object to the "remarks" listed with the water right.
12. ☐ *Water Right Recommendation*: I object to:
 - a. ☐ this water right being recommended at all; or
 - b. ☐ this water right not being recommended.

MICROFILMED
OCT 13 1994

13. ☐ *Description of Reservation:* I object to the legal description of the reservation.

14. ☐ *Other:* I object to: _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

8 The Administrator changed the date from 3-15 through 4-15 to 4-1 through 10-31 AND I want these original dates.

10 The Cropping practices dictate the amount of water used - I would appeal the consumptive use of 930 AF and ask it to be the same as the diversion of 1240 AF per original license.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Please note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary. _____

VERIFICATION (Must be Completed)

State of Idaho

County of MINIDOKA

Daryl M. NEIBAUER, being first duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

Daryl M. Neibauer
Signature of person filing objection

By: _____
(Attorney signing in representative capacity)

Subscribed and sworn to before me this 27 day of April, 1993.

Bernard J. Sutter
Notary Public for _____
Residing at: Lincoln Co
My Commission expires: 11/20/93

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. FAX filings will not be accepted by the Clerk of the Court. You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 28 day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: DARYL M NEIBAUR
Owner's address: RT 1 Box 1476
PAUL, Idaho 83347

3. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724


Signature of Objector or attorney
mailing on Objector's behalf

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED
JAN 26 1993

NOTICE OF ERROR FORM

AUG-24-1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-02230E

2. Name: Daryl M Neibaur

Address: Rt 1 Box 1476
Paul, Ida 83347

Weekday Telephone Number: (208) 532-4436 or 532-4240

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

RECEIVED

SEP 24 1992

Department of Water Resources

RECEIVED

SEP 28 1992

Department of Water Resources

Surface Water

MICROFILMED
JAN 26 1993

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:

The starting AND ending Dates of the right

4. Describe the changes you wish to have made in the proposed recommendation:

change to 3-15 thru 11-15

5. Describe why you disagree with the proposed recommendation:

for those occasions that the crop demands the early or later than normal waterings for either harvest or stealing.

6. Date: 9-23-92

SIGNATURE

Daryl M. Heibauer



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

08-Oct-1992

DARYL M NEIBAUR
RT 1 BOX 1476
PAUL ID 83347

RE: Proposed Recommendation for Water Right(s) Nos: 36-02230E &
36-15212

Dear Mr. Neibaur:

This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claim(s) listed above. Your NOE indicates that you would like the recommendation to show a longer season of use for irrigation. For the reasons states below, the season of use that will be recommended in the Director's Report will remain as proposed.

The proposed recommendation is based on irrigation season of use standards adopted by the director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost.

In addition, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for irrigation outside the irrigation season under certain conditions. The conditions are that the water is beneficially used, as determined by the director; that all water rights with a period of use outside the irrigation season regardless of priority, are satisfied; and that the use does not conflict with the public interest as determined by the director. This proposed general provision will be included in the Director's Report.

If you still disagree with IDWR's recommendations you will have an opportuntiy to file an objection to the Director's report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process.

Sincerely,

Marci Sterling

Marci Sterling
Engineering Specialist (EIT)

MICROFILMED
JAN 26 1993

Water Right Number - R36-02230E

Prefix Translation: RESEARCH

Old (D) Number - 24323

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

NEIBAUR

DARYL M

1 - RT 1 BOX 1476

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-532-4436

*** O - ORIGINAL OWNER ***

NEIBAUR

DARYL M

1 - RT 1 BOX 1476

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-532-4436

NEIBAUR

WILLIAM G

1 - RT 1

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-2182

+ - - Priority Date - - +

07/15/1953

+ - - Region - - - +

ERROR IN REGION

+ - - Stage - - - +

L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +

GROUNDWATER

+ - - Tributary - - - - - +

+ - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County

07S 23E 28 NW NE NE (63) LINCOLN

+ - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

10/31

4.100

43 - DOMESTIC

01/01

12/31

0.040

+ - Total Div. Rate - + + - Total Div. Volume - +

4.100

+ - Total Consumptive Use - + + - KW Usage - +

0.0

+ - - Place of Use - - - - - +

Twn Rng Sec Tract Lot Acres Code Description County

07S 23E 28 NE NE 36.0 01 IRRIGATION (63) LINCOLN

07S 23E 28 NW NE 39.0 01 IRRIGATION (63) LINCOLN

07S 23E 28 SW NE 40.0 01 IRRIGATION (63) LINCOLN

07S 23E 28 SE NE 39.0 01 IRRIGATION (63) LINCOLN

07S 23E 28 NE NW 39.0 01 IRRIGATION (63) LINCOLN

07S 23E 28 NW NW 38.0 01 IRRIGATION (63) LINCOLN

07S 23E 28 SW NW 39.0 01 IRRIGATION (63) LINCOLN

07S 23E 28 SE NW 40.0 01 IRRIGATION (63) LINCOLN

07S 23E 28 NE NE 43 DOMESTIC (63) LINCOLN

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	-

MICROFILMED
 JAN 26 1993

Water right number - R36-02230E

Prefix Translation: RESEARCH

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

Claim Received Date	- 01/23/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S006137	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	- B

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JAN 26 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
JAN 26 1985

Water Right Number - R36-02230E

Prefix Translation:

RESEARCH

Old (D) Number - 24323

VERIFIED ADW

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

NEIBAUR

DARYL M

1 - RT 1 BOX 1476

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-532-4436

*** O - ORIGINAL OWNER ***

NEIBAUR

DARYL M.

1 - RT. 1 BOX 1476

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-532-4436

NEIBAUR

WILLIAM G.

1 - RT. 1

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-2182

+ - - Priority Date - - +
07/15/1953+ - - Region - - - +
ERROR IN REGION+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 23E 28 NW NE NE (63) LINCOLN

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

10/31

4.100

43 - DOMESTIC

01/01

12/31

0.040

+ - Total Div. Rate - + + - Total Div. Volume - +
4.100+ - Total Consumptive Use - + + - KW Usage - +
0.0+ - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

07S	23E	28	NE NE		36.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	NW NE		39.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	SW NE		40.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	SE NE		39.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	NE NW		39.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	NW NW		38.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	SW NW		39.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	SE NW		40.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	NE NE			43	DOMESTIC	(63) LINCOLN

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	- 07/17/1992	Old Judicial District	-
Claim Received Date	- 01/23/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S006137	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C

UNCLASSIFIED
JAN 20 1993

Water right number - R36-02230E

Prefix Translation: RESEARCH

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

Notice of Error Flag -

MICROFILMED
JAN 20 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:25:50
08/17/90

PAGE: 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02230E

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	✓		BHS 7-18-91	N	6	BHS 7-18-91	BHS 7-18-91	BHS 7-26-91
POINT OF DIV	Y ✓		BHS 5-15-91		5, 6			
SOURCE	✓				5, 6			
PLACE OF USE	Y ✓				2, 4, 5, 6			
DIV. AMOUNT CFS/VOLUME	Y ✓		BHS 7-18-91		6			
CONSUMPTIVE USE	- ✓							
PURPOSES	✓							
PERIOD OF USE	Y ✓							
BASIS OF CLAIM	Y ✓							
REMARKS	✓							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:25:50
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02230E

LAST: NEIBAUR
ADDRESS: RT. 1 BOX 1476
CITY: PAUL
PHONE NUMBER: 208-532-4436

FIRST: DARYL M.

STATE: ID ZIP: 83347

OWNER CODE: C

LAST: NEIBAUR
ADDRESS: RT. 1
CITY: PAUL
PHONE NUMBER: 208-438-2182

FIRST: ~~WILLIAM G.~~

STATE: ID ZIP: 83347

OWNER CODE: ~~C~~

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

MICROFILMED
JAN 20 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

RECEIVED
JAN 20 1988

A. AJ CLAIM: # A36-02230E PRIORITY DATE: 07-15-1953[✓] STAGE: L[✓]
B. WR RECORD: # 36-02230E PRIORITY DATE: 07-15-1953[✓] STAGE: L[✓]

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

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N([✓])
IF YES EXPLAIN.

REMARKS: _____

===== RECOMMENDED PRIORITY DATE:
07-15-1953[✓]

REVIEWED BY BHS DATE 7-17-91
=====

UNPROCESSED
JAN 28 1992

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02230E	07S	23E	28		NE	NE		LINCOLN

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-11011 NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02230E	07S	23E	28	NW	NE	NE		LINCOLN

OTHER WR RECORDS WITH SAME WR POD

NONE

VERIFIED
5-15-91
BHS

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A36-11011 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
X
N

FIELD
EXAMINER
BHS
BHS

REMARKS:

MICROFILMED
JAN 20 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S</u>	<u>23E</u>	<u>28</u>	<u>NW</u>	<u>NE</u>	<u>NE</u>	<u>/</u>	<u>LINCOLN</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: BHS DATE: 7-17-91

MICROFILMED
JAN 20 1993

A. ROOT WATER RIGHT NUMBERS: A36-02230A
A36-02230B
A36-02230D
A36-02230J
A36-02230E
A36-02230G
A36-02230H
A36-02230K

MICROFILMED
JAN 20 1993

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	23E	28	NE	NE		NEIBAUR , DARYL M. NEIBAUR , DARYL M.	A36-02230E /35.0 A36-11011 /36 ✓	36-02230E /35.0 - /	39.0		
07S	23E	28	NW	NE		NEIBAUR , DARYL M. NEIBAUR , MACK W.	A36-02230E /35.0 39 ✓	36-02230E /35.0 36-02292 /20.0	40.0		
07S	23E	28	SE	NE		NEIBAUR , DARYL M. NEIBAUR , MACK W.	A36-02230E /40.0 39 ✓	36-02230E /40.0 36-02292 /40.0	37.0		
07S	23E	28	NE	NW		NEIBAUR , DARYL M. NEIBAUR , MACK W.	A36-02230E /30.0 39 ✓	36-02230E /30.0 36-02292 /40.0	38.0		
07S	23E	28	NW	NW		NEIBAUR , DARYL M. NEIBAUR , MACK W.	A36-02230E /40.0 39 ✓	36-02230E /40.0 36-02292 /40.0	40.0		40.0
07S	23E	28	SW	NW		NEIBAUR , DARYL M. NEIBAUR , MACK W.	A36-02230E /40.0 39 ✓	36-02230E /40.0 36-02292 /40.0	38.0		
07S	23E	28	SE	NW		NEIBAUR , DARYL M. NEIBAUR , MACK W.	A36-02230E /35.0 40 ✓	36-02230E /35.0 36-02292 /40.0	36.0		
07S	23E	28	SW	NE		NEIBAUR , DARYL M. NEIBAUR , MACK W.	A36-02230E /30.0 40 ✓	36-02230E /30.0 36-02292 /40.0	39.0		
TOTAL ACRES							A36-02230E 285.80 310 ✓	285.00	307.00		

310

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

EXPANSION CLAIM FILED FOR 25AC
WILL GIVE THIS A PERMISSABLE PLACE OF USE on
310 AC
BHS

PRESUMPTION FLAG:

REMARKS:

A36-15212 IS AN EXPANSION OF THIS RIGHT OF ZSAC

REPROFILED
7 0 1992

RECOMMENDATIONS:

285 USE RIGHT

TOTAL ACRES: 310 on TOTAL P.P.O.U.

REVIEWED BY: BHS

DATE: 7-17-91

A. AJ CLAIMED USES:

PURPOSES
A36-02230E IRRIGATION
A36-02230E DOMESTIC

MONTH/DAY
FROM 04-01 TO 11-01
FROM 01-01 TO 12-31

DIVERSION QUANTITY
4.100 CFS
.040 CFS
4.100 CFS
NOT TO EXCEED 4.1 CFS
FILED
JAN 20 1993

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. WR RECORDED USES:

PURPOSES
36-02230E IRRIGATION
36-02230E DOMESTIC
INCLUDED IN LICENSE
OK

MONTH/DAY
FROM TO
FROM TO

DIVERSION QUANTITY
4.100 CFS
4.100 CFS
4.100 CFS
NOT TO EXCEED 4.1 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

FIELD
EXAMINER
DATABASE
N
Y
Y
BHS
DONT

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 4.100 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.100 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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

N

BHS

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-02230E	DOMESTIC	NEIBAUR , DARYL M.	FROM 01-01 TO 12-31	.040 CFS	
A36-11011	DOMESTIC	NEIBAUR , DARYL M.	FROM 01-01 TO 12-31	.040 CFS	

INCLUDED IN THIS RIGHT

MICROFILMED

JAN 20 1993

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 285 x 0.02 CFS/ACRE = 5.7 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 855.0 AF/A

ACRES 285 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
310

TOTAL CONSUMPTIVE USE 855 AF/A
930 TOTAL Limited

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 285 x DIVERSION VOL. AF/A FOR AREA 4 =
310

TOTAL DIVERSION VOLUME 1140 AF/A
1240 Limited

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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JAN 26 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	04-01 11-01	DATABASE 4.100 EXAMINER <u>BHS</u>	DATABASE 1140 EXAMINER <u>BHS</u>	DATABASE 855.0 EXAMINER <u>BHS</u>
DOMESTIC	01-01 12-31	0.040		
TOTAL FOR THIS RIGHT	NOT TO EXCEED →	4.100 CFS	1240 w/ COMBINED RIGHTS	930 w/ COMBINED RIGHTS
REVIEWED BY: <u>BHS</u>	DATE: <u>7-17-91</u>			

MICROFILMED
JAN 2 1992

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: 36-02230

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 39.300	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02230A	4.800	-	-	36-02230A	4.800
-	A36-02230B	10.000	-	-	36-02230B	10.000
-	A36-02230D	5.640	-	-	36-02230D	5.640
-	A36-02230J	4.920	-	-	36-02230J	4.920
-	A36-02230E	4.100	-	-	36-02230E	4.100
-	A36-02230G	3.750	-	-	36-02230G	3.750
-	A36-02230H	5.010	-	-	36-02230H	5.010
-	A36-02230K	1.080	-	-	36-02230K	1.080
-	-	-	-	-	36-02230	-
-	-	-	-	-	36-02230C	-
-	-	-	-	-	36-02230F	-
TOTAL CFS		39.300				39.300

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	FIELD EXAMINER
N <i>OK</i>	BHS

REMARKS:

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JAN 20 1993

AUTHENTICATION:

SIGNATURE:

Burke H. Scholten

DATE:

7-17-91

NAME OF FIELD EXAMINER:

BURKE H. SCHOLTEN

TITLE:

WATER RESOURCE AGENT

MICROFILMED
JAN 20 1993

20 21

21 22

29 28 T631 D/W FARMS
393

28 27

3
305.1

2
6.6

LINCOLN CO.

MINIDOKA CO.

S. NEIBAUER

1
307.6

29 28

28 27

32 33 T615 C. TERRY

2
5.4

T611 R. JONES

HO FILMED

NOT TO SCALE

215

JAN 20 1993