

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-2301

WATER RIGHT NUMBER: 36-2301

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CHARLES J MARSHALL PO BOX 288 JEROME, ID 83338 (208)324-4315
Current Owner	GILTNER DAIRY LLC 450 E 100 S JEROME, ID 83338 (208) 324-3515

Priority Date: 05/29/1956

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	5.460 CFS	1,092.00 AF
	<u>Total Diversion:</u>	5.460 CFS	1,092.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4	Sec. 23, Twp 08S, Rge 17E, B.M.
JEROME County		
GROUND WATER	SE1/4SW1/4	Sec. 23, Twp 08S, Rge 17E, B.M.
JEROME County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	17E	23		11.0	33.0	23.0	27.0	33.0	23.0	38.0	39.0	36.0	30.0	25.0	37.0	36.0		38.0	429.0
08S	17E	26	19.0		32.0	39.0	36.0	37.0	37.0	39.0					39.0	40.0			318.0

Total Acres: 747

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-2301

2. C18 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.

Remarks:

1. Explanatory Right 36-02301 is limited to the irrigation of 273.0 acres in the place of use described above in a single irrigation season.
Rights 36-02186, 36-02187A, 36-02301 and 36-02439 when combined shall not exceed a total diversion rate of 11.13 cfs, a total annual maximum diversion volume of 2988.0 af at the field headgate, and the irrigation of 747.0 acres.
2. Explanatory RIGHT NOS. 36-02186, 36-02187A & 36-02439 ARE ALSO DIVERTED THROUGH THE DIVERSION DESCRIBED ABOVE.
3. Place of Use USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED
- Irrigation TOTAL OF 747 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.:
36-2186, 36-2187A, 36-2301, & 36-2439.
4. Quantity USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION
RATE OF 11.13 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2988
AF. COMBINED RIGHT NOS.: 36-2186, 36-2187A, 36-2301, & 36-2439.
5. Place of Use THIS RIGHT IS LIMITED TO THE IRRIGATION OF 273 ACRES WITHIN THE PLACE OF USE
- Irrigation DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates and Other Information:

Licensed Date:
Decreed Date: 8/27/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 12, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GILTNER DAIRY LLC
450 E 100 S
JEROME ID 83338

RE: Decreed Water Right 36-2186, 36-2187A, 36-2187B,
36-2301

Dear Water Right Holder:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the water right(s) noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

MEMO TO FILES: 36-2186, 36-2187A & B, 36-2301, &36-2439

RE: OWNERSHIP CHANGE FROM MARSHALL TO GILTNER DAIRY LLC

FROM: JEANIE ROBERTSON 

DATE: MARCH 1, 2002

There was a discrepancy in the deeds which didn't specifically convey the NWNW of Section 23, T08S, R17E and some tiny slivers of the NESE and NWSE of Section 26 from Marshall to Giltner. Giltners said they bought all the land and water from Marshall but failed to provide any corrected deeds. A call was made to the Jerome County assessor's office and they confirmed that Giltners bought all of the property. (She said only a small portion of the NWNW of Section 23 was listed under Simplot.)

RECEIVED

JUN - 1 2000

Department of Water Resources
Southern Region

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 36-02186, 36-02187A, 36-02187B, 36-02301, 36-02439, 36-04089
Adjudication Claim No(s): 36-02186, 36-02187A, 36-02187B, 36-02301, 36-02439, 36-04089
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant John R. Marshall and Louise Marshall, Charles J. Marshall, and Estate of Marjorie W. Marshall, deceased
P. O. Box 288, Jerome, ID 83338
4. New Owner/Claimant(s) Giltner Dairy, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 450 E 100 S
City, State and ZIP Code Jerome, Idaho 83338
New Telephone Number (208) 324-3515
5. Date you acquired the property Jan. 4, 2000
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right <u>747</u>	Number and type of stock <u>Dairy</u>
Diversion rate in CFS <u>11.13</u>	Number of homes you acquired <u>1</u>
<u>1.10</u>	Other uses <u>commercial and dairy operation</u>
7. Signature of New Owner(s) or Claimant(s) Robert Giltner
8. Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
Robert Giltner Jr, Scott R. Giltner, Sandy Giltner, Tami Giltner
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

WARRANTY DEED

RECORDED AT THE REQUEST
of Title & Escrow, Inc.
JAN 4 3 55 PM '00
JEROME COUNTY, IDAHO
DEP. *MS*

2000049

For Value Received

CHARLES J. MARSHALL, also shown of record as C. J. MARSHALL, individually, -
and CHARLES J. MARSHALL AND JOHN R. MARSHALL, Co-Personal
Representatives of The Estate of Marjorie W. Marshall, deceased

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

GILTLER DAIRY, L. L. C., an Idaho Limited Liability Company
Address: 45 South 200 East, Jerome, ID 83338

Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho, to-wit:

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 23: SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$;

That part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$ NE $\frac{1}{4}$ lying South of Highway 25;

TOGETHER WITH the SW $\frac{1}{4}$ NW $\frac{1}{4}$ EXCEPTING THEREFROM the following described two
parcels of land:

PARCEL 1A:

Commencing at the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, being station 580+96.4, 25 feet left
(Westerly) of centerline highway U.S. 93, Project No. F-2391 (1);
Thence South 89°53' East, 225.00 feet, to a point on the Easterly right of way of Highway U.S. 93,
being the TRUE POINT OF BEGINNING;
Thence South 89°53' East, 600.00 feet;
Thence South 0°17' West, 653.00 feet;
Thence South 76°19'30" West, 618.02 feet;
Thence North 0°17' East, 800.58 feet, along the Easterly right of way of Highway U.S. 93, to the
TRUE POINT OF BEGINNING;

PARCEL 1B:

Commencing at the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23 of Township 8 South, Range
17 East of the Boise Meridian, said corner being Station 580+96.4 and 25 feet left (Westerly) of the
centerline of U.S. Highway 93, Project No. F-2391(1);
Thence South 89°49'34" East (South 89°53' East recorded) for 225.00 feet to a $\frac{1}{2}$ " rebar;
Thence South 89°52'04" East (South 89°53' East recorded) for 599.75 feet (600.00 feet recorded)
to a $\frac{1}{2}$ " rebar which shall be THE POINT OF BEGINNING;
Thence South 89°52'04" East for 300.00 feet to a $\frac{1}{2}$ " rebar;
Thence South 0°17'29" West for 676.01 feet to a $\frac{1}{2}$ " rebar;
Thence South 82°16'53" West for 908.49 feet to a $\frac{1}{2}$ " rebar;
Thence North 76°19'53" East (North 76°19'30" East recorded) for 617.88 feet (618.02 feet recorded)
to a $\frac{1}{2}$ " rebar;
Thence North 0°17'29" East (North 0°17'00" East recorded) for 652.71 feet (653.00 feet recorded)
to THE POINT OF BEGINNING.

TOGETHER WITH the SE $\frac{1}{4}$ SW $\frac{1}{4}$ EXCEPTING THEREFROM the following described parcel of
land:

PARCEL 1C:

beginning at the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence South 89°42' East, 99.1 feet along the South line of said Section 23 to the TRUE POINT OF BEGINNING;
thence North 0°18' East, 185.0 feet;
thence South 89°42' East, 20.0 feet;
thence North 0°18' East, 83.8 feet;
thence South 89°42' East, 115.0 feet;
thence South 0°18' West, 268.8 feet to the South line of said Section 23;
thence North 89°42' West, 135.0 feet along said South line to THE POINT OF BEGINNING.

Section 26: NW $\frac{1}{4}$; NE $\frac{1}{4}$;

TOGETHER WITH the NW $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPTING THEREFROM the following described parcel of land:

PARCEL 1D:

Commencing at the Southeast corner of said Section 26, from which the East One Quarter corner of said Section 26 bears North 00°04'59" East, 2639.17 feet;
Thence North 00°04'39" East along the East boundary of the SE $\frac{1}{4}$ of Section 26 for a distance of 1319.59 feet to the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26;
Thence North 89°40'49" West along the South boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26 for a distance of 2024.00 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 89°40'49" West along the South boundary of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26 for a distance of 610.02 feet to the Southwest corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 26;
Thence North 00°04'59" East along the West boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26 for a distance of 135.00 feet;
Thence South 77°12'46" East for a distance of 625.32 feet to THE TRUE POINT OF BEGINNING;

TOGETHER WITH the NE $\frac{1}{4}$ SE $\frac{1}{4}$ EXCEPTING THEREFROM the following described parcel of land:

PARCEL 1E:

Commencing at the Southeast corner of said Section 26, from which the East One Quarter corner of said Section 26 bears North 00°04'59" East, 2639.17 feet;
Thence North 00°04'39" East along the East boundary of the SE $\frac{1}{4}$ of Section 26 for a distance of 1319.59 feet to the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26 and being the TRUE POINT OF BEGINNING;
Thence North 89°40'49" West along the South boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26 for a distance of 906.00 feet;
Thence North 72°34'12" East for a distance of 477.41 feet;
Thence North 43°21'23" East for a distance of 621.04 feet;
Thence South 89°55'01" East for a distance of 25.0 feet to a point on the East boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26;
Thence South 00°04'59" West along the East boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26 for a distance of 599.59 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Power Line Easement given by J.P. Marshall to Idaho Power Company, a corporation, recorded October 17, 1958 as Instrument Number 137232, Jerome County records, affecting the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 8 South, Range 17 East of the Boise Meridian..

of Way given by Department of the Interior, Bureau of Land Management, to State of Idaho Department
Highways, recorded February 23, 1960 as Instrument Number 141909, Jerome County record. affecting the
SW 1/4 NW 1/4 and W 1/2 SW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian.

Power Line Easement given by John R. Marshall, to Idaho Power Company, a corporation, recorded March 11,
1964 as Instrument Number 158432, Jerome County records, affecting the SW 1/4 SE 1/4 of Section 23, Township
8 South, Range 17 East of the Boise Meridian.

Power Line Easement given by C. J. Marshall and Marjorie W. Marshall, husband and wife, to Idaho Power
Company, a corporation, recorded March 2, 1966 as Instrument Number 167152, Jerome County records,
affecting the SE 1/4 SW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian..

Power Line Easement given by Frank Marshall to Idaho Power Company, a corporation, recorded March 2, 1966
as Instrument Number 167156, Jerome County records, affecting the SE 1/4 NE 1/4 of Section 23, Township 8
South, Range 17 East of the Boise Meridian..

Power Line Easement given by C. J. Marshall and Marjorie Ward Marshall, husband and wife, to Idaho Power
Company, a corporation, recorded January 22, 1971 as Instrument Number 187561, Jerome County records,
affecting the SW 1/4 SW 1/4 SE 1/4 SW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian..

Easement disclosed in Warranty Deed recorded July 2, 1971 as Instrument Number 190018, Jerome County
records, affecting the SE 1/4 SW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian.

Well Agreement by and between C. J. Marshall and Marjorie Marshall, husband and wife, and John R. Marshall
and Louise Marshall, husband and wife, recorded July 2, 1971 as Instrument Number 190019, Jerome County
records, affecting the SE 1/4 SW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian.

Correction Easement from C. J. Marshall and Marjorie Marshall, husband and wife, to Simplot Industries, Inc.,
recorded June 18, 1973 as Instrument Number 200753, Jerome County records, affecting the SW 1/4 NW 1/4 of
Section 23, Township 8 South, Range 17 East of the Boise Meridian.

Power Line Easement given by C. J. Marshall and Marjorie Marshall, husband and wife to Idaho Power
Company, a corporation, recorded March 7, 1975 as Instrument Number 210448, Jerome County records,
affecting the SW 1/4 SE 1/4 SW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian.

Power Line Easement given by John R. Marshall to Idaho Power Company, a corporation, recorded April 6,
1992 as Instrument Number 921138, Jerome County records, affecting the SW 1/4 SE 1/4 of of Section 23, Township
8 South, Range 17 East of the Boise Meridian.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and
assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee
simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend
the same from all lawful claims whatsoever.

Dated: January 4, 2000

CHARLES J. MARSHALL

CHARLES J. MARSHALL, Co-Personal Representative

JOHN R. MARSHALL, Co-Personal Representative

STATE OF IDAHO

COUNTY OF JEROME

)
) ss.
)

On this 4th day of January, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared
CHARLES J. MARSHALL, known or identified to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he executed the same.

Notary Public

Residing at Jerome

My Commission expires: 4-30-03

RICK BERNSEN
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)

) ss.

COUNTY OF JEROME)

On this 4th day of January, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared CHARLES J. MARSHALL, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of MARJORIE W. MARSHALL, and acknowledged to me that he executed the same as such Co-Personal Representative.


Notary Public

Residing at: Boise, ID

My Commission expires: 2-7-2003

RICK BERNSEN
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)

) ss.

COUNTY OF JEROME)

On this 4th day of January, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN R. MARSHALL, known or identified to me to be the person whose name is subscribed to the within instrument as Co-Personal Representative of the Estate of MARJORIE W. MARSHALL, and acknowledged to me that he executed the same as such Co-Personal Representative.


Notary Public

Residing at: Boise, ID

My Commission expires: 2-7-2003

RICK BERNSEN
NOTARY PUBLIC
STATE OF IDAHO

2000048

For Value Received

JOHN R. MARSHALL AND LOUISE MARSHALL, husband and wife

RECORDED AT THE REQUEST
of Land Title & Escrow, Inc.

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

JAN 4 3 54 PM '00

GILTNER DAIRY, L. L. C., an Idaho Limited Liability Company
Address: 45 South 200 East, Jerome, ID 83338JEROME COUNTY, IDAHO
FEES 6.00 DEP 0.00

Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho, to-wit:

TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHOSection 23: A tract of land in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, described as follows:

Beginning at the Southwest corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Thence South 89°42' East, 99.1 feet along the South line of said Section 23 to THE TRUE POINT OF BEGINNING;
 Thence North 0°18' East, 185.0 feet;
 Thence South 89°42' East, 20.0 feet;
 Thence North 0°18' East, 83.8 feet;
 Thence South 89°42' East, 115.0 feet;
 Thence South 0°18' West, 268.8 feet to the South line of said Section 23;
 Thence North 89°42' West, 135.0 feet along said South line to the POINT OF BEGINNING.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Power Line Easement given by J.P. Marshall to Idaho Power Company, a corporation, recorded October 17, 1958 as Instrument Number 137232, Jerome County records, affecting the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 8 South, Range 17 East of the Boise Meridian..

Right of Way given by Department of the Interior, Bureau of Land Management, to State of Idaho, Department of Highways, recorded February 23, 1960 as Instrument Number 141909, Jerome County records, affecting the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 23, Township 8 South, Range 17 East of the Boise Meridian.

Power Line Easement given by John R. Marshall, to Idaho Power Company, a corporation, recorded March 11, 1964 as Instrument Number 158432, Jerome County records, affecting the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, Township 8 South, Range 17 East of the Boise Meridian..

Power Line Easement given by C. J. Marshall and Marjorie W. Marshall, husband and wife, to Idaho Power Company, a corporation, recorded March 2, 1966 as Instrument Number 167152, Jerome County records, affecting the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 8 South, Range 17 East of the Boise Meridian..

CONTINUED

Power Line Easement given by C. J. Marshall and Marjorie Ward Marshall, husband and wife, to Idaho Power Company, a corporation, recorded January 22, 1971 as Instrument Number 187561, Jerome County records, affecting the SW 1/4 SW 1/4 SE 1/4 SW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian.

Easement disclosed in Warranty Deed recorded July 2, 1971 as Instrument Number 190018, Jerome County records, affecting the SE 1/4 SW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian.

Well Agreement by and between C. J. Marshall and Marjorie Marshall, husband and wife, and John R. Marshall and Louise Marshall, husband and wife, recorded July 2, 1971 as Instrument Number 190019, Jerome County records, affecting the SE 1/4 SW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian.

~~Correction Easement from C. J. Marshall and Marjorie Marshall, husband and wife, to Simplot Industries, Inc., recorded June 18, 1973 as Instrument Number 200753, Jerome County records, affecting the SW 1/4 NW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian.~~

~~Power Line Easement given by C. J. Marshall and Marjorie Marshall, husband and wife to Idaho Power Company, a corporation, recorded March 7, 1975 as Instrument Number 210448, Jerome County records, affecting the SW 1/4 SE 1/4 SW 1/4 of Section 23, Township 8 South, Range 17 East of the Boise Meridian.~~

Power Line Easement given by John R. Marshall to Idaho Power Company, a corporation, recorded April 6, 1992 as Instrument Number 921138, Jerome County records, affecting the SW 1/4 SE 1/4 of of Section 23, Township 8 South, Range 17 East of the Boise Meridian.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: January 4, 2000

John Marshall
JOHN R. MARSHALL

Louise Marshall
LOUISE MARSHALL

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 4th day of January, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN R. MARSHALL AND LOUISE MARSHALL, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

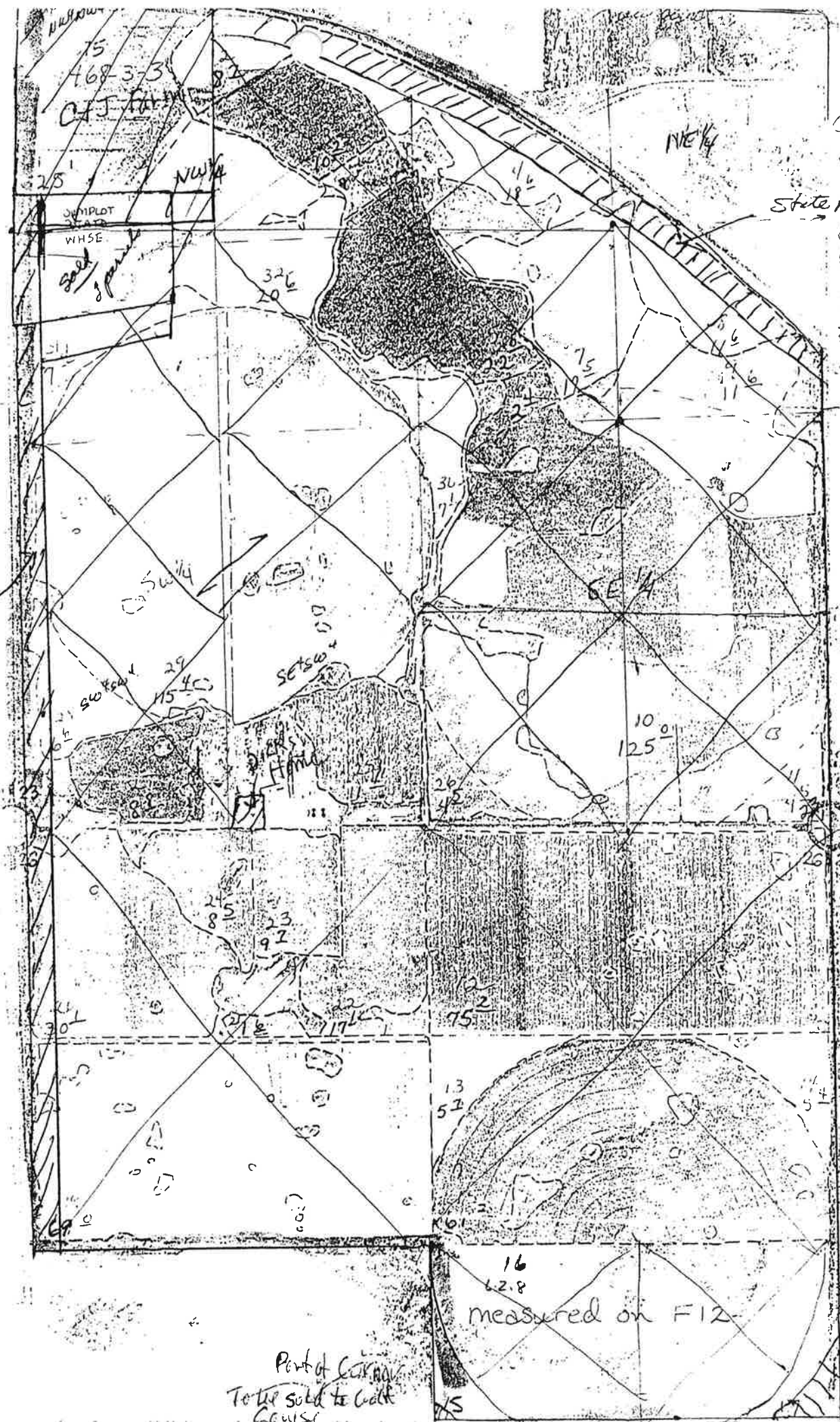
[Signature]
Notary Public

Residing at: Idaho

My Commission expires: 1-3-2003

RICK BERNSEN
NOTARY PUBLIC
STATE OF IDAHO

State Highway Right of Way



CJMS

State Highway Right of Way

Part of Corner
To be sold to Wolf
Course

Part of Corner
to be sold to
Riverview Dam
Not Included for
Guthrie

[illegible]

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: A36-02301

Date Received: 4/03/1990

Receipt No: S011760

Received By:

DATA ENTERED BY

DATE

SEC

4-3-90

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C.J. MARSHALL
Address: P.O. BOX 288
JEROME, ID

208-324-4315

83338

2. Date of Priority: MAY 29, 1956

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	17E	23	SE	SW	SE		JEROME
			SW	SE			JEROME

5. Description of diverting works:

20"X 615' WELL, 450 HP TURBINE PUMP; 20"X 550' WELL, 125 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	5.780		

7. Total Quantity Appropriated is:

5.780 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

867.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	17E	23	NW	NE		IRR	15.0
			SW	NE		IRR	40.0
			NE	NW		IRR	34.0

A36-02301

Page

1

Date: 04/03/90

MICROFILMED

JAN 26 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	17E	23	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 289.0

Total Acres 289.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
NONE

14. Remarks:

PROPERTY OWNED BY D.J. MARSHALL, INDIVIDUALLY AND AS PERSONAL
REPRESENTATIVE OF ESTATE OF MARJARIE MARSHALL, DECEASED.

15. Basis of Claim: LICENSE
Water Right Number: 26371

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 _____

339

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

A36-02301

Date Received

Receipt Number

5011760

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 2 1990

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) C. J. Marshall Phone (208) 324-4315Mailing Address P. O. Box 288, Jerome, Idaho Zip 833382. Date of Priority (Only one (1) per claim) May 29, 19563. Source of water supply (a) groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 8 S. Range 17 E. Section 23,
SW 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of JeromeAdditional points of diversion if any: SE 1/4 of SW 1/4 of said Section 23

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

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. 615 foot well with 20 inch casing,
485 feet pumping level, 450 H.P. G.E. motor and B-J Turbine pump; 550
foot well with 20 inch casing, 465 feet pumping level, 300 H.P. U.S.
motor and Wintroath Turbine, 125 H.P. G.E. motor and booster pump,
ditches, mainline and sprinklers for surface and sprinkler irrigation.

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JAN 26 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Mar. 15 to Nov. 15 amount 5.78 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.78 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 867 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

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	
8S	17E	23		15	40		34		40	40					40	40		40	289

Total number of acres irrigated 289

11. In which county (ies) are lands listed above as place of use located? Jerome

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:
Property owned by C. J. Marshall, individually and as personal
representative of estate of Marjorie Marshall, deceased.

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JAN 26 1993

Last Name Marshall Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 36-2301 (G-26371)

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) C. J. Marshall Date March 28, 1990.
C. J. Marshall, individually and as Personal Representative
of Marjorie W. Marshall Estate Date _____

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

of _____ Title _____
Organization _____, that I have signed the foregoing

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 Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 28th day of March 19 90

SEAL

Notary Public Roger D. Ling

Residing at Rupert, Idaho

My Commission Expires 10/30/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Roger D. Ling 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 Roger D. Ling

Address P. O. Box 396, Rupert, Idaho

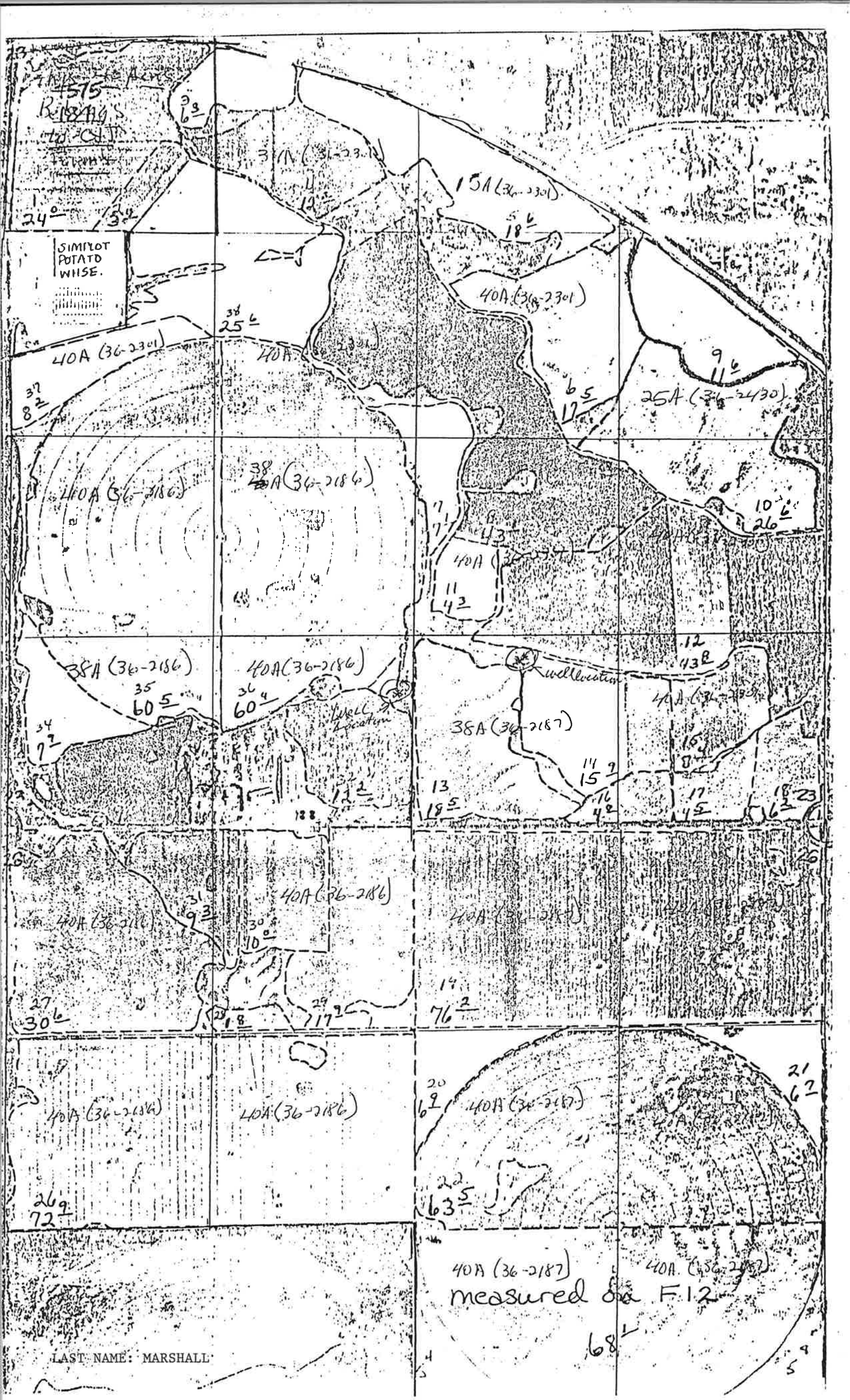
Date March, 1990.

MICROFILMED

JAN 26 1993

Last Name Marshall Ident. Number _____

Copies White-State, Yellow-Claimant





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. E, Twin Falls, Idaho 83301

(208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

.Apr. 6, 1990

C J MARSHALL
P O BOX 288
JEROME ID 83338

Dear Claimant(s):

A36-07908
A36-02612
A36-07906
Re: A36-14661
A36-04087
A36-04089
A36-02439
A36-02187
A36-02301
A36-02186

Please review the computer generated claim(s) for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

A36-14784
ROGER D. LING
P.O. BOX 396

PAGE 2

A36-04087
ROGER D. LING
P.O. X 396

RUPERT ID 83350
A36-07908
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-02141
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-14785
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-02446
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-02100
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-13529
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-14787
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-07356
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P.O. BOX 396

RUPERT ID 83350
A36-07139
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P.O. BOX 396

RUPERT ID 83350
A36-07906
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P.O. BOX 396

RUPERT ID 83350
A36-04089
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-02221
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-02301
ROGER D. LING
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RUPERT ID 83350
A36-14661
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-02612
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-07920
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-13530
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RUPERT ID 83350
A36-14648
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-14788
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350
A36-02062
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

RUPERT ID 83350

MICROFILMED

JAN 20 1955

A36-07904
ROGER D. LING
P.O. BOX 396

PAGE 3

A36-14807
ROGER D. LING
P.O. BOX 3

RUPERT ID 83350

A36-02186
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-14649
ROGER D. LING
P.O. 396

RUPERT ID 83350

A36-02400
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

RUPERT ID 83350

A36-02187
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02099
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-14783
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-13527
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02143
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02447
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

A36-02142B
ROGER D. LING
P.O. BOX 396

RUPERT ID 83350

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JAN 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

18-Jul-1990 13:51

A36-02439 *
ROGER D. LING
P.O. BOX 396

RUPERT

ID 83350

RE: Field examination of a water right claimed
in the Snake River Basin Adjudication

Dear Counselor,

The field staff of this agency may need to conduct water right field examinations of your client's water right claim(s) during the coming season. The field examiner may be visiting your client's property to obtain information necessary to verify the water use.

If a field exam is necessary your client will be contacted directly about the examination unless you contact us otherwise. If you wish to accompany your client at the time of any field examination, or if you have any questions regarding the field examination, you may contact this office.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

*See attached pages for other Water Right Numbers

MICROFILMED

JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5480
WATER RIGHT NO(S). 36-02186/36-02187A/36-02187B
36-02301/36-02439

RECEIVED

MAR 16 2000

Department of Water Resources
Southern Region

This is to certify that: C J MARSHALL
PO BOX 288
JEROME ID 83338

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02186 :			
IRRIGATION	03/15 to 11/15	4.88 CFS	1100.0 AF
Priority: 02/06/1953			
Right No. 36-02187A :			
IRRIGATION	03/15 to 11/15	4.46 CFS	892.0 AF
Priority: 02/06/1953			
Right No. 36-02301 :			
IRRIGATION	03/15 to 11/15	5.46 CFS	1092.0 AF
Priority: 05/29/1956			
Right No. 36-02439 :			
IRRIGATION	03/15 to 11/15	0.50 CFS	100.0 AF
Priority: 06/24/1960			
	SUBTOTAL:	* 11.13 CFS	* 2988.0 AF
Right No. 36-02187B :			
STOCKWATER	01/01 to 12/31	1.10 CFS	165.0 AF
COMMERCIAL	01/01 to 12/31	1.10 CFS	165.0 AF
Priority: 02/06/1953			
	SUBTOTAL:	** 1.10 CFS	** 165.0 AF
	TOTAL:	12.23 CFS	3153.0 AF

SOURCE

GROUNDWATER

36-02186 5480

TRANSFER NO. 5480
WATER RIGHT NO(S) . 36-02186/36-02187A/36-02187B
36-02301/36-02439

LOCATION OF POINT(S) OF DIVERSION:

Right No. 36-02186/36-02187A/36-02301/36-02439 :

SESW , Sec. 23, Township 08S, Range 17E

SWSE , Sec. 23, Township 08S, Range 17E

JEROME County

Right No. 36-02187B :

NWNE , Sec. 26, Township 08S, Range 17E

JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	17E	23	NWNE 11	SWNE 33	SENE 23	
			NENW 27	NWNW 33	SWNW 23	
			SESW 38	NESW 39	NWSW 36	
			SWSW 30	SESW 25	NESE 37	
			NWSE 36	SESE 38		429
	26		NENE 19	SWNE 32	SENE 39	
			NENW 36	NWNW 37	SWNW 37	
			SESW 39	NESE 39	NWSE 40	318
Total number of acres irrigated:						747 ***

PLACE OF USE: STOCKWATER

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
08S	17E	23	SESW	SWSE	
	26		NENE	NWNE	SWNE

PLACE OF USE: COMMERCIAL

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
08S	17E	23	NWNE	SWNE	SENE
			NENW	NWNW	SWNW
			SESW	NESW	NWSW
			SWSW	SESW	NESE
			NWSE	SWSE	SESE
	26		NENE	NWNE	SWNE
			SENE	NENW	NWNW
			SWNW	SESW	NESE
			NWSE		

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

TRANSFER NO. 5480
 WATER RIGHT NO(S). 36-02186/36-02187A/36-02187B
 36-02301/36-02439

CONDITIONS OF APPROVAL AND REMARKS

3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- *** 5. Right 36-02186 is limited to the irrigation of 275.0 acres in the place of use described above in a single irrigation season.
- *** 6. Right 36-02187A is limited to the irrigation of 223.0 acres in the place of use described above in a single irrigation season.
- *** 7. Right 36-02301 is limited to the irrigation of 273.0 acres in the place of use described above in a single irrigation season.
- *** 8. Right 36-02439 is limited to the irrigation of 25.0 acres in the place of use described above in a single irrigation season.
- * 9. Rights 36-02186, 36-02187A, 36-02301 and 36-02439 when combined
 *** shall not exceed a total diversion rate of 11.13 cfs, a total annual maximum diversion volume of 2988.0 af at the field headgate, and the irrigation of 747.0 acres.
10. Use of water under Right 36-02187B shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
11. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
- ** 12. The total instantaneous diversion of water from all points of diversion under Right 36-02187B shall not exceed 1.10 cfs, nor a total combined annual volume of 165.0 af.
13. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized under Right 36-02187B.
14. Two points of diversion are located within NWNE, S26, T08S, R17E.
15. The dairy is located within the SESW and SWSE, S23 and NENE, NWNE and SWNE, S26, T08S, R17E.

Dated this 13th day of March, 2000.

J. Glen Saylor
 Chief, Water Allocation Bureau

1999 NOV 19 PM 12: 42

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

In Re SRBA

Case No. 39576

Water Rights: 36-02186, 36-02187,
36-02301, 36-02439

**NOTICE OF ADMINISTRATIVE
PROCEEDING**

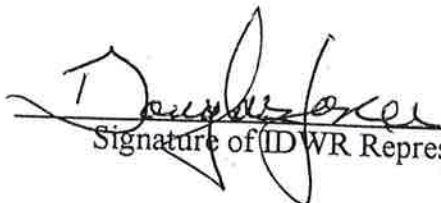
IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

- ☐ Substitution of Party (waiting for documentation)
- ☐ Substitution of Party/Split Water Right
- ☒ I.C. § 42-222 transfer 5480
 - ☒ point of diversion ☒ place of use
 - ☒ period of use ☒ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than:
October 6, 2000.

Dated 11/5/99


Signature of IDWR Representative

INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on 11/19, 1999, I mailed the original and copies of this form to the following persons, 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 ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
C J Marshall
PO Box 288
Jerome ID 83338
3. One copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
4. One copy to:
Each party in the subcase, or attorney of record:



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

November 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

C J MARSHALL
PO BOX 288
JEROME ID 83338

RE: SRBA Claim(s) 36-02186, 36-02187, 36-02301, 36-02439

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant CJ Marshall Phone (208) 324-4315
 Post Office address PO Box 288, Jerome, ID. 83338

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☒ Other Split Right; Create PDU
2. Describe the reason for the proposed changes Portion of irrigation right to a proposed dairy facility;

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>Dairy</u> 36-02187B	<u>02-06-1953</u>	<u>1.10</u>	<u>Com/Stock</u>	<u>1/1 to 12/31</u>
36-02187A	" " "	<u>4.46</u>	<u>Irrigation</u>	<u>4/1 to 10/31</u>
<u>PDU</u> 36-02186	" " "	<u>4.88</u>	" " "	" to "
36-02301	<u>05-29-1956</u>	<u>5.46</u>	" " "	" to "
36-02439	<u>06-24-1960</u>	<u>0.50</u>	" " "	" to "

2. Total amount of water being transferred 1.10 cubic feet per second and/or 165 acre-feet per annum.

3. Source of water Groundwater 11.13 tributary to 2988 afa

4. Point(s) of Diversion: 12.23 LIMITED TO A COMBINED DIV. RATE

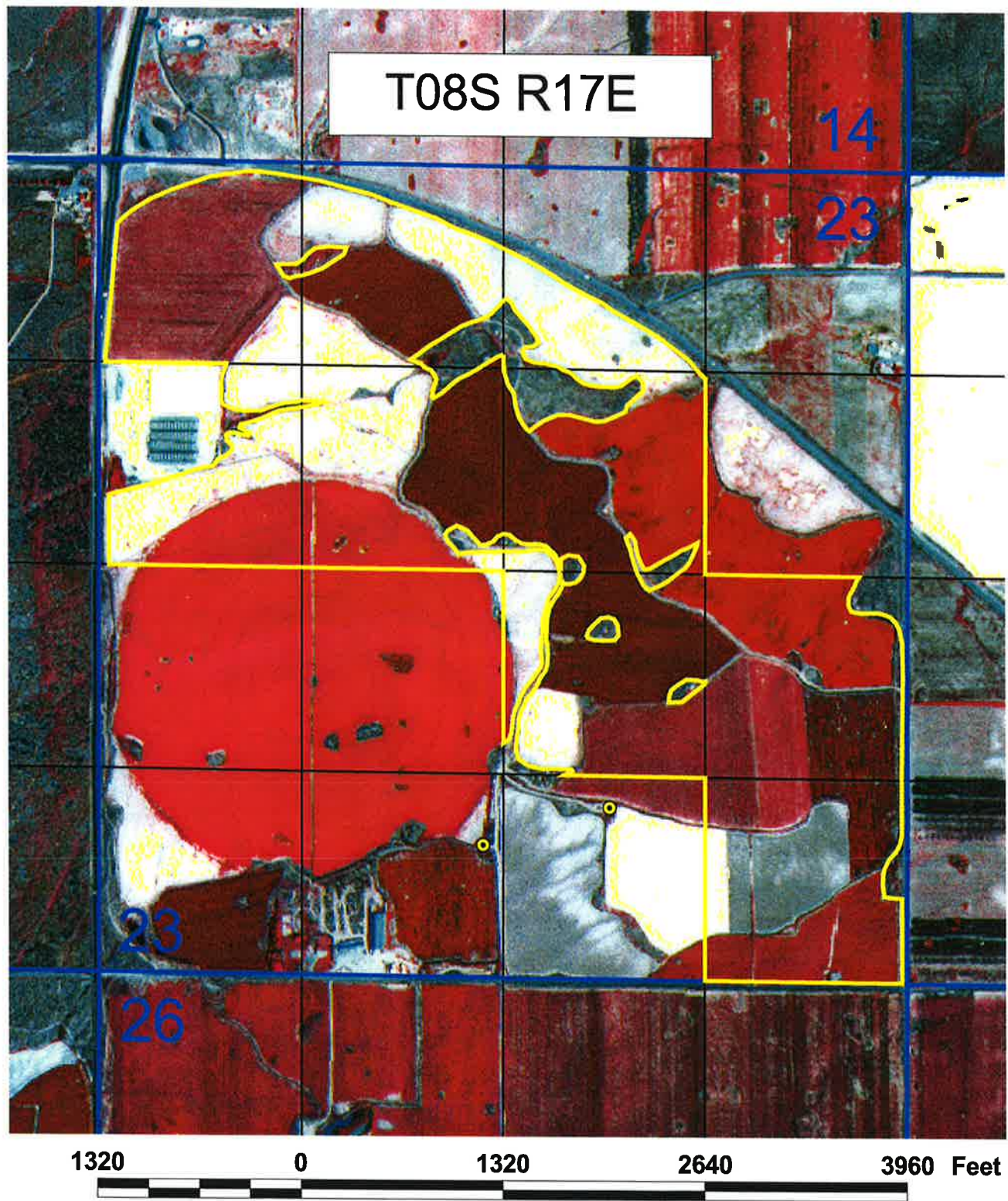
Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>Dairy</u> 2	<u>NE</u>	<u>NW</u>	<u>NE</u>	<u>26</u>	<u>08S</u>	<u>17E</u>	<u>JEROME</u>	<u>TWO DAIRY WELLS PROPOSED</u>
<u>PDU</u> 1	<u>NE</u>	<u>SW</u>	<u>SE</u>	<u>23</u>	<u>08S</u>	<u>17E</u>	<u>JEROME</u>	<u>EXISTING EAST WELL</u>
	<u>NE</u>	<u>SE</u>	<u>SW</u>	<u>23</u>	<u>08S</u>	<u>17E</u>	<u>" "</u>	<u>" " WEST "</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals	
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼		
Dairy	08S	17E	23																	
	08S	17E	26	S/C	S/C	S/C								S/C			S/C			
PU	08S	17E	23		12	33	25	26	30	23	38	40	35	30	25	37	36		38	428
	08S	17E	26	20		34	40	36	36	35	38					40	40			319

* PDU limited to diversion rate 11.13 cfs Total acres * 747

36-02301



-  Section Lines
-  Quarter/Quarter Lines
-  Recommended Place of Use
-  Recommended Point(s) of Diversion



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 1987 and/or 1988 NAPP
DATA ENTRY: APR, 1999
DOUGLAS JONES

CLAIM NUMBERS 36-02301DATE 4/12/99

TRANSFER NUMBER

AGENT JS

HOMESTEAD ENTRY NO.

CLAIMED ACRE TOTAL

GEOGRAPHIC INFO ACRES

289278

	TNS	RNG	SEC	NE				NW				SW				SE				
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	85	17E	23		15	40		34		40	40					40	40		40	289
GIS					11	33		27	38	23	28					37	36		38	278
RECOM					12	33		26	33	28	28					37	36		38	273
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B36-POU.SHP

SHAPE NOS.

805

B36-POD.SHP

NOS. DESCRIPTION

710 NESESE 523711 NESESESW 523

DBF TABLES UPDATED

B36-DBPOU.DBF



B36-DBPOD.DBF



JPEG LAYOUT



NOTICE OF ERROR



RESPONSE



CORRECTED R PROOF



MICROFILMED

JAN 26 1993

RECEIVED

SEP 23 1992

Department of Water Resources

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: 36-02186[✓], 36-02301[✓]
✓ 36-02187, 36-02439[✓]
2. Name: C.J. Marshall
- Address: P.O. Box 288, Jerome, Idaho 83338

Weekday Telephone Number: (208) 436-4717 (Attorney)

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(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:
Period of use.
4. Describe the changes you wish to have made in the proposed recommendation:
Should be 3/15 to 11/15.
5. Describe why you disagree with the proposed recommendation:
Licenses and use under licenses recognize need to irrigate in March in some years, such as 1992 and in November.
6. Date: September 22, 1992

SIGNATURE

Attorney

MICROFILMED
JAN 26 1993



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

C J Marshall
PO Box 288
Jerome ID 83338

RE: Proposed Recommendation for Water Right Nos: 36-02186, 36-02187,
36-02301, & 36-02439

Dear Mr. Marshall:

This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claims 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)

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JAN 26 1993



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

Roger Ling
615 "H" Street
Rupert ID 83350

RE: Proposed Recommendation for Charles P. Marshall Nos. 36-02612 &
36-07906 & C.J. Marshall Nos. 36-02186, 36-02301, 36-02187, &
36-02439

Dear Mr. Ling:

Attached are copies of our responses to the Notices of Error (NOE) which we received from you regarding our proposed recommendations for Charles P. Marshall and C.J. Marshall.

Sincerely,

Marci Sterling

Marci Sterling
Engineering Specialist (EIT)

MICROFILMED

JAN 26 1993

Water Right Number - R36-02301

Prefix Translation: RESEARCH

Old (D) Number - 26371

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

*** A - ATTORNEY ***
LING

ROGER D

1 - PO BOX 396
2 -
3 -
City- RUPERT
Phone - 208-000-0000

State- ID Zip- 83350

*** C - CURRENT OWNER ***
MARSHALL

C J

1 - PO BOX 288
2 -
3 -
City- JEROME
Phone - 208-324-4315

State- ID Zip- 83338

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/29/1956 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 17E 23 NE SE SW (53) JEROME
NE SW SE (53) JEROME+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 5.460 1092.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
5.460 1092.00 819.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 17E 23 NW NE 12.0 01 IRRIGATION (53) JEROME
08S 17E 23 SW NE 33.0 01 IRRIGATION (53) JEROME
08S 17E 23 NE NW 26.0 01 IRRIGATION (53) JEROME
08S 17E 23 NW NW 30.0 01 IRRIGATION (53) JEROME
08S 17E 23 SW NW 23.0 01 IRRIGATION (53) JEROME
08S 17E 23 SE NW 38.0 01 IRRIGATION (53) JEROME
08S 17E 23 NE SE 37.0 01 IRRIGATION (53) JEROME
08S 17E 23 NW SE 36.0 01 IRRIGATION (53) JEROME
08S 17E 23 SE SE 38.0 01 IRRIGATION (53) JEROME

Total Acres: 273.0

+ - - Diversion Means - 20"X 615' WELL, 450 HP TURBINE PUMP; 20"X 550' WELL, 300 HP PUMP

MICROFILMED

JAN 26 1993

Water right number - R36-02301

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
RIGHT NOS. 36-02186, 36-02187 & 36-02439 ARE ALSO DIVERTED
THROUGH THE DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED
RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 12.23 CFS.

+ - - - - - Old Water Right Numbers - - - - - +
3602301

+ - - - - - Conditions of Approval - - - - - +
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

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

+ - - - - - Comments - - - - - +
Date: 08/02/1991 User Id: WELLS Subject: COPIED FROM REMARKS
PROPERTY OWNED BY D.J. MARSHALL, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF ESTATE OF MARJARIE MARSHALL, DECEASED.
Date: 07/09/1992 User Id: GIVENS Subject: NAME STANDARD
NAME STANDARD MARSHALL, C.J.
Date: 09/24/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/23/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 7/9/92. 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

+ - - Audit Fields - - +
10/08/92 SOUTH1

+ - - - - - 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 - 04/02/1990 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S011760 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - OR Presumption Flag - C
Notice of Error Flag - B

MICROFILMED

JAN 26 1993

R PROOF

X

CVR

X

MAPS

X

PHOTOS

MISC

MICROFILM

JAN 26 1993

Water Right Number - R36-02301

Prefix Translation: RESEARCH

Old (D) Number - 26371

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

*** C - CURRENT OWNER ***
MARSHALL

C.J.

1 - P.O. BOX 288
2 -
3 -
City- JEROME
Phone - 208-324-4315

State- ID Zip- 83338

*** A - ATTORNEY ***
LING

ROGER D.

1 - P.O. BOX 396
2 -
3 -
City- RUPERT
Phone - 208-000-0000

State- ID Zip- 83350

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/29/1956 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
08S 17E 23 NE SE SW (53) JEROME
NE SW SE (53) JEROME+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 5.460 1092.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
5.460 1092.00 819.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
08S 17E 23 NW NE 12.0 01 IRRIGATION (53) JEROME
08S 17E 23 SW NE 33.0 01 IRRIGATION (53) JEROME
08S 17E 23 NE NW 26.0 01 IRRIGATION (53) JEROME
08S 17E 23 NW NW 30.0 01 IRRIGATION (53) JEROME
08S 17E 23 SW NW 23.0 01 IRRIGATION (53) JEROME
08S 17E 23 SE NW 38.0 01 IRRIGATION (53) JEROME
08S 17E 23 NE SE 37.0 01 IRRIGATION (53) JEROME
08S 17E 23 NW SE 36.0 01 IRRIGATION (53) JEROME
08S 17E 23 SE SE 38.0 01 IRRIGATION (53) JEROME

Total Acres: 273.0

+ - - Diversion Means - 20"X 615' WELL, 450 HP TURBINE PUMP; 20"X 550' WELL, 300 HP PUMP

MICROFILMED

JAN 26 1993

Water right number - R36-02301

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
RIGHT NOS. 36-02186, 36-02187 & 36-02439 ARE ALSO DIVERTED
THROUGH THE DIVERSION DESCRIBED ABOVE, AND THE TOTAL COMBINED
RATE OF DIVERSION OF THESE RIGHTS IS LIMITED TO 12.23 CFS.

+ - - - - - Old Water Right Numbers - - - - - +
3602301

+ - - - - - Conditions of Approval - - - - - +
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

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

+ - - - - - Comments - - - - - +
Date: 08/02/1991 User Id: WELLS Subject: COPIED FROM REMARKS
PROPERTY OWNED BY D.J. MARSHALL, INDIVIDUALLY AND AS PERSONAL REPRESENTATIVE OF ESTATE OF MARJARIE MARSHALL, DECEASED.

+ - - Audit Fields - - +
03/11/92 ROBERTSO

+ - - - - - 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	- 03/11/1992	Old Judicial District	-
Claim Received Date	- 04/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S011760	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED
JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:15
09/08/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02301

LAST: MARSHALL
ADDRESS: P.O. BOX 288
CITY: JEROME
PHONE NUMBER: 208-324-4315
OWNER CODE: C

FIRST: C.J.
STATE: ID ZIP: 83338

LAST: LING
ADDRESS: P.O. BOX 396
CITY: RUPERT
PHONE NUMBER: 208-000-0000
OWNER CODE: A

FIRST: ROGER D.
STATE: ID ZIP: 83350

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: PROPERTY OWNED BY D.J. MARSHALL, INDIVIDUALLY AND AS PERSONAL
REPRESENTATIVE OF ESTATE OF MARJARIE MARSHALL, DECEASED.

RECORDED
JAN 26 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:

MICROFILM

JAN 26 1993

A. AJ CLAIM: # A36-02301 PRIORITY DATE: 05-29-1956 STAGE: L
B. WR RECORD: # 36-02301 PRIORITY DATE: 05-29-1956 STAGE: L

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

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

REMARKS: _____

===== RECOMMENDED PRIORITY DATE:
05-29-1956

REVIEWED BY lw DATE 11/19/90
=====

MICROFILMED
JAN 25 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02301	08S	17E	23	<i>Ne</i>	SW	SE		JEROME
A36-02301	08S	17E	23	<i>Ne</i>	SE	SW		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02187 NONE
A36-02439
A36-04089
A36-02186

WR RECORDS IN SAME 40 ACRE TRACT

36-02187
36-02439
36-02186
36-04089

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02301	08S	17E	23		SW	SE		JEROME
36-02301	08S	17E	23		SE	SW		JEROME

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02187
36-02439
36-02186
36-04089

A36-02187 NONE
A36-02439
A36-04089
A36-02186
A47-12304

SOURCE: GROUNDWATER

TRIB:

FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
X

MICROFILMED

JAN 26 1993

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
8 ~~2~~	17 ~~e~~	23	N ~~8~~	4 ~~W~~	5 ~~8~~	---	53
---	---	23	N ~~8~~	3 ~~e~~	5 ~~W~~	---	53

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

lw

DATE:

11/19/90

A. ROOT WATER RIGHT NUMBERS: A36-02301

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WK #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	17E	23	NW	NE		MARSHALL, C.J. MC GUNIGAL, JOHN D. WATSON, LLOYD	A36-02301 715.0 A36-08111 716.0	36-02301 715.0 36-08111 716.0 36-08230 1.0	39.0	12	~~12~~
08S	17E	23	SW	NE		MARSHALL, C.J.	A36-02301 740.0	36-02301 740.0	37.0	~~38~~ 33	~~40~~ 33
08S	17E	23	NE	NW		MARSHALL, C.J. MC GUNIGAL, JOHN D.	A36-02301 734.0 A36-08111 3.0	36-02301 734.0 36-08111 3.0	37.0	26	~~34~~ 26
08S	17E	23	SW	NW		MARSHALL, C.J. J.R. SIMPLOT CO.	A36-02301 740.0	36-02301 740.0 36-07333 /	37.0	~~35~~ 23	~~35~~ 23
08S	17E	23	SE	NW		MARSHALL, C.J.	A36-02301 740.0	36-02301 740.0	39.0	38	~~40~~ 38
08S	17E	23	NE	SE		MARSHALL, C.J.	A36-02301 740.0	36-02301 740.0	36.0	~~38~~ 37	~~40~~ 37
08S	17E	23	NW	SE		MARSHALL, C.J.	A36-02301 740.0	36-02301 740.0	39.0	36	~~40~~ 36
08S	17E	23	SE	SE		MARSHALL, C.J.	A36-02301 740.0	36-02301 740.0	37.0	~~38~~ 38	~~40~~ 38
			23	NW	NW					30	~~40~~ 30
						TOTAL ACRES	A36-02301 289.00	289.00	301.00	273	~~289~~ 30

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

See 36-2439

24 Acres

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

~~M~~ 

PRESUMPTION FLAG:

REMARKS:

5 acres out of SWNW due to potato storage
transferred to NWNW to catch field edges -
see enclosed map

per Maps: found more wasteland and more irrigated land in NWNW without
water rights - shifted acres similar to above

maps used: NAPP, OPQ, ASCS

RECOMMENDATIONS:

TOTAL ACRES: ~~289~~ 273

REVIEWED BY: lw see 7-31-91 DATE: 11/19/90

C05
C09

A. AJ CLAIMED USES:

A36-02301	PURPOSES IRRIGATION	MONTH/DAY FROM 03-15 TO 11-15	DIVERSION QUANTITY 5.780 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			5.780 CFS

B. WR RECORDED USES:

36-02301	PURPOSES IRRIGATION	MONTH/DAY FROM TO	DIVERSION QUANTITY 5.780 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			5.780 CFS

PRESUMPTION FLAG:

C

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

MICROFILMED

JAN 26 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 5.780 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 5.780 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFCIAL 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?

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

FIELD
DATABASE EXAMINER
N

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

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02301	GROUNDWATER	MARSHALL, C.J.	5.780	0.020		
A36-08111	GROUNDWATER	MC GONIGAL, JOHN D.	0.760	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

MICROFILMED
JAN 25 1993

D.

1a. IRRIGATION RATE
ACRES 273 ~~289~~ x 0.02 CFS/ACRE = 5.46 ~~5.78~~ CFS
(Taken from p/u review)

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 867.0 AF/A
ACRES 273 ~~289~~ x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 819 ~~867~~ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 273 ~~289~~ x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 1092 ~~1156~~ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(/) N(/)

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

*Limit Diversion to amount
Beneficially used on 273 acres

MICROFILMED

JAN 26 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER ~~5.780~~ ~~5.78~~	DATABASE EXAMINER ~~1188~~	DATABASE EXAMINER ~~867.0~~ ~~867~~
TOTAL FOR THIS RIGHT		~~5.780~~ 5.46	1092	819
REVIEWED BY: <i>hw</i>		DATE: 11/19/90		

F05

C05
C09

MICROFILMED
JAN 23 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED ()
NEEDS
REVIEW ()
N/A ()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02301

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
5.780

EXAMINER
N/A

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A36-02301	A36-02301	5.780	-		36-02301	5.780
TOTAL CFS		5.780				5.780

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
Y

FIELD
EXAMINER
N/A

REMARKS:

AUTHENTICATION:

SIGNATURE: *[Signature]* DATE: *7-31-91*
11/19/90
NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED
JAN 26 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:15
09/08/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02301

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				N		See 7-31-	CB	
POINT OF DIV	Y			Y				
SOURCE				N				
CE OF USE	Y			Y	1, 4, 6, 2			
DIV. AMOUNT CFS/VOLUME				Y				
CONSUMPTIVE USE	-			Y				
PURPOSES				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM				N				
REMARKS	Y			Y				

"VERIFIED BY" CODES

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

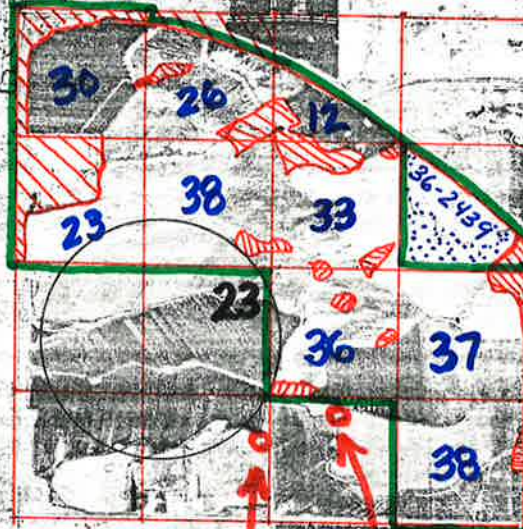
THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED
JAN 25 1993

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A36-02301

MARSHALL

MICROFILMED

JAN 26 1993

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