

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: **A36-02501**
Date Received: 10/ 6/1989
Receipt No: S009697
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	JACK M HARMAN	208-532-4236
Address:	1500 N 465 E RT 3 BOX 3254 RUPERT ID	83350
AND/OR		
Name:	SHELLEY HARMAN	208-532-4236
Address:	1500 N 465 E RT 3 BOX 3254 RUPERT ID	83350
AND/OR		
Name:	KENT M HARMAN	208-532-4236
Address:	1500 N 465 E RT 3 BOX 3254 RUPERT ID	83350
AND/OR		
Name:	TAMARA HARMAN	208-532-4236
Address:	1500 N 465 E RT 3 BOX 3254 RUPERT ID	83350

2. Date of Priority: JUL 25, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	25E	18	SE	NE	SW		MINIDOKA
			NE	SE	SE		MINIDOKA

5. Description of diverting works:
TWO WELLS & PUMPS DELIVERING TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
A36-02501	Page	1	Date:	03/30/95	MICROFILMED DEC 04 1996

6. Water is used for the following purposes: Continued

Purpose	From	To	C.F.S (and/or)	A.F.A.
IRRIGATION	03/15	11/15	0.800	

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

8. Total consumptive use is 195.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	25E	18	NE	NW	IRR	32.0
			NW	NW	1 IRR	33.0
Section Acres						65.0
Total Acres						65.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
APPLIC. 36-08213

14. Remarks:
OWNERSHIP CHANGE 02-13-1995 BY FH.
SF3 ADDRESS CHANGE 03/29/95 SS.

15. Basis of Claim: LICENSE

Water Right Number: 99972

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: A36-02501

Date Received: 10/ 6/1989

Receipt No: S009697

Received By: *Ownership Change H*

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	JACK M HARMAN	208-532-4236
Address:	ROUTE 3 BOX 253	
	RUPERT ID	83350
AND/OR		
Name:	SHELLEY HARMAN	208-532-4236
Address:	ROUTE 3 BOX 253	
	RUPERT ID	83350
AND/OR		
Name:	KENT M HARMAN	208-532-4236
Address:	ROUTE 3 BOX 253	
	RUPERT ID	83350
AND/OR		
Name:	TAMARA HARMAN	208-532-4236
Address:	ROUTE 3 BOX 253	
	RUPERT ID	83350

2. Date of Priority: JUL 25, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	25E	18	SE	NE	SW		MINIDOKA
			NE	SE	SE		MINIDOKA

5. Description of diverting works:
TWO WELLS & PUMPS DELIVERING TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 195.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	18	NE	NW		IRR	32.0
			NW	NW	1	IRR	33.0

Section Acres 65.0

Total Acres 65.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
APPLIC. 36-08213

14. Remarks:
OWNERSHIP CHANGE 02-13-1995 BY FH.

15. Basis of Claim: LICENSE
Water Right Number: 99972

Judge [Signature] - Feb 3-10-95
DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

March 9, 1995

Jack M. and Shelley Harman
Kent M. and Tamara Harman
1500 North 456 East
Rupert, ID 83350

RECEIVED

MAR 10 1995

Department of Water Resource

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

RECEIVED

MAR 16 1995

Department of Water Resources
Southern Region

RE: Substitution of Party, Water Right Nos.: 36-02061, 36-02220, 36-02501, 36-02550, 36-08212, 36-08213 and 36-13113

The court received a *Standard Form 3 Consent to Substitution of Party* for the water rights listed above listing you as the new claimant/purchaser.

The Standard Form 3 will be accepted and filed **only** as to Water Right Nos. 36-02061, 36-02220, 36-02501, 36-02550 and 36-13113. Claims to these water rights have been reported in the *Director's Report for Basin 34*, filed with this court on June 18, 1992.

Water Right Nos. 36-08212 and 36-08213 have not been reported in a director's report before this court. You will need to contact David Shaw of the Idaho Department of Water Resource for instructions on how to proceed with these two water rights. The toll-free number for IDWR is 800-451-4129.

Sincerely,

[Signature]
Diana R. Delaney
Chief Deputy Clerk

DRD

cc: David Shaw
Chief Natural Resources Division
U.S. Department of Justice

MICROFILMED
DEC 8 4 1996

RECEIVED

APR 05 1995

Department of Water Resources
Southern Region

RECEIVED

MAR 06 1995

OFFICE OF THE
ATTORNEY GENERAL

RECEIVED

MAR 07 1995

Department of Water Resources
Adjudication Bureau

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. 39576

STANDARD FORM 3

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

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF
PARTY

vs.

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

Respondents.

Modified Records
A + blank.
SS 3-3-95
36-02061
36-02220
36-02501
36-02550
36-08212
36-08213
36-13113
Court did not accept these two.

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The *Substitution* shall be filed by the new claimant/purchaser.

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☐ CHANGE IN ADDRESS

My name is _____

I am the claimant of _____

(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____

Court did not accept 36-08212-36-08212

☐ **CONSENT TO SUBSTITUTION OF PARTY**

My name is Jack M. Harman and/or Shelley Harman
Kent M. Harman and/or Tamara Harman

My address is Rt. 3 Box 3254 1500 North 465 E.
Rupert, ID. 83350

My phone number is: Work (208) 532-4568 Home (208) 532-4137

The name and address of the party who I wish to be substituted for are:

Max Herbold Inc.

2nd and Scott Ave. Rupert, Id 83350

I am the new claimant/purchaser of 36-02061 36-02220 36-02501 36-02550
36-08212 36-08213 36-13113 and

(Insert each water right number)

not accepted by Court per G. Seifert.

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my Substitution. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

James M. Herbold *Kent M. Harman*
(Signature of prior claimant/seller) (Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is _____

I am the attorney of record for _____
(Identify party/claimant)

My address and phone number are _____

VERIFICATION

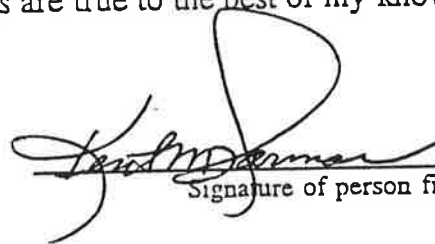
(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of _____

County of _____

_____, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

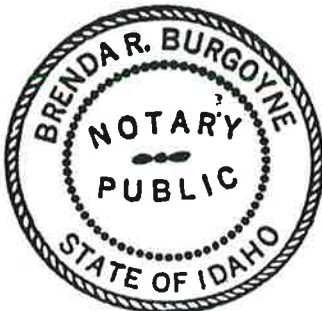
That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

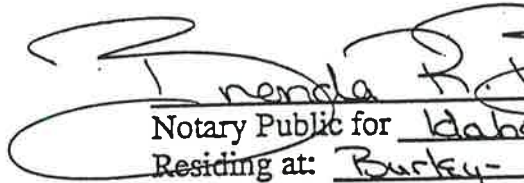


Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on March 3 - 1995
(Insert Date)





Notary Public for Idaho
Residing at: Burley - Idaho
My Commission expires: 2.29.99

INSTRUCTIONS FOR MAILING

You must mail the form, including all attachments, 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.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on MARCH 3, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or 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. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

Max Herbold Inc., 2nd and Scott Ave., Rupert, Id. 83350
Donald J. Chisholm, 223 E. Main, Burley, Id. 83318

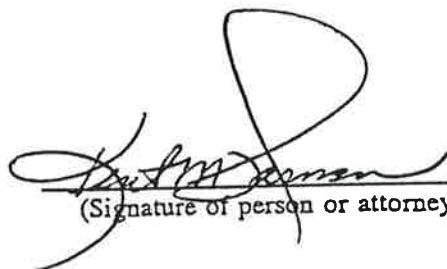
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

4. One copy to:

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

5. One copy to:

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



(Signature of person or attorney mailing the form)

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: A36-02501
Date Received: 10/06/1989
Receipt No: 5009697
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAX HERBOLD, INC. 208-436-6396
Address: P.O. BOX 67
RUPERT, ID 83350

2. Date of Priority: JUL 25, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	25E	18	SE	NE	SW		MINIDOKA
			NE	SE	SE		MINIDOKA

5. Description of diverting works:
TWO WELLS & PUMPS DELIVERING TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 195.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	18	NE	NW		IRR	32.0
			NW	NW	1	IRR	33.0

Section Acres 65.0

A36-02501

Page 1

Date: 10/06/89

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JAN 28 1993

10. Place of Use: Continued

Total Acres 65.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
APPLIC. 36-08213

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 99972

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: See Map A36-02061

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of _____
Title

MAX HERBOLD INC, that I have signed the foregoing
Organization
document in the space below as PRESIDENT of
Title

MAX HERBOLD INC and that the statements contained in the
Organization
foregoing document are true and correct.

Dennis M Herbold
Signature of Authorized Agent

PRESIDENT MAX HERBOLD INC
Title and Organization

10/6/89
Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of Oct. 19 89

[Signature]
Notary Public

Seal

Residing at Kimberly Id.

My Commission Expires 6/30/92

Water Right Number - 36-02501

Prefix Translation: WATER RIGHT

Old (D) Number - 99972

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

*** C - CURRENT OWNER ***

HARMAN

JACK M

1 - 1500 N 465 E
2 - RT 3 BOX 3254
3 -

City- RUPERT
Phone - 208-532-4236

State- ID Zip- 83350

HARMAN

SHELLEY

1 - 1500 N 465 E
2 - RT 3 BOX 3254
3 -

City- RUPERT
Phone - 208-532-4236

State- ID Zip- 83350

HARMAN

KENT M

1 - 1500 N 465 E
2 - RT 3 BOX 3254
3 -

City- RUPERT
Phone - 208-532-4236

State- ID Zip- 83350

HARMAN

TAMARA

1 - 1500 N 465 E
2 - RT 3 BOX 3254
3 -

City- RUPERT
Phone - 208-532-4236

State- ID Zip- 83350

*** D - DIR RPT OWNER ***

MAX HERBOLD INC

1 - PO BOX 67
2 -
3 -

City- RUPERT
Phone - 208-436-6396

State- ID Zip- 83350

*** O - ORIGINAL OWNER ***

HERBOLD

MAX

1 -
2 -
3 -

City- RUPERT
Phone - 208-000-0000

State- ID Zip- XXXXX

+ - - Priority Date - - +
07/25/1961

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

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

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

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

07S 25E 18 SE NE SW (67) MINIDOKA
NE SE SE (67) MINIDOKA

DEC 04 1996
MICROFILMED

Water right number - 36-02501

Prefix Translation: WATER RIGHT

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	0.800	260.00
+ - Total Div. Rate - +		+ - Total Div. Volume - +		+ - Total Consumptive Use - +	
0.800		260.00		195.0	

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
07S	25E	18	NE NW		32.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	18	NW NW	1	33.0	01	IRRIGATION	(67) MINIDOKA
Total Acres:					65.0			

+ - - Diversion Means - TWO WELLS & PUMPS DELIVERING TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-02061 AND 36-02220.

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

No Old Water Right Numbers Found

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

C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.
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: 03/11/1991 User Id: BEDKE Subject: SCC-STAFF REVIEW
Date: 02/13/1995 User Id: FHITCHCO Subject: CHANGE OF OWNERSHIP
OWNERSHIP CHANGE RECIEVED 02-08-1995 FROM MAX HERBOLD, INC TO
TAMARA HARMAN. COPY OF WARRANTY DEED ATTACHED TO FORM. JACK M. HARMAN AND/OR SHELLEY HARMAN AND KENT M. HARMAN AND/OR
Date: 03/30/1995 User Id: SSHERMAN Subject: SF3 ADDRESS CHANGE
CHANGED ADDRESS FOR HARMANS.

+ - - Audit Fields - - +

03/30/95 SSHERMAN

MICROFILMED
DEC 04 1996

Water right number - 36-02501

Prefix Translation: WATER RIGHT

+ - - - - - 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	- 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	- 10/06/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009697	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED
DEC 04 1996

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JACK M HARMAN	07/25/1961	IRRIGATION	04-01 10-31	0.80 CFS	260.00 AFA
C	SHELLEY HARMAN					
C	KENT M HARMAN					
C	TAMARA HARMAN					
	ROUTE 3 BOX 253					
	RUPERT ID 83350					
	(208) 532-4236					
				TOTAL DIVERSION:	0.80 CFS	260.00 AFA
				CONSUMPTIVE USE:		195.00 AFA
D	MAX HERBOLD INC					
	PO BOX 67					
	RUPERT ID 83350					
	(208) 436-6396					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R25E S18

SENESE

NESESE

MINIDOKA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	25E	18	:							32	01-33									65.0
																			TOTAL ACRES	65.0

POU County: MINIDOKA

Other Rights: NONE

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO IDAHO CODE 42-1416A.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

Remarks: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-02061 AND 36-02220.

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C

Comments: Date: 03/11/1991 User-ID: BEDKE Subject: SCC-STAFF REVIEW

Date: 02/13/1995 User-ID: FHITCHCO Subject: CHANGE OF OWNERSHIP

DEC 04 1996
MICROFILMED

AJ0749NP
No. 36-02501

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

DATE: 02/13/95
PAGE: 2

=====

Comments: Date: 02/13/1995 User-ID: FHITCHCO Subject: CHANGE OF OWNERSHIP
OWNERSHIP CHANGE RECIEVED 02-08-1995 FROM MAX HERBOLD, INC TO
JACK M. HARMAN AND/OR SHELLEY HARMAN AND KENT M. HARMAN AND/OR
TAMARA HARMAN. COPY OF WARRANTY DEED ATTACHED TO FORM.

Audit: 02/13/95 FHITCHCO

MICROFILMED

DEC 04 1996

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE	CUSTOMER
October 2, 1995 3:46pm	HENRY LEMOYNE 36-02061, 36-02220, 36-02501 36-02550, 36-08212

SUBJECT: STATUS IN DIRECTOR'S REPORT???

phone call (X) walk-in (.)

Asked how these claims were recommended in the Director's Report? Told him the priority dates, diversion amounts and irrigated acres for the first four claims and then told him that the last one was a water right which was Licensed in 1994. It was not required to be claimed in the adjudication because the proof of beneficial use was not due until 1990. He didn't want proof reports at this time.

MICROFILMED
DEC 04 1996

R PROOF



CVR



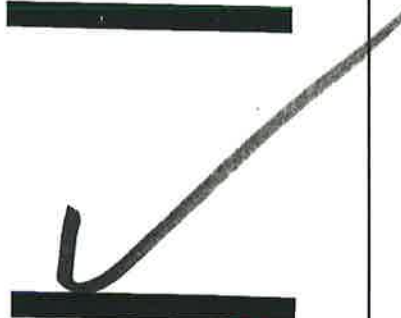
MAPS



PHOTOS



MISC



MICROFILMED

JAN 28 1993

VERIFIED BY sell

Water Right Number - R36-02501

Prefix Translation: RESEARCH

Old (D) Number - 99972

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

*** C - CURRENT OWNER ***
MAX HERBOLD INC.

1 - P.O. BOX 67

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-6396

*** O - ORIGINAL OWNER ***
HERBOLD

MAX

1 -

2 -

3 -

City- RUPERT

State- ID Zip- XXXXX

Phone - 208-000-0000

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/25/1961 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 25E 18 SE NE SW (67) MINIDOKA

07S 25E 18 NE SE SE (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.800 260.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.800 260.00 195.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 25E 18 NE NW 32.0 01 IRRIGATION (67) MINIDOKA
07S 25E 18 NW NW 1 33.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 65.0

+ - - Diversion Means - TWO WELLS & PUMPS DELIVERING TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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Water right number - R36-02501

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-02061 AND 36-02220.

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

+ - - - - Conditions of Approval - - - - -
C03 - RIGHT INCLUDES CHANGE IN POINT OF DIVERSION.
C05 - RIGHT INCLUDES CHANGE IN PLACE OF USE.

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

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

+ - - Audit Fields - - +
07/23/91 WELLS

+ - - - - 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	- 07/23/1991	Old Judicial District	-
Claim Received Date	- 10/06/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009697	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

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QUICKLOOK INFORMATION

CLAIM NUMBER: A36-02501

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								
POINT OF DIV	Transfer (Y)	Date?		N	1,2		DB	
SOURCE				N				
PLACE OF USE	TRANSFER (Y)	Date?		N	1,2			
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE				N			Y	
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS				N (Y) other Rts.				

"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.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:16:49
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02501

LAST: HERBOLD
ADDRESS:
CITY: RUPERT
PHONE NUMBER: 208-000-0000

OWNER CODE: 0

FIRST: MAX

STATE: ID ZIP: XXXXX

LAST: MAX HERBOLD INC.
ADDRESS: P.O. BOX 67
CITY: RUPERT
PHONE NUMBER: 208-436-6396

FIRST:

STATE: ID ZIP: 83350

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

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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:

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A. AJ CLAIM: # A36-02501 PRIORITY DATE: 07-25-1961 STAGE: L
B. WR RECORD: # 36-02501 PRIORITY DATE: 07-25-1961 STAGE: L

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

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

REMARKS:

RECOMMENDED PRIORITY DATE:
07-25-1961

REVIEWED BY

SCV

DATE

10-31-90

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02501	07S	25E	18	SE	NE	SW		MINIDOKA
A36-02501	07S	25E	18	NE	SE	SE		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02220 NONE
A36-02061
A36-13113

WR RECORDS IN SAME 40 ACRE TRACT

36-02220
36-08213
36-02061

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02501	07S	25E	18		NW	NW		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

REMARKS:

When did transfer of POD's occur?

Other Rts Same system: A36-02220 + A36-02061.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

Same

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: *See* DATE: *10-31-90*

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A. ROOT WATER RIGHT NUMBERS: A36-02501

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	25E	18	NE	NW		MAX HERBOLD INC. MAX HERBOLD INC.	A36-02501 /32.0	36-02501 /20.0 36-08213 /40.0	40.0	32	32
07S	25E	18	NW	NW	1	MAX HERBOLD INC. MAX HERBOLD INC.	A36-02501 /33.0	36-02501 /40 36-08213 /33.0	29.0	33	33
TOTAL ACRES							A36-02501	65.00	20.00 60.00 45 65.00	69.00	

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

NONE

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

Y

PRESUMPTION FLAG: C

REMARKS:

unrecorded transfer between 1/4-1/4's - What Date?

RECOMMENDATIONS:

TOTAL ACRES: 65

REVIEWED BY: See

DATE: 3-8-91

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65

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02501 IRRIGATION	FROM 03-15 TO 11-15	.800 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.800 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02501 IRRIGATION	FROM 03-15 TO 11-15	.800 CFS 260.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		.800 CFS 260.00 AF/A

PRESUMPTION FLAG: C

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(X) N()

RECOMMEND TO WR STANDARDS OR OTHER?

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

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 0.800 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.800 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?

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

FIELD
DATABASE EXAMINER
Y ☒

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: APPLIC. 36-08213

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 65 x 0.02 CFS/ACRE = 1.3 CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 195.0 AF/A

ACRES 65 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 195 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 65 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 260 AF/A

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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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 0.800 <u> </u>	DATABASE EXAMINER <u>260</u>	DATABASE EXAMINER 195.0 <u> </u>
TOTAL FOR THIS RIGHT		0.800		195.0

REVIEWED BY: SCC

DATE: 10-31-90

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02501

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.800

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02501	0.800	-		36-02501	0.800
TOTAL CFS		0.800				0.800

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

OK

REMARKS:

AUTHENTICATION:

SIGNATURE: Steve Allen

DATE: 10-31-90

NAME OF FIELD EXAMINER: _____ TITLE: _____

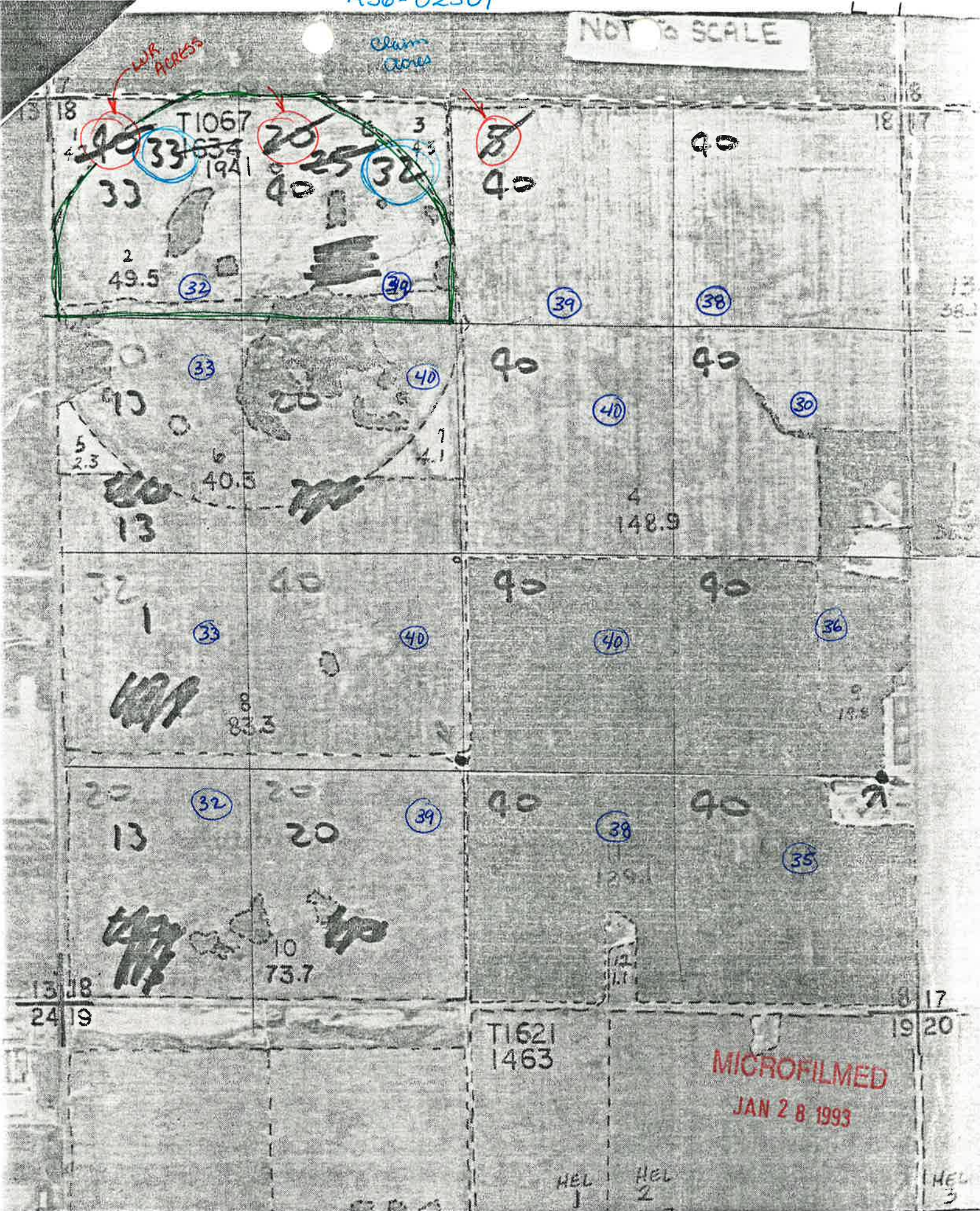
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JAN 28 1993

A36-02501

NOT TO SCALE

WR ACCESS

clam
area



all Section 18 - Township 7S - Range 25 EBM 36-8213 LIC Exam TOTAL=584 6-25-91 35

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JAN 28 1993

36-2501

State of Idaho

Department of Water Resources

RECEIVED

JAN 17 1978

WATER RIGHT LICENSE

Department of Water Resources
Southern District OfficeLicense of Water Right No. 36-2501 Priority July 25, 1961 Amount 0.80 cfs

THIS IS TO CERTIFY, that Max Herbold
 of Rupert, Idaho, has complied with the terms and conditions of Permit
 No. 36-2501 issued pursuant to Application for Permit dated July 25, 1961
 and has submitted proof to the Department of Water Resources on June 21, 1963
 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
 capacity for the diversion of 0.80 cfs of water from a groundwater source
 tributary to _____, and that the permit holder has applied to a beneficial use and
 established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>0.80</u> cfs and	<u>260 acre feet</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.80 cfs of water be diverted at any one time, and
 that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
 aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
260 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, Twp. 7S,
Rge. 25E, B. M. in the County of Minidoka

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7S	25E	18		5			20	40											65

Total number of acres irrigated 65

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
 Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
 herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 13
January, 19 78.

[Signature]
 Director

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 JAN 28 1993

36-2501