

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: **A36-02550**
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: AUG 27, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	25E	19	SE	SE	NW		MINIDOKA

5. Description of diverting works:
WELL & PUMP 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	4.010		

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

A.F.A.

8. Total consumptive use is 651.0 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	19	NE		NW		IRR	29.0
			NW		NW	1	IRR	25.0
			SW		NW	2	IRR	10.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW	3	IRR	10.0
			SW		SW	4	IRR	23.0
			SE		SW		IRR	40.0

Section Acres 217.0

Total Acres 217.0

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:
NONE

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

15. Basis of Claim: LICENSE

Water Right Number: 30647

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: A36-02550

Date Received: 10/06/1989

Receipt No: 5009697

Received By: AM

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAX HERBOLD, INC.
Address: P.O. BOX 67
RUPERT, ID

208-436-6396

83350

2. Date of Priority: AUG 27, 1962

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	25E	19	SE	SE	NW		MINIDOKA

5. Description of diverting works:
WELL & PUMP 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	4.010		

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

A.F.A.

8. Total consumptive use is 651.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	25E	19	NE	NW		IRR	29.0
			NW	NW	1	IRR	25.0
			SW	NW	2	IRR	10.0

A36-02550

Page 1

Date: 10/06/89

MICROFILMED

JAN 28 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	25E	19	SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW	3	IRR	10.0
			SW	SW	4	IRR	23.0
			SE	SW		IRR	40.0
Section Acres							217.0
Total Acres							217.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 30647

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: 1 M2P

For Organizations:

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

[Signature]
Signature of Authorized Agent
PRESIDENT MAX HERBOLD INC
Title and Organization
10/6/89
Date

State of Idaho)
County of Twila Felt) SS.

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

[Signature]
Notary Public

Seal

Residing at Kimberly Dr
My Commission Expires 6/10/94

MICROFILMED
JAN 28 1993

NOT TO SCALE

10
73.7

13 18
24 19

25
5

29

T1621
1463
1951

HEL
1
24.3

HEL
2
52.3

POD

13
43.7

10
23
19.2

40

HEL
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22.2

HEL
6
51.4

14
66.7

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SEE
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40

10
75.8

HEL
18 17
103.7

12
77.4

HEL
12
77.4

19
25 30
T1338
1777

Tract - HEL

1
6.9

T270
190

Tract - HEL

MICROFILMED
JAN 28 1993

Water Right Number - 36-02550

Prefix Translation: WATER RIGHT

Old (D) Number - 30647

+ - - - - 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 INC1 - PO BOX 67
2 -
3 -City- RUPERT
Phone - 208-436-6396

State- ID Zip- 83350

+ - - Priority Date - - +
08/27/1962+ - - - Region - - - +
17 SOUTHERN+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - +

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

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

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

07S 25E 19 NE SE NW (67) MINIDOKA

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

01 - IRRIGATION

04/01

10/31

4.010

868.00

+ - Total Div. Rate - + + - Total Div. Volume - +
4.010 868.00+ - Total Consumptive Use - + + - KW Usage - +
651.0

"DO NOT FILM"

Water right number - 36-02550

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	25E	19	NE NW		29.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	19	NW NW	1	25.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	19	SW NW	2	10.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	19	SE NW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	19	NE SW		40.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	19	NW SW	3	10.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	19	SW SW	4	23.0	01	IRRIGATION	(67) MINIDOKA
07S	25E	19	SE SW		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 217.0

+ - - Diversion Means - WELL & PUMP DELIVERING TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Remarks
No Remarks found.

Old Water Right Numbers
No Old Water Right Numbers Found

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff	Decree Defendant	Decree Date
		00/00/0000

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.
Date: 03/30/1995 User Id: SSHERMAN Subject: SF3 ADDRESS CHANGE
CHANGED ADDRESS FOR HARMANS.

Audit Fields
03/30/95 SSHERMAN

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	-
				Notice of Error Flag	-

"DO NOT FILM"

Judge [Signature] - 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 Resources

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,

A handwritten signature in dark ink, appearing to read "Diana R. Delaney".
Diana R. Delaney
Chief Deputy Clerk

DRD

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

COPY

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.

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

Petitioner,

vs.

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

Respondents.

Case No. 39576

STANDARD FORM 3

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

CONSENT TO SUBSTITUTION OF
PARTY

36-02061

36-02220

36-02501

36-02550

36-08212

36-08213

36-13113

Modified Records
A + blank.
SS 3-30-95

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.

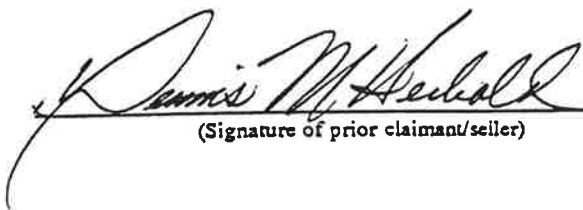
2nd and Scott Ave. Rupert, Id 83350

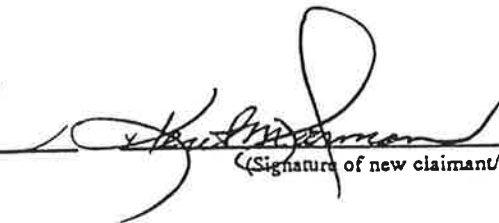
I am the new claimant/purchaser of 36-02061 36-02220 36-02501 36-02550
36-08212 36-08213 36-13113 and

(Insert each water right number)

not accepted by
Courts 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.


(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

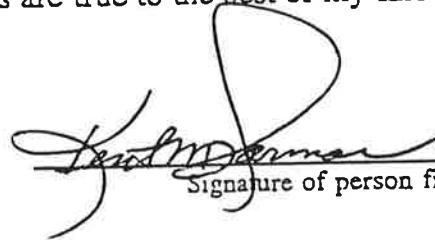
(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of _____

County of _____

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

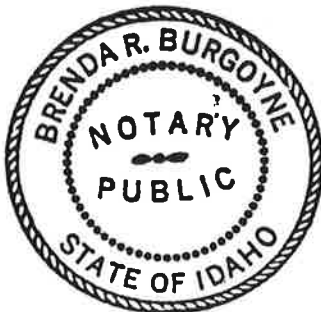
That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

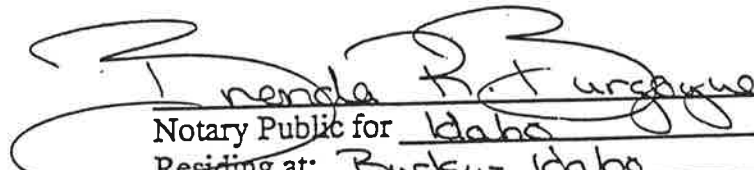


Signature of person filing form

By: _____
Attorney signing in representative capacity

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





Notary Public for Idaho
Residing at: Burkey- 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

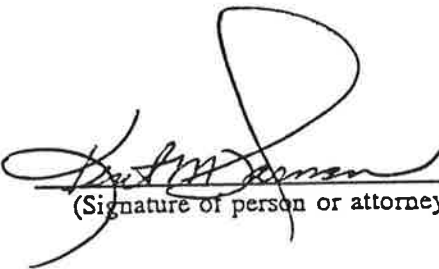
4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

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)



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

December 23, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Dennis M. Herbold
Max Herbold Inc.
PO Box 533
Rupert, ID 83350

Re: Water Rights Ownership & Water Measurement Requirements

Dear Mr. Herbold:

Thank you for promptly returning the Department's ground water measurement option form. I have reviewed your comments concerning the ownership of certain water rights and wells identified on the form (copy attached). As you requested, I have investigated the Department's records concerning the ownership of rights 36-02061 and 36-02550.

Our records show that Max Herbold Inc. is the current owner of rights 36-02061 and 36-02550. Right 36-02061 was originally owned by Lawrence H. Duffin but was claimed by Max Herbold Inc. in the Snake River Basin Adjudication (SRBA). Right 36-02550 was originally owned by James E. Brennan but was also claimed by Max Herbold Inc. in the SRBA. The Department has no record of any other owners for either of these rights. Additionally, the Department has no record of having received from you or any other party a notice to change the ownership of either of these rights.

Attached to this letter are forms which can be used to notify the Department about property and/or water right ownership changes. Please complete these forms yourself or forward them to the appropriate owners of the above referenced water rights. If you wish, you may contact me directly and advise me as to the correct names and addresses of the new owners. I can then contact the new owners and send them the appropriate change of ownership forms and groundwater measurement option forms.

Please be aware also that water rights 36-02220 and 36-02501 are also diverted from the same wells which are listed under right 36-02061. Our records show that Max Herbold Inc. is also the current owner of these rights.

If you have further questions regarding this matter or believe that my investigation is incorrect, please call me directly at 327-7864.

Sincerely,

A handwritten signature in cursive script that reads 'Tim Luke'.

Tim Luke
Water Allocations

cc: Southern Region

IDAHO DEPARTMENT OF WATER RESOURCES
GROUND WATER MEASUREMENT OPTION FOR

Department records show that you are the holder of certain water rights which describe the following points of diversion or wells:

WATER RT. NUMBER	NAME	POINT OF DIVERSION TWP RNG SEC Q Q Q LT	OPTION 1	OPTION 2
*36-02233B	MAX HERBOLD INC	07S 24E 21 SENESW	☐	☐
*36-02061	MAX HERBOLD INC	07S 25E 18 NESESE	☐	☐
*36-02061	MAX HERBOLD INC	07S 25E 18 SENESW	☐	☐
*36-02550	MAX HERBOLD INC	07S 25E 19 NESENW	☐	☐

*This form may not list all rights and names associated with the above wells.
Please note that you may be responsible for measurement of other wells which you own that are not on this form or are listed under a different name.
* Denotes water right number from SRBA Directors Report.*

Instructions for Completing Form:

Please choose a measurement option for each point of diversion listed above. Place a check mark in the space provided above under either OPTION 1 or OPTION 2 for each point of diversion. These options are defined as follows:

OPTION 1: I choose to install a measuring device according to Department of Water Resources criteria and file an annual report on forms provided by the Department.

OPTION 2: I choose not to install a measuring device because I believe installation will be burdensome and that ground water withdrawals can be estimated by power records.

Date _____

Signature _____

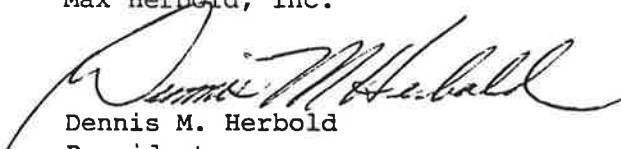
Return this form to :
Idaho Department of Water Resources
1301 N. Orchard
Boise, ID 83720

Address Correction: _____

Gentlemen:

Please check and correct your records. Max Herbold, Inc. no longer owns the property associated with all the water rights listed above. Our records indicate water right #36-02233B is the only right currently owned by Max Herbold, Inc. in basin 36. If after investigation of your records you agree, please correct your information and forward to us a new request.

Max Herbold, Inc.


Dennis M. Herbold
President

RECEIVED

DEC 16 1994

Department of Water Resources



P.O. Box 533
2nd St. and Scott Ave.
Rupert, Idaho 83350



State of Idaho

DEPARTMENT OF WATER RESOURCES

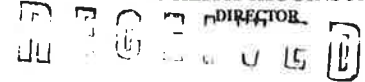
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 4, 1995



JAN 06 1995

Department of Water Resources
Southern Region Office

KENT HARMAN AND JACK HARMAN
RT 3 BOX 253
RUPERT ID 83350

RE: Snake River Basin Adjudication (SRBA)
Notice(s) of Claim #36-02061, 36-02220, 36-02550
and 36-13113
Change of Ownership

Dear New Owners:

The ownership change form you signed April 15, 1994, has either been misplaced or not filed with IDWR; all we have is a copy sent to us by Dennis Herbold.

Rather than asking you to complete a duplicate ownership change form for us, I have enclosed the form required by the SRBA court for claimants like yourself identified in a Director's Report.

The ownership form you first completed was signed by both of you as well as Shelley Harman and Tamara Harman. However, only your two names were typed on the form as New Owner/Claimant (Purchaser). If Shelley and Tamara are co-claimants, please add their names next to yours on the enclosed Standard Form 3.

If you have any questions, you may contact the SRBA court at 208/736-3011.

Sincerely,

Sally Sherman
Secretary, Adjudication Bureau
Department of Water Resources

SS:region

Enclosure:

Standard Form 3

cc: Dennis Herbold
Tim Luke

See 36-02061 for
related correspondence
DJ 1/6/95

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.

R PROOF



CVR



MAPS



PHOTOS



MISC

MICROFILMED

JAN 28 1993

VERIFIED BY

KRC

Water Right Number - R36-02550

Prefix Translation: RESEARCH

Old (D) Number - 30647

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

*** C - CURRENT OWNER ***
MAX HERBOLD INC.1 - P.O. BOX 67
2 -
3 -
City- RUPERT
Phone - 208-436-6396

State- ID Zip- 83350

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/27/1962 17 SOUTHERN L - LICENSE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 25E 19 NE SE NW (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 4.010 868.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.010 868.00 651.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 25E 19 NE NW 29.0 01 IRRIGATION (67) MINIDOKA
07S 25E 19 NW NW 1 25.0 01 IRRIGATION (67) MINIDOKA
07S 25E 19 SW NW 2 10.0 01 IRRIGATION (67) MINIDOKA
07S 25E 19 SE NW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 19 NE SW 40.0 01 IRRIGATION (67) MINIDOKA
07S 25E 19 NW SW 3 10.0 01 IRRIGATION (67) MINIDOKA
07S 25E 19 SW SW 4 23.0 01 IRRIGATION (67) MINIDOKA
07S 25E 19 SE SW 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 217.0

+ - - Diversion Means - WELL & PUMP DELIVERING TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.MICROFILMED
JAN 28 1993

Water right number - R36-02550

Prefix Translation: RESEARCH

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

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

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

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

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

+ - - Audit Fields - - +
09/20/91 CHRISTEN

+ - - - - 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	- 09/20/1991	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	-
				Notice of Error Flag	-

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14:16:49
08/17/90

CLAIM NUMBER: A36-02550

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	6	SCC		
POINT OF DIV	Y		SCC	(Y)	154	SCC		
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				(Y)				
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM				N				
REMARKS				N				

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:16:49
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-02550

del
LAST: BRENNAN
ADDRESS:
CITY: FILER
PHONE NUMBER: 208-000-0000
OWNER CODE: O

FIRST: JAMES E.
STATE: ID ZIP: XXXXXX

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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JAN 28 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:

REPROFILMED
JAN 28 1993

A. AJ CLAIM: # A36-02550 PRIORITY DATE: 08-27-1962 STAGE: L
B. WR RECORD: # 36-02550 PRIORITY DATE: 08-27-1962 STAGE: L

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

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:
08-27-1962

REVIEWED BY

See

DATE

10-31-90

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JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02550	07S	25E	19	SE	SE	NW		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
36-08212

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02550	07S	25E	19		SE	NW		MINIDOKA

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

36-08212

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
Y

REMARKS:

MICROFILMED
JAN 28 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
_____	_____	_____	<u>NE</u>	<u>SE</u>	<u>NW</u>	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: SC

DATE: 6-5-91

MICROFILMED
JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02550

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	25E	19	NE	NW		MAX HERBOLD INC.	A36-02550 /29.0	36-02550 /29.0	39.0		29.0
07S	25E	19	NW	NW	1	MAX HERBOLD INC. MAX HERBOLD INC.	A36-02550 /25.0	36-02550 /25.0 36-08212 / 5.0	26.0		25.0
07S	25E	19	SW	NW	2	MAX HERBOLD INC. MAX HERBOLD INC.	A36-02550 /10.0	36-02550 /10.0 36-08212 /23.0	31.0		10.0
07S	25E	19	SE	NW		MAX HERBOLD INC.	A36-02550 /40.0	36-02550 /40.0	42.0		40.0
07S	25E	19	SW	SW	4	MAX HERBOLD INC. MAX HERBOLD INC.	A36-02550 /23.0	36-02550 /23.0 36-08212 /10.0	28.0		23.0
07S	25E	19	SE	SW		MAX HERBOLD INC.	A36-02550 /40.0	36-02550 /40.0	40.0		40.0
07S	25E	19	NE	SW		MAX HERBOLD INC.	A36-02550 /40.0	36-02550 /40.0	40.0		40.0
07S	25E	19	NW	SW	3	MAX HERBOLD INC. MAX HERBOLD INC.	A36-02550 /10.0	36-02550 /10.0 36-08212 /23.0	29.0		10.0
TOTAL ACRES							A36-02550	217.00	217.00	275.00	217.0

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

PRESUMPTION FLAG:

REMARKS:

=====

=====

=====

=====

=====

=====

RECOMMENDATIONS:

TOTAL ACRES: 217

REVIEWED BY: SCC

DATE: 6-5-91

=====

RECEIVED

JAN 28 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-02550 IRRIGATION	FROM 03-15 TO 11-15	4.010 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.010 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02550 IRRIGATION	FROM TO	4.010 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.010 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	<u> </u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	<u> </u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u> </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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JAN 28 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 4.010 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.010 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 N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 217 x 0.02 CFS/ACRE = 4.34 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() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 651.0 AF/A

ACRES 217 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 651 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 217 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 868 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

1b. CALCULATIONS

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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 4.010 EXAMINER <u> </u>	DATABASE 868 EXAMINER <u> </u>	DATABASE 651.0 EXAMINER <u> </u>
TOTAL FOR THIS RIGHT		4.010		651.0

REVIEWED BY: See DATE: 6-5-91

Comment: 36-8212 permit for added acres

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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: 36-02550

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 4.010	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-02550	4.010	-		36-02550	4.010
TOTAL CFS		4.010				4.010

N/A

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

REMARKS:

AUTHENTICATION:

SIGNATURE: Steve Celli

DATE: 6-5-91

NAME OF FIELD EXAMINER: _____

TITLE: _____

MICROFILMED

JAN 20 1993



CLAIM	A36-02550	INIT	SCC
T. R. S. Q/Q	T. 7S. 25E 19 NESENW		
P/D	7S. 25E 19 NESENW		
PHOTO	AA80		
DT. & ID.	1979		

Confirmed by field Exam by SCC
MICROFILMED

JAN 28 1993