

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: A36-04169
Date Received: 10/04/1988
Receipt No: 5002747
Received By: AD

COPY
FOR YOUR FILES
DO NOT RETURN

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

1. Name: EUGENE HRUZA 208-531-5543
Address: P.O. BOX 66
MINIDOKA, ID 83343

OR
Name: SHIRLEY HRUZA 208-531-5543
Address: P.O. BOX 66
MINIDOKA, ID 83343

2. Date of Priority: MAR 15, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	26E	15	NE	SW	NE		BLAINE

5. Description of diverting works:
16" WELL WITH 150 H.P. TURBINE PUMP DELIVERING TO SPRINKERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.900		

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

8. Total consumptive use is 255.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A36-04169

Page

1

Date: 10/04/88

MICROFILMED

OCT 19 1988

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	26E	15	NE		NE		IRR	20.0
			SE		NE		IRR	5.0
			NE		NW		IRR	15.0
			NW		NW		IRR	35.0
			SW		NW		IRR	5.0
			SE		NW		IRR	5.0
							Section Acres	85.0
							Total Acres	85.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS CLAIM IS FOR THE EXPANDED ACRES DEVELOPED IN ADDITION TO
THOSE LICENSED UNDER A36-02068.

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Map A36-02068

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): Eugene J. Hays Date: 10-4-88
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of Oct 19 88 Alfred J. Meritt
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/98



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

October 3, 1990

A36-04169
EUGENE HRUZA
P.O. BOX 66

MINIDOKA

ID 90042

Dear Claimant(s):

In the past you submitted the claim(s) identified with the number(s) shown above your name and address at the top of this letter. You indicated on the claim(s) that the basis for establishing the water right(s) was Beneficial Use, meaning the water right was not previously confirmed by a decree, water right license or permit before you filed the claim(s).

The purpose of this letter is to request evidence supporting the priority date(s) you have claimed. The enclosed pamphlet describes what this means. While I encourage you to read all of the pamphlet, I direct your attention to the right-hand half of the pamphlet after you open it. There you will find two sections: What Kind of Evidence is Required, and Some Examples of Documents which May Be Evidence of the Priority Date. These sections tell you what must be submitted. The other sections tell you why the evidence is necessary and what the consequences of not submitting the evidence could be.

Please submit the requested evidence by November 1, 1990. When returning to the Department please reference all documents with the claim(s) identification number(s) listed above.

If you have questions not addressed by the pamphlet or need other technical assistance, please feel free to contact this office. For advice on your water right(s), please contact your attorney.

Sincerely,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

MICROFILMED
FEB 01 1993

A36-04169

I John Pfnister am a witness and used my Tractor to build ditches, till and plant a crop of grain which was irrigated on these portions of the W $\frac{1}{2}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of S15 T8S R26 E.B.M. in 1960 that had not before been irrigated.



State of Idaho)
County of Blaine)

Subscribed and sworn to before me this 30 day Nov 19 90



Notary Public
Residing at Minidoka Id
Commission expires 11-2-96

RECEIVED

DEC - 7 1990

Department of Water Resources
Southern Region Office

FEB 9 1 1993

A36-04169

I Jim Hruza am a witness to the fact that Eugene Hruza and I plowed, tilled, planted and irrigated the entire E½ of the NE¼ S15 T8S R26 E.B.M. Blaine County, Idaho in the spring and summer of 1964.

Jim Hruza

State of Idaho)
County of Minidoka)

Subscribed and sworn to before me this 6 day of Dec 1990

Eugene Hruza
Notary Public
Residing at Minidoka Id
Commission expires 11-2-96

RECEIVED

DEC -7 1990

Department of Water Resources
Southern Region Office

MICROFILMED
FEB 01 1993

Water Right Number - R36-04169

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

HRUZA	SHIRLEY	1 - PO BOX 66 2 - 3 - City- MINIDOKA Phone - 208-531-5543	State- ID Zip- 83343
HRUZA	EUGENE	1 - PO BOX 66 2 - 3 - City- MINIDOKA Phone - 208-531-5543	State- ID Zip- 83343

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/15/1963 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +						
Twn	Rng	Sec	Tract	Lot	RFlg	County
08S	26E	15	NE SW NE		(13)	BLAINE

+ - - - - Water Use - - - - - +						
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume	
01 - IRRIGATION		04/01	10/31	1.120	224.00	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.120 224.00 0.0

+ - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
08S	26E	15	NE NE		13.0	01	IRRIGATION	(13)	BLAINE
08S	26E	15	SE NE		5.0	01	IRRIGATION	(13)	BLAINE
08S	26E	15	NE NW		15.0	01	IRRIGATION	(13)	BLAINE
08S	26E	15	NW NW		21.0	01	IRRIGATION	(13)	BLAINE
08S	26E	15	SE NW		2.0	01	IRRIGATION	(13)	BLAINE
Total Acres:					56.0				

*068 filed
Held back*

+ - - Diversion Means - 16" WELL WITH 150 H.P. TURBINE PUMP DELIVERING TO SPRINKERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

QNT THIS RIGHT AND RIGHT NO. 36-02068 ARE LIMITED TO A TOTAL

Water right number - R36-04169

Prefix Translation: RESEARCH

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

COMBINED RATE OF DIVERSION OF 3.90 CFS.

EXP RIGHT NO. 36-02068 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

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

No Old Water Right Numbers found.

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

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - Audit Fields - 06/18/97 CFRITSCH

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

Date: 01/28/1991 User Id: BEDKE Subject: SCC-STAFF REVIEW

Date: 01/28/1991 User Id: BEDKE Subject: SCC-STAFF REVIEW

Date: 07/31/1992 User Id: SCHULTZ Subject: BASIS OF CLAIM

CHANGED FROM STATUTORY CLAIM TO BENEFICIAL USE.

CLAIM VERIFIED 7/30/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/07/1992 User Id: SOUTH3 Subject: NOE RECEIVED/NO CHANGE TO RECOMMENDATION

CLAIMANT OBJECTS TO INCLUSION OF SEASON OF USE AND DIVERSION VOLUME ON HIS RT. A LETTER OF EXPLANATION HAS BEEN SENT. RMC

+ - - - - 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	- 10/04/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S002747	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	- OR	Notice of Error Flag	- B

CLAIM NUMBERS 36-2068
4169

DATE 6-20-97
 AGENT KHC

TRANSFER NUMBER no

OBJECTION FILED yes

TOTAL ACRES FROM RECOMMENDATION 281

GEOGRAPHIC INFO SYSTEM 281

RIGHT NO				NE				NW				SW				SE			
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
2068 RECOM	8S	26E	15	20	28	37	35	25	12	33	35								
4069 RECOM	8S	26E	15	13			5	15	21		2								
Total RECOM				33	28	37	40	40	33	33	37								
GIS	8S	26E	15	34.6	27.4	35.2	40	40	34.4	34.3	35.3								
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B36-DBPOU.DBF 7-31
 B36-DBPOD.DBF 7-31

POLYGON CREATED ON 604 ()
 ATTRIBUTES OF B36-POU.SHP 251 7-31
 ATTRIBUTES OF B36-POD.SHP 242 7-31

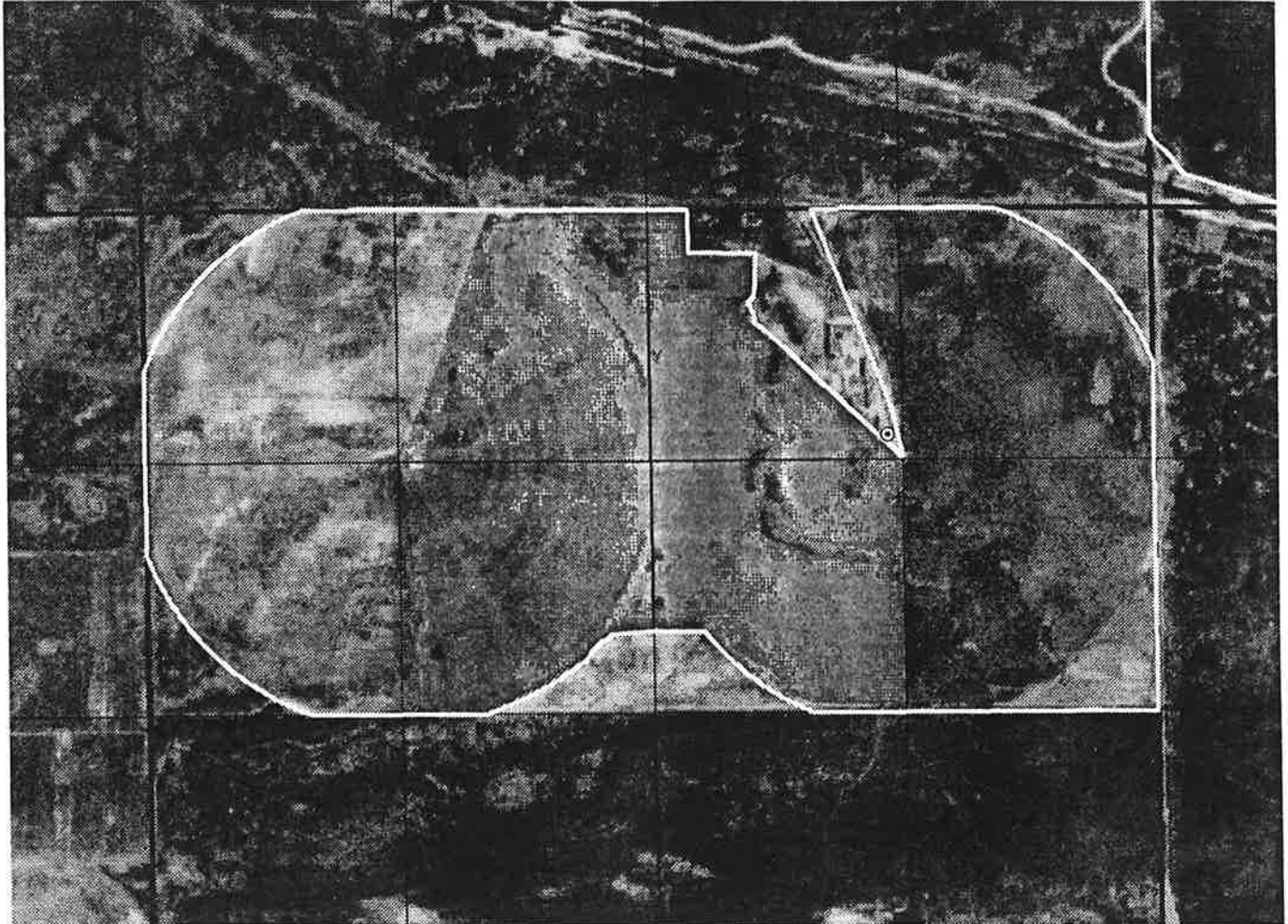
P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

READY FOR DECREE yes () no ()

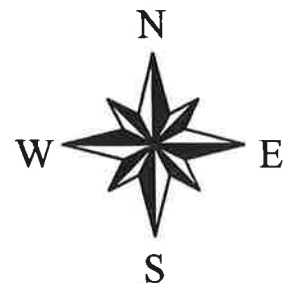
SENT FOR DECREE yes () no ()

36-02068 & 36-04169
EUGENE & SHIRLEY HRUZA



TNS 08S, RNG 26E, SEC 15

0.08 0 0.08 0.16 Miles



⊙ B36-pod.shp
Pou-outline.shp

08s26e.dxf



T08s26eqq.shp

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY JULY 1997
BY K CHRISTENSEN

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 19 1994

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

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

Case No. 36-04169 -0001

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

RESPONSE TO OBJECTION

Petitioner,

vs.

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

Respondents.

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

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

Briefly describe your interest in this water right:

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

(Over)

MICROFILMED
JUL 19 1994

NOTED BY
WICKHOLM

2. Person who filed objection:

Name: EUGENE & SHIRLEY HRUZA
Address: PO BOX 66
MINIDOKA ID 83343

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER

Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.
8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.
11. ☒ Remarks: I respond to the objection concerning the "remarks" listed with the water right.
14. ☒ Other: I respond to the objection concerning:
ALL GENERAL PROVISIONS

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 5, and all allegations of the objection regarding this item, IDWR responds as follows: There is an error in the description of the point of diversion of this right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law".

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. Water may be used for irrigation outside the standard season of use, subject to the conditions set forth in general provision 12b of the director's report.

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

(Over)

right.

In response to that portion of the objection that states the changes sought in the director's report, wherein the claimant seeks deletion of the diversion volume, IDWR responds as follows: Idaho Code section 42-1411 requires IDWR to determine the amount of water that may be diverted pursuant to a water right appropriated under state law, and further provides that IDWR shall determine "such other matters as are necessary to define the right". Idaho Code section 42-1412(9) further provides that the court's decree shall include matters necessary for the efficient administration of water rights. Because a right to groundwater is a right to draw from a source measured and described in terms of volume, the quantification of diversion volume for groundwater rights is necessary both to define the right and for administration of the right.

In response to Statement of the Objection item 11, and all allegations of the objection regarding this item, there is an error in the remarks in the description of this water right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law."

In further response to Statement of the Objection item 11, IDWR responds that it has authority pursuant to Idaho Code Sec. 42-1411(2)(j) to include in its recommendations of water rights acquired under state law and recommended in the director's report "such other matters as are necessary to define the right." The remarks objected to are necessary to adequately describe and define this water right.

In response to Statement of the Objection item 14, and all allegations of the objection regarding this item, IDWR responds as follows: The objection refers to all General Provisions without stating a reason for the objection. IDWR denies this portion of the objection.

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

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

	No. of Pages
Notice of Claim No. A36-04169	3
Recommended Water Rights Acquired under State Law	1

(Over)

001 1 1 1993
WICHOITWED

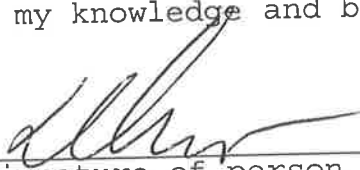
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

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



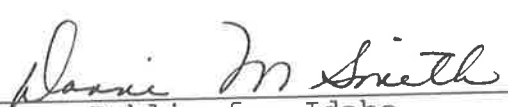
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 31st day of August,
1993.



Notary Public for Idaho

Residing at: _____

My Commission expires _____

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

CERTIFICATE OF MAILING

I hereby certify that on the 31st day of August, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

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

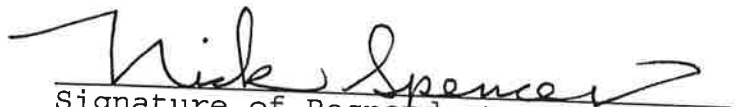
See No. 3

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

Name: EUGENE & SHIRLEY HRUZA
Address: PO BOX 66
MINIDOKA ID 83343

4. One copy to:

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


Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-04169
Date Received: 10/04/1988
Receipt No: 5002747
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EUGENE HRUZA 208-531-5543
Address: P.O. BOX 66
MINIDOKA, ID 83343

OR
Name: SHIRLEY HRUZA 208-531-5543
Address: P.O. BOX 66
MINIDOKA, ID 83343

2. Date of Priority: MAR 15, 1963

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	26E	15	NE	SW	NE		BLAINE

5. Description of diverting works:
16" WELL WITH 150 H.P. TURBINE PUMP DELIVERING TO SPRINKERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.900		

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

8. Total consumptive use is 255.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
08S	26E	15	NE		NE		IRR	20.0
			SE		NE		IRR	5.0
			NE		NW		IRR	15.0
			NW		NW		IRR	35.0
			SW		NW		IRR	5.0
			SE		NW		IRR	5.0
							Section Acres	85.0
							Total Acres	85.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS FOR THE EXPANDED ACRES DEVELOPED IN ADDITION TO
THOSE LICENSED UNDER A36-02068.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
FEB 01 1993
OCT 19 1994

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Map A36-02068

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): Eugene J. Hays Date: 10-4-88
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of Oct 19 88 Alfred J. Merritt
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/98

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-27-1993
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM

SOURCE: GROUNDWATER						

36-04169	SHIRLEY HRUZA EUGENE HRUZA PO BOX 66 MINIDOKA ID 83343	03/15/1963	IRRIGATION	04-01 10-31	1.12 224.0	CFS AFY BENEFICIAL USE
					TOTAL QUANTITY:	1.12 CFS
						224.0 AFY
					CONSUMPTIVE USE:	168.0 AFY
POINT OF DIVERSION: T08S R26E S15						
PLACE OF USE: IRRIGATION						
SENWNE NENWNE						
T08S R26E S15						
NENE 13.0						
SENE 5.0						
NENW 15.0						
NWNW 21.0						
SENW 2.0						
56.0 ACRES TOTAL						
REMARKS: ~~RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION~~						
~~PURSUANT TO IDAHO CODE 42-1416A.~~						
RIGHT NO. 36-02068 IS ALSO DIVERTED THROUGH POINT OF DIVERSION						
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF						
THESE RIGHTS IS LIMITED TO 3.90 CFS.						

MICROFILMED
OCT 19 1994

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed.

531-5543 1/15 pm

HERZA EUGENE

P.O. BOX 66

MINIDOKA, ID. 83343

2. SUBJECT OF INQUIRY:

- 1) Confirm: POD as claimed
- 2) Review: microfilm of 36-02270
- 3) " : text of objection - plain?
- 4) use of whiteout -
- 5) notarization of signatures
- 6) copies made - charged for

3. RESPONSE TO INQUIRY:

- 1) Review w/ claimant - check report v. claim
- 2) print cc of license - go over POD locations - use 1:24,000 scale template to confirm current claim(s)
Review w/ claimant - write out correct POD. Signat.
Give claimant cc(s).
- 3) opinion that it seemed plain to me
- 4) given to claimant by vault person. 5) by SRBA sec.
- 6) fees collected/receipted

4. IDWR STAFF AND DATE:

Print name and initial

F. Hitchcock 04-27-1993
F. HITCHCOCK (FH)

WATER RIGHT CLAIM (Nos.):

36-02068, -02270, -04169-10859

MICROFILMED

OCT 19 1994

APR 30 1993

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. 36-04169
(You must insert the
water right number you
are objecting to)

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

OBJECTION

Petitioner,

36-04169 -0001/
93-04-0274

vs.

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

Respondents.

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

MICROFILMED

OCT 19 1994

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: EUGENE URUZA

Address: PO BOX 66

MINIDOKA IDAHO 83343

Briefly describe your interest in this water right:

OWNER

2. Owner of the water right:

Name: EUGENE URUZA

Address: PO BOX 66

MINIDOKA IDAHO 83343

3. If this objection is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

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

II. STATEMENT OF THE OBJECTION

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

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☒ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each forty (40) acre subdivision.
10. ☒ Consumptive Use: I object to the annual volume of consumptive use.
11. ☒ Remarks: I object to the "remarks" listed with the water right.

12. ☐ Water Right Recommendation: I object to:
- a. ☐ this water right being recommended at all; or
- b. ☐ this water right not being recommended.
13. ☐ Description of Reservation: I object to the legal description of the reservation.
14. ☒ Other: I object to: ALL GENERAL PROVISIONS
- _____
- _____
- _____
- _____

REASONS SUPPORTING EACH BOX CHECKED

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

Box # 5 should read NE SW NE

Box # 8, 10, 11, & 14 checked are reducing the

value of the original water right

license # 20424

CHANGES TO THE DIRECTOR'S REPORT

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

Point of diversion NE SW NE

I want period of use to read 1-1 to 12-31

I want total volume deleted

I want consumptive use deleted

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

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

license water right # 20424 which
supports all boxes checked

VERIFICATION (Must be Completed)

State of _____

County of _____

_____, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

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

Eugene Lopez
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

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

Andy C. [Signature]
Notary Public for the State of Idaho
Residing at: Idaho Falls
My Commission expires: 7/18/95

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I hereby certify that on the _____ day of _____, 199____, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Owner name: _____

Owner's address: _____

3. One copy to:

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

4. One copy to:

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

Signature of Objector or attorney
mailing on Objector's behalf

State of Idaho

License and Certificate of Water Right

Water License No. 20424 Priority April 16, 1948 Amount 3.90 c.f.s.

THIS IS TO CERTIFY that JAMES HRUZA of Rupert, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 16, 19 48; that Permit No. 20424 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6 1/3 second feet, was issued thereunder on February 14, 19 53, showing that said works were completed on the 6 day of February, 19 53; and that on the 29 day of April, 19 57 JAMES HRUZA of Rupert, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a well a tributary of subterranean flow for the purpose of irrigation under Use Permit No. 20424 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses, at Page 6731, on the 20 day of August, 19 59; The right hereby confirmed dates from April 16, 19 48; The Point of Diversion is located in the SW 1/4 NE 1/4, Sec. 15, Tp. 8 S., R. 26 E., B.M. Blaine County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.90 cubic feet per second.

Description and location of use:

TWP.	RANGE	SECTION	FORTY-ACRE TRACT	NO. ACRES DESCRIBED IN PERMIT	NO. ACRES ACTUALLY IRRIGATED
8 S.	26 E.	15	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	20
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	35
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	35
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	25
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	35
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	35
			Total number of acres to be irrigated:		225

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 20 day of August, 19 59

G. H. Carter

State Reclamation Engineer.

MICROFILMED

001 19 1954

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED
FFR U 1 1993

DIRECTOR'S REPORT CONVERSATION, MEMO

531-5543

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.
in case follow-up is needed.

Eugene HRUZA

PO Box 66

Minidoka, ID 83343

2. SUBJECT OF INQUIRY:

He questioned the fact that the adjudication process could put limitations on his older license. He felt the adjudication process could set shorter limits on his period of use, on his diversion volume, and on his consumptive use volume since these were not specified on his water right license.

3. RESPONSE TO INQUIRY:

I told him we must put these values into his adjudication claim as a method of updating his license.
He will file notice of error cards on his claims as a protest of this policy.

4. IDWR STAFF AND DATE:

R. V. WORSTELL

9/24/92

Print name and initial

ROBERT V. WORSTELL

R.V.

WATER RIGHT CLAIM (Nos.):

36-02068, -02270, -04169, -08290, +10659

MICROFILMED

FEB 01 1993

AUG-24-1992

NOTICE OF ERROR FORM

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: 36-04169

2. Name: Eugene Hruz

Address: Box 66
M. Vidok 2 Id 83343

Weekday Telephone Number: 208-531-5543

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

RECEIVED
SEP 24 1992
Department of Water Resources
Southern Region Office

MICROFILMED
FEB 01 1993

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

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

Period of use and Maximum
Quantity

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

Period of use No Maximum
1-1 to 12-31 Quantity

5. Describe why you disagree with the proposed recommendation:

IN CONFLICT with prior License

6. Date: 9-24-92

SIGNATURE

Eugene Hays



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

October 7, 1992

EUGENE HRUZA
BOX 66
MINIDOKA ID 83343

Re: Snake River Basin Adjudication (SRBA)
Notice of Error Response
Recommended Right Nos. 36-02068, 36-02270,
36-04169, 36-10859

Dear Mr. Hruzz,

You recently filed a Notice of Error with IDWR concerning the water right referenced above. No change to our recommendation has been made at this time.

It is the Department's policy to indicate both the season of use and maximum diversion volume on all groundwater irrigation rights recommended in this adjudication. The same standard is used for all irrigation rights in your area.

After reviewing our explanation, you may still disagree with the proposed IDWR recommendations. You may file an objection with the Court after you receive the final recommendation of your water right. The objection process will be explained at the time you receive this final recommendation.

Please contact this office if you have other questions or concerns.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:rm

MICROFILMED
FEB 01 1993

AJ0749NP
No. R36-04169

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

VERIFIED BY

R. McCarthy
10-7-92

DATE: 10/07/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SHIRLEY HRUZA	03/15/1963	IRRIGATION	04-01 10-31	1.12 CFS	224.0 AFA
C	EUGENE HRUZA PO BOX 66 MINIDOKA ID 83343 (208) 531-5543			TOTAL DIVERSION: CONSUMPTIVE USE:	1.12 CFS	224.0 AFA 168.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T08S R26E S15

SENWNE

BLAINE County

Place of use Legal Description for: IRRIGATION

				NE								SW								SE					
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08S	26E	15	:	13				05	:	15	21	02	:					:							:
																							TOTAL ACRES	:	56.0 56.0

POU County: BLAINE

Other Rights: NONE

Conditions of Approval:

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

Remarks: RIGHT NO. 36-02068 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF
THESE RIGHTS IS LIMITED TO 3.90 CFS.

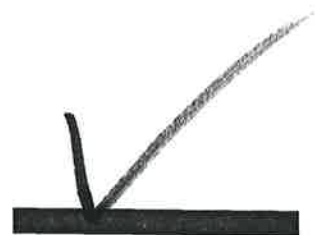
Dates: Exam Made Date: Verified Date: 10/07/1992

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

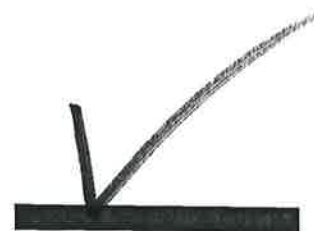
Audit: 10/07/92 SOUTH3

MICROFILMED
FEB 01 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
FEB 01 1993

Water Right Number - R36-04169

Prefix Translation: RESEARCH

Old (D) Number -

VERIFIED ADM

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

*** C - CURRENT OWNER ***

HRUZA

SHIRLEY

1 - P.O. BOX 66

2 -

3 -

City- MINIDOKA

State- ID Zip- 83343

Phone - 208-531-5543

HRUZA

EUGENE

1 - P.O. BOX 66

2 -

3 -

City- MINIDOKA

State- ID Zip- 83343

Phone - 208-531-5543

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
03/15/1963 17 SOUTHERN S - STATUTORY CLAIM+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

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

Twn Rng Sec Tract Lot RFlg County

08S 26E 15 SE NW NE (13) BLAINE

+ - - - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.120 224.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.120 224.00 168.0+ - - - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

| | | | | | | | |
|-----|-----|----|-------|------|----|------------|--------------|
| 08S | 26E | 15 | NE NE | 13.0 | 01 | IRRIGATION | (13) BLAINE |
| 08S | 26E | 15 | SE NE | 5.0 | 01 | IRRIGATION | (13) BLAINE |
| 08S | 26E | 15 | NE NW | 15.0 | 01 | IRRIGATION | (13) BLAINE |
| 08S | 26E | 15 | NW NW | 21.0 | 01 | IRRIGATION | (13) BLAINE |
| 08S | 26E | 15 | SE NW | 2.0 | 01 | IRRIGATION | (13) BLAINE |

Total Acres: 56.0

+ - - Diversion Means - 16" WELL WITH 150 H.P. TURBINE PUMP DELIVERING TO SPRINKERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

MICROFILMED
FEB 01 1993

Water right number - R36-04169

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +
RIGHT NO. 36-02068 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF
THESE RIGHTS IS LIMITED TO 3.90 CFS.

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

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

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

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

+ - - Audit Fields - - +
07/30/91 MERRITT

+ - - - - 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 | - 07/30/1991 | Old Judicial District | - |
| Claim Received Date | - 10/04/1988 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S002747 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - OR | Presumption Flag | - C |

MICROFILMED
FEB 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:45:14
08/17/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-04169

| 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 | | | 11-9-90
Sec | Proof N | AFFADAVITS | | OB | |
| POINT OF DIV | Y | | | (Y) | 1,5 | | | |
| SOURCE | | | | N | | | | |
| PLACE OF USE | Y | CONVERSATION MEMO
w/CLAIMANT 11-13-90
EXPLAINED CHANGES
Sec | | (Y) | 1,4,5 | | | |
| DIV. AMOUNT
CFS/VOLUME | | | | (Y) | 5,6. STDS | | | |
| CONSUMPTIVE USE | - | | | (Y) | | | | |
| PURPOSES | | | | N | | | | |
| PERIOD OF USE | | | | N | | | | |
| BASIS OF CLAIM | | | | N | | | | |
| REMARKS | Y | | | (Y) | | | | |

"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.

MICROFILMED
FEB 01 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

13:45:14
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-04169

LAST: HRUZA
ADDRESS: P.O. BOX 66
CITY: MINIDOKA
PHONE NUMBER: 208-531-5543

FIRST: EUGENE
STATE: ID ZIP: 83343

OWNER CODE: C

LAST: HRUZA
ADDRESS: P.O. BOX 66
CITY: MINIDOKA
PHONE NUMBER: 208-531-5543

FIRST: SHIRLEY
STATE: ID ZIP: 83343

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS CLAIM IS FOR THE EXPANDED ACRES DEVELOPED IN ADDITION TO
THOSE LICENSED UNDER A36-02068.

MICROFILMED
FEB 0 1 1993

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 11/9/90

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: None

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

MICROFILMED
FEB 01 1993

A. AJ CLAIM: # A36-04169 PRIORITY DATE: 03-15-1963 STAGE: S
B. WR RECORD: # 36-04169 PRIORITY DATE: 03-15-1963 STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER Y

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

REMARKS: Evidence? None submitted @ Review if after 3-25-1963 permit needed.
I spoke w/ MR. Hruza 11-13-90 and he did not receive the letter - he will provide the requested information ASAP. SCC.

=====

RECOMMENDED PRIORITY DATE:
03-15-1963

REVIEWED BY SCC

DATE 1-16-91

=====

MICROFILMED
FEB 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A36-04169 | 08S | 26E | 15 | NE | SW | NE | | BLAINE |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02068 NONE

WR RECORDS IN SAME 40 ACRE TRACT
36-02068

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 36-04169 | 08S | 26E | 15 | | SW | NE | | BLAINE |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-02068

A36-02068 NONE

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
N

REMARKS:

change in POD due to field exam.

MICROFILMED
FEB 01 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------------|------------|-----------|-----------|-----------|-----------|------------|-----------|
| <u>8S.</u> | <u>26E</u> | <u>15</u> | <u>SE</u> | <u>NW</u> | <u>NE</u> | <u>---</u> | <u>13</u> |

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: SCC DATE: 11-13-90

MICROFILMED
FEB 07 1993

A. ROOT WATER RIGHT NUMBERS: A36-04169

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|-----------------------------------|------------------------------------|----------------------------------|-----------------|----------------|------------------|
| 08S | 26E | 15 | NE | NE | | HRUZA , EUGENE
HRUZA , SHIRLEY | A36-04169 /20.0
A36-02068 /20.0 | 36-04169 /20.0
36-02068 /20.0 | 20.0 | 33 | 20.0
13 |
| 08S | 26E | 15 | SE | NE | | HRUZA , EUGENE
HRUZA , SHIRLEY | A36-04169 / 5.0
A36-02068 /35.0 | 36-04169 / 5.0
36-02068 /35.0 | 20.0 | 40 | 5 |
| 08S | 26E | 15 | NE | NW | | HRUZA , EUGENE
HRUZA , SHIRLEY | A36-04169 /15.0
A36-02068 /25.0 | 36-04169 /15.0
36-02068 /25.0 | 40.0 | 40 | 15 |
| 08S | 26E | 15 | NW | NW | | HRUZA , EUGENE | A36-04169 /35.0 | 36-04169 /35.0 | 41.0 | 33 | 21 |
| 08S | 26E | 15 | SW | NW | | HRUZA , EUGENE
HRUZA , SHIRLEY | A36-04169 / 5.0
A36-02068 /35.0 | 36-04169 / 5.0
36-02068 /35.0 | 28.0 | 33 | Ø |
| 08S | 26E | 15 | SE | NW | | HRUZA , EUGENE
HRUZA , SHIRLEY | A36-04169 / 5.0
A36-02068 /35.0 | 36-04169 / 5.0
36-02068 /35.0 | 26.0 | 37 | 2 |
| TOTAL ACRES | | | | | | | A36-04169 | 85.00 | 85.00 | 175.00 | 56 |

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE Y
FIELD EXAMINER Y

PRESUMPTION FLAG: E

REMARKS:

See complete review details on A36-02068 p.6

RECOMMENDATIONS:

TOTAL ACRES: 56.0

REVIEWED BY: sca

DATE: 11-13-90

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A36-04169 IRRIGATION | FROM 03-15 TO 11-15 | 3.900 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 3.900 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| 36-04169 IRRIGATION | FROM 03-15 TO 11-15 | 3.900 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 3.900 CFS |

PRESUMPTION FLAG: E

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> </u> |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | N | <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:

MICROFILMED
FEB 01 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 3.900 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 3.900 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

MICROFILMED
FEB 01 1993

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

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------|-----------------|-----------|----------------|-----------|----------------|
| A36-04169 | GROUNDWATER | HRUZA , EUGENE | 3.900 | 0.045 | | |
| A36-02068 | GROUNDWATER | HRUZA , SHIRLEY | 3.900 | 0.017 | | |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 56 x 0.02 CFS/ACRE = 1.12 CFS
(Taken from p/u review)

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

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

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 255.0 AF/A

ACRES 56 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 168 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 56 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 224 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

MICROFILMED
FEB 01 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
~~3.900~~ <u>1.12</u> | DATABASE EXAMINER
~~224~~ <u>224</u> | DATABASE EXAMINER
~~255.0~~ <u>168</u> |
| TOTAL FOR THIS RIGHT | | ~~3.900~~ | | ~~255.0~~ |

REVIEWED BY:

SCC

DATE:

11-13-90

Limitations:

when combined w/ A36-02068

cannot exceed:

 cfs diversion rate.

 AFA total volume.

 AFA consumptive use.

MICROFILMED
FEB 01 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

| | ACCEPTED
AS CLAIMED | NEEDS
REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____ | (X) | () |
| FORFEIT/ABANDON _____ | () | (X) |
| ADDITIONAL DIV. AMOUNT _____ | () | (X) |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-04169

| TOTAL DIVERSION RATE OF WR SPLITS | DATABASE
3.900 | EXAMINER
_____ | CFS |
|-----------------------------------|-------------------|-------------------|-----|
|-----------------------------------|-------------------|-------------------|-----|

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A36-04169 | 3.900 | - | | 36-04169 | 3.900 |
| TOTAL CFS | | 3.900 | | | | 3.900 |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

| DATABASE | FIELD
EXAMINER |
|----------|-------------------|
| Y | <u>OK</u> |

REMARKS:

AUTHENTICATION:

SIGNATURE: Steve [Signature] DATE: 11-13-90
NAME OF FIELD EXAMINER: _____ TITLE: _____

CONVERSATION MEMORANDUM

EMPLOYEE: ADW FILE A36-04169

RE: H2v422 Pump Eff. Test

DATE

NAME OF PARTY

Talked with Rick Sterling IPWR - Energy
7/87 Test

150 H.P. running two pivots
measured 1664 gpm

Meas. H.P. $\rightarrow$ 227 H.P. input

Pump rated @ 1600 gpm 800 gpm each pivot

psi 56 discharge

pwl 246

collins meter 10 1/2" pipe.

MICROFILMED
FEB 01 1993

CONVERSATION MEMORANDUM

NAME OF PARTY EUGENE HRUZA
EMPLOYEE: STEVE CLELLAND SCC

DATE 11/17-90
FILE A36-02068
A36-04169 *

RE: _____

We discussed my field Exam done on Section 15 and the changes in the Place of Use. The acres covered by the license have been transferred around as a result of the Pivots added in 1979. (unrecorded transfer). No expansion is claimed on the licensed amount, instead the statutory claim is for an increase in the acres and water. The NW NW was put into use in 1961 and additional acres added by 1963 as claimed. MR. Hruza estimates the pump system is delivering about 2000 GPM. MR. Hruza agreed that although a total of 310 Acres have been irrigated on the farm only 281 Acres have ever been irrigated at one time. I believe the claimant was satisfied with the results and recommendations of my field Exam on these two Water Rights.

MICROFILMED
FEB 01 1993