

Baxter,

NAME: David W.

CLAIM: A36-07060

CORRESPONDENCE

EVIDENCE OF

PRIORITY

OCT 19 1954

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: **A36-07060**
Date Received: 3/12/1990
Receipt No: S011474
Received By: ownership change JK

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

1. Name: DAVID W BAXTER 801-225-2141
Address: 195 E 1600 N
OREM UT 84057
AND
Name: ELIZABETH R BAXTER 801-225-2141
Address: 195 E 1600 N
OREM UT 84057

2. Date of Priority: MAY 12, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	17E	12	SE	SE	NW		JEROME

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	1.340		611.00

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	17E	12	SW	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	17E	12	SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
Section Acres							160.0
Total Acres							160.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
A36-07948

14. Remarks:

THE MAX COMBINED ANNUAL VOLUME OF THIS RIGHT AND A36-07948 SHALL NOT EXCEED 624 ACRE FEET PER ANNUM.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

OCT 07 1992

Department of Water Resources



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 1-31-91

LEGAL DESCRIPTION OF PROPERTY: Township 9 SOUTH Range 17 EAST OF BOISE MERIDIAN
Section 12, 1/4 of NW 1/4 of NW 1/4 SW 1/4 Govt. Lot , BM:
Lot , Block, , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: 36-07060 IRRIGATION 36-14431 DOMESTIC
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): NEAL H PERKINS & LAVINA R PERKINS
HC 70 BOX 401 ECHO OR 97826
- ☐ New Owner/Claimant (Purchaser): DAVID W BAXTER & ELIZABETH R BAXTER
- ☐ New Mailing Address: 1956 1600 NO. OREM UT. 84057
- ☐ New Telephone Number: (801) 225-2141
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: SPECIAL WARRANTY DEED ATTACHED
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): David Baxter Date 10-5-92
Elizabeth R Baxter Date 10-5-92
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10-13-92 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

MICROFILMED

FEB 09 1993

RECEIVED
OCT 07 1992

IS BLANK FURNISHED BY Land Title and Escrow, Inc.

J-17404

Department of Water Resources

SPECIAL WARRANTY DEED

COPY

FOR VALUE RECEIVED. LAND TITLE AND ESCROW, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto DAVID W. BAXTER and ELIZABETH R. BAXTER, husband and wife Address: 195 East 1600 North Orem, Utah 84057 grantee, the following described real estate, to-wit:

TOWNSHIP 9 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 12: NW¼; N½SW¼

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 160 shares of capital stock in the North Side Canal Company, LTD.

Any warranties of the Grantor are limited to the time the Grantor owned the property above described.

The Grantor is executing this deed as an isolated transaction to accommodate certain parties in a 1031 IRS Code exchange.

SUBJECT TO: See attached EXHIBIT "A"

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 31st day of January, 1991



LAND TITLE AND ESCROW, INC.

By [Signature]
LARRY ROBERTS
PRESIDENT

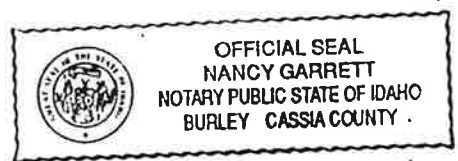
ATTEST: [Signature]
WILLIAM A. PARSONS
SECRETARY

STATE OF IDAHO } ss.
County of Cassia }

On this 31st day of January, 1991 before me, a Notary public in and for said State, personally appeared Larry Roberts and William A. Parsons, known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[Signature]
Notary Public
Residing at Burley, Idaho



My Commission Expires 2-5-96

RECORDED
JAN 31 3 02 PM '91
Land Title & Escrow, Inc.
REQUEST

910343

EXHIBIT "A"

(a) Unpatented mining claims: (b) reservations of exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

Taxes subsequent to the year 1990, a lien, but not yet due or payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

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

Easement given by Margaret C. Green to the Great Shoshone & Twin Falls Water Power Company, a corporation, dated August 13, 1912, recorded September 13, 1912 in Book 18 Page 44 as Instrument No. 28993, Jerome County records, affecting the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, Township 9 South, Range 17 East of the Boise Meridian.

Easement given by Fred M. Williams to the Great Shoshone & Twin Falls Water Power Company, a corporation, dated August 13, 1913, recorded September 3, 1913 in Book 21 Page 250 as Instrument No. 32359, Jerome County records, affecting the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, Township 9 South, Range 17 East of the Boise Meridian.

Power Line Easement given by Neal H. Perkins and Lavina R. Perkins, husband and wife, to Idaho Power Company, a corporation, dated January 8, 1962, recorded March 9, 1962 in Book 168 Page 141 as Instrument No. 149622, Jerome County records, affecting the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12, Township 9 South, Range 17, East of the Boise Meridian.

Power Line Easement given by Neal H. Perkins and Lavina Perkins, husband and wife, to Idaho Power Company, a corporation, dated April 16, 1970 recorded July 13, 1971 in Book 184 Page 465 as Instrument No. 190152, Jerome County records, affecting a portion of the NW $\frac{1}{4}$ of Section 12, Township 9 South, Range 17 East of the Boise Meridian.

Financing Statement No. 19675 from Neal H. Perkins and Lavina R. Perkins, as Debtors, and The Federal Land Bank of Spokane, as Secured Party, filed December 31, 1980 as Instrument No. 254330, Jerome County records. Continuation filed August 9, 1985 as Instrument No. 292045, Jerome County records. Continuation and Amendment filed October 1, 1990 as Instrument No. 322647, Jerome County records.

The unpaid balance of that certain Mortgage given by Neal H. Perkins and Lavina R. Perkins, husband and wife, to The Federal Land Bank of Spokane, dated September 22, 1980 and recorded December 31, 1980 as Instrument No. 254331, Jerome County records, which Grantees herein named assume and agree to pay according to terms and conditions therein.



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

13-Oct-1992

DAVID W BAXTER
ELIZABETH R BAXTER
195 E 1600 N
OREM UT 84057

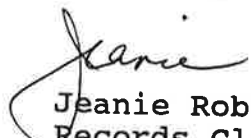
Re: Ownership Change for Adjudication Claim #A36-07060, A36-14431

Dear Claimant(s):

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of our recommendation to the court.

Please review the record and if you have any corrections or questions, feel free to call this office.

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures:

cc: Neal H. Perkins

MICROFILMED

FEB 03 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07060
Date Received: 3/12/1990
Receipt No: S011474
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEAL H. PERKINS 503-376-8181
Address: HC 70 BOX 401
ECHOE, OR 97826

2. Date of Priority: MAY 12, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	17E	12	SE		NW		JEROME

5. Description of diverting works:
WELL, PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	10/31	1.340		611.00

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	17E	12	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0

Section Acres 160.0

A36-07060

Page 1

Date: 03/12/90

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FEB 03 1993

10. Place of Use: Continued

Total Acres 160.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
A36-07948

14. Remarks:

THE MAX COMBINED ANNUAL VOLUME OF THIS RIGHT AND A36-07948 SHALL
NOT EXCEED 624 ACRE FEET PER ANNUM.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Neal H. Perkins Date: 3/12/90

Date: _____

State of Idaho)
County of Tf) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of Mar 19 90

Notary Public

Seal

Residing at Tf
My Commission Expires 5/94

Log for claim 36-07060

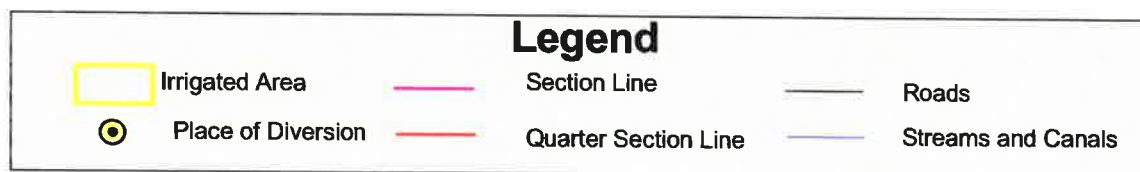
Spatial Dynamics LTD

8/28/01

TR	SEC	QQ	Acres Recommended	Acres Found	COMMENT
09s17e	12	SWNW	40	39	
09s17e	12	SEnw	40	39	
09s17e	12	NESW	40	39	
09s17e	12	NWSW	40	39	
Totals:			160	156	

Water Right Claim Number 36-07060
Township , 9S17E

08/28/2001



R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

06 1 9 198



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

09-Nov-1992

DAVID W BAXTER
195 E 1600 N
OREM UT 84057

For
Confidential
Folder.
KRC

RE: BASIS FOR RECOMMENDATION FOR CLAIMS 36-07060 AND 36-07948

Dear Mr Baxter

Jim Stanton gave me your letter dated 11-4-1992 as your questions were primarily Snake River Basin Adjudication (SRBA) questions.

The two claims were originally licensed and then claimed for the ground listed on those rights. They are currently recommended to the SRBA District Court in the same manner. As the second right (36-07948) was to add additional water to the same ground as 36-07060 they cannot be transferred to new acres independent of each other.

To obtain the right to apply water from the well to the additional eighty acres depends upon several different factors. If the water delivery systems for the canal water and well water are tied together, then a possible solution would be to establish your rights within a Permissible Place of Use (P-P/U) which would include all 240 acres. If they are irrigated with independent systems, then the eighty acres should have been claimed as a new right and claimed within a P-P/U with the two ground water rights. This is assuming that the use falls within all the guidelines established under Idaho Code 42-1416(2).

Because the director's recommendation which included your rights was filed with the SRBA District Court on November 2, 1992, the only method to obtain one of the above described solutions is for you to file an objection to the recommendations of those rights.

An alternate solution would be to file an application for permit from the well for the additional eighty acres. This however is subject to guidelines established for new applications as affected by the current moratorium on new developments.

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OCT 19 1994

BAXTER
PAGE 2
09-Nov-1992

In summary, you have three possible solutions. First, if your use falls within the guidelines for an expansion of a water right as established under Idaho Code 42-1416(2), then the only currently available method of changing the recommendations in the SRBA District Court is to file an objection. I am unable to advise you as to the possible success of this solution. You may wish to discuss your options with your attorney. The second option is the application for permit. As this is subject to the moratorium for new developments (in your case a previously non-licensed use) I again cannot advise you as to the actual outcome. The third choice is to do nothing. You currently have the legal right to irrigate the 160 acres from the well and the 80 acres from the canal. This, however, may not accurately describe your use as it exists.

If you have any further questions please contact this office and I will discuss them with you.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

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OCT 19 1994

RECEIVED

State of Idaho
Department of Water Resources
Southern Region Office

David W Baxter

195E 1600 N. ORE. N. UT. 8405

Nov. 4, 1992

Idaho Dept. of Water Resources,

Southern Region Twin Falls Id.

at Jim Stanton.

In Jan. 1991 we purchased 240 acres at T9, R17E, S12, NW 1/4, NW 1/2 SW 1/4 from Perkins. On transferring ownership of water adjudication claims R36-07060 from 1969 for 1.34 cfs + R36-07948 from 1980 for .87 cfs for a total of 2.21 cfs found both rights are from the same well & are assigned to the same 160 acres.

I asked Perkins why there was 2 rights & why assigned to the same 160 acres. Said he originally filed for 1000 gpm & only got 600 gpm, so he later filed for difference. Don't know why it was all assigned to the same 160 acres -

It was not clear to me what R36-07948 was, so I called Shelly Keen at Boise office, this right was still in Perkins name, so he had it changed to new owner.

I understand that this water can only be applied to the designated ground. If this is correct, then maybe the water should be reassigned.

Possible solutions may be -

1. combine rights & assign to full 240 acres -
2. assign both rights to the 240 acres -
3. assign 2nd right to additional 80 acres.
4. Leave as is -

would change result in a newer right, that would not be as good?

Have 160 shares of North Side Canal. Neither canal right or the well rights are adequate to irrigate the full 240 acres.

Please advise

Sincerely

phone day 801 268 4447, home 801 225 2141

David W Baxter

MICROFILMED

OCT 19 1994



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

24-Nov-1992

D W BAXTER
195 E 1600 N
OREM UT 84057

RE: ADJUDICATION CLAIMS 36-07060 AND 36-07948

Dear Mr Baxter

The only method currently available for you to change the department's recommendation to the Snake River Basin District Court is to file an objection with the Court on forms available through the department. On November 2, 1992 the department filed our recommendations with the court and we can no longer change those recommendations. The deadline for filing an objection with the District Court is May 1, 1992.

Based upon the information you provided in your November 13, 1992 letter describing the system as being a common mainline linking the canal shares diversion with the well diversion, it appears that a permissible place of use (P-P/U) recommendation may be applicable. A P-P/U would allow the use of water previously licensed to a specific portion of ground to be shifted to acres not previously licensed as long as those acres are within the P-P/U. If, in the future, you wished to transfer a portion of the P-P/U you would have to transfer a proportionate share of each right included within the P-P/U.

You may wish to obtain legal advice from your attorney as to how you should proceed as the department cannot advise you of the merits of your options. If you have additional questions concerning the department's recommendations please contact this office and I will assist you.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

MICROFILMED
OCT 19 1994

RECEIVED

NOV 16 1992
Department of Water Resources
Southern Region Office

Orem Utah 84057
195 East 1600 NO.

Nov. 13, 1992

State of Idaho Dept of Water Resources.

Ref. Claims 36-07060 and 36-07948

Mr. Kelly K. Christensen

Your letter of 9 Nov. 1992 referred to the arrangement of the irrigation system.

The canal and well water feed into a common line running the full length of the 240 acres.

The well is isolated from the line with a valve at the well. Is this an acceptable arrangement?

What would be required to establish permissible place of use to include all 240 acres.

How would this effect these rights?

Sincerely
DuBaxter

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OCT 19 1994

R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED

FEB 03 1993

Water Right Number - R36-07060

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

BAXTER

DAVID W

1 - 195 E 1600 N

2 -

3 -

City- OREM

State- UT Zip- 84057

Phone - 801-225-2141

BAXTER

ELIZABETH R

1 - 195 E 1600 N

2 -

3 -

City- OREM

State- UT Zip- 84057

Phone - 801-225-2141

*** O - ORIGINAL OWNER ***

PERKINS

NEAL H

1 - HC 70 BOX 401

2 -

3 -

City- ECHOE

State- OR Zip- 97826

Phone - 503-376-8181

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/12/1969 17 SOUTHERN L - LICENSE+ - - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
09S 17E 12 SW SE NW (53) JEROME+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 1.340+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.340 0.0+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 17E 12 SW NW 40.0 01 IRRIGATION (53) JEROME
09S 17E 12 SE NW 40.0 01 IRRIGATION (53) JEROME
09S 17E 12 NE SW 40.0 01 IRRIGATION (53) JEROME
09S 17E 12 NW SW 40.0 01 IRRIGATION (53) JEROME

Total Acres: 160.0

+ - - Diversion Means - WELL, PUMP, SPRINKLERS

MICROFILMED
FEB 03 1993

Water right number - R36-07060

Prefix Translation: RESEARCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07948

+ - - - - - Remarks - - - - - +
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 36-07948 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.21 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 640 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 480 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 160 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-07948 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

+ - - - - - Old Water Right Numbers - - - - - +
3607060

+ - - - - - Conditions of Approval - - - - - +
S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.
M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
- MAINTAINED AS A PART OF THE DIVERTING WORKS.

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

+ - - - - - Comments - - - - - +
Date: 10/13/1992 User Id: ROBERTSO Subject: OWNERSHIP CHANGE
Change of ownership form received 10/7/92, original owners Neal & Lavina Perkins - new owners David & Elizabeth Baxter. Copy of
special warranty deed submitted with form. A36-07060 changed also on this date.

+ - - Audit Fields - - +
10/13/92 ROBERTSO

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/12/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S011474	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:15
09/08/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07060

LAST: PERKINS
ADDRESS: HC 70 BOX 401
CITY: ECHOE
PHONE NUMBER: 503-376-8181

FIRST: NEAL H.
STATE: OR ZIP: 97826

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS? DATABASE
Y

FIELD
EXAMINER

IM REMARKS: THE MAX COMBINED ANNUAL VOLUME OF THIS RIGHT AND A36-07948 SHALL
NOT EXCEED 624 ACRE FEET PER ANNUM.

FIELD EXAMINATION INFORMATION

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:

MICROFILMED

FEB 03 1993

A. AJ CLAIM: # A36-07060 PRIORITY DATE: 05-12-1969 STAGE: L
B. WR RECORD: # 36-07060 PRIORITY DATE: 05-12-1969 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(/)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
05-12-1969

REVIEWED BY W

DATE

11/21/90

MICROFILMED

FEB 03 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07060	09S	17E	12	<i>SW</i>	SE	NW		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07948 NONE

WR RECORDS IN SAME 40 ACRE TRACT
36-07948

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
-07060	09S	17E	12		SE	NW		JEROME

OTHER WR RECORDS WITH SAME WR POD

36-07948

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A36-07948 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	<i>N</i>

REMARKS:

confirmed with orig lic. exam

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>22</u>	<u>12E</u>	<u>12</u>	<u>SW</u>	<u>SE</u>	<u>NW</u>	<u>---</u>	<u>53</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

lw

DATE:

11/21/90

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FEB 03 1993

A. ROOT WATER RIGHT NUMBERS: A36-07060

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	17E	12	SE	NW		PERKINS, NEAL H. PERKINS, NEAL H. LARGE CLAIM	A36-07060 740.0 A36-07948 /40.0 A01-00212Z3/40.0	36-07060 740.0 36-07948 /40.0 -	40.0		40.0
09S	17E	12	NE	SW		PERKINS, NEAL H. PERKINS, NEAL H.	A36-07060 740.0 A36-07948 /38.0	36-07060 740.0 36-07948 /38.0	38.0		40
09S	17E	12	NW	SW		PERKINS, NEAL H. PERKINS, NEAL H.	A36-07060 740.0 A36-07948 /39.0	36-07060 740.0 36-07948 /39.0	32.0	38	40
09S	17E	12	SW	NW		PERKINS, NEAL H. PERKINS, NEAL H. LARGE CLAIM	A36-07060 740.0 A36-07948 /39.0 A01-00212Z3/40.0	36-07060 740.0 36-07948 /39.0 -	38.0		40
TOTAL ACRES							A36-07060 160.00	160.00	148.00		160

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

Recommend as P.P.U. w/36-7948 = 160Ac.
Some overlap w/ NSCC-517

RECOMMENDATIONS:

TOTAL ACRES:

160 / 160

REVIEWED BY:

m

DATE:

11/21/90

10-7-91 m

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-07060	IRRIGATION	FROM 03-15 TO 10-31	1.340 CFS 611.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED			1.340 CFS

B. WR RECORDED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-07060	IRRIGATION	FROM 03-15 TO 10-31	1.340 CFS 611.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED			1.340 CFS 611.00 AF/A

C. ASSUMPTION FLAG:

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(/) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() 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: 1.340 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.340 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

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-07948

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07060	GROUNDWATER	PERKINS , NEAL H.	1.340	0.008		
A36-07948	GROUNDWATER	PERKINS , NEAL H.	0.870	0.005		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 160 x 0.02 CFS/ACRE = 3.2 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 480.0 AF/A

ACRES 160 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 480 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 160 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 640 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

limited to 1" / acre and 4 AF/A when combined with A36-07948.

No evidence in microfilm supporting 611 AFA licensed amt - rec 640 AFA - (Dept. standard)

*when combined!
and because of
lengthened season to
246 days.*

$$230 \text{ day} \times 1.9835 \times 1.34 \text{ cfs} = 611 \text{ AFA}$$

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07060

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.340

EXAMINER
N/A

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07060	1.340	-		36-07060	1.340
TOTAL CFS		1.340				1.340

DIVERSION RATE REVIEW

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

DATABASE
Y

FIELD
EXAMINER
N/A

REMARKS:

AUTHENTICATION:

SIGNATURE: lw

DATE: 11/21/90

NAME OF FIELD EXAMINER: _____ TITLE: _____

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FEB 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:15
09/08/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07060

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		SW 10-7-91	DB	
POINT OF DIV	Y			Y	6			
SOURCE				N				
DE OF USE	Y			N 3	1, 4 6			
DIV. AMOUNT CFS/VOLUME				Y	6			
CONSUMPTIVE USE	-			N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS	Y			Y	6.			

"VERIFIED BY" CODES

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

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

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FEB 03 1993