

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

RECEIVED

JAN 25 1989

Ident. Number: A36-10975
Date Received: 1/12/1989
Receipt No: 5006214
Received By: ADN

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERRILL POULTRY FARM 208-438-4605
Address: HIGHWAY 25
PAUL, ID 83347

AND/OR

Name: LLOYD MERRILL 208-438-4605
Address: HIGHWAY 25
PAUL, ID 83347

2. Date of Priority: OCT 09, 1968

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	23E	33	NW	NW	NE		MINIDOKA

5. Description of diverting works:

2 SANDPOINTS INTERCONNECTED TO SERVE OFFICE, EGG ROOM & 4 COOPS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.050		

7. Total Quantity Appropriated is:

0.050 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

COMMERCIAL POULTRY & EGG PRODUCTION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	23E	33	NW NE		COMMER	

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:
SHARES OF MINIDOKA IRR. DIST. WATER.

15. Basis of Claim: BENEFICIAL USE

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: _____

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): *Thy A. Merrill* Date: 1. 16. 89

Date: _____

State of Idaho)
County of MURDERA) ss.

Subscribed and sworn (or affirmed) before me this 16th day
of JANUARY 1989

Lee J. Merrill
Notary Public

Seal

Residing at Paul, Idaho
My Commission Expires 3.26.91

AJ5809NP
No. R36-10975

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 157

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MERRILL POULTRY FARM	10/09/1968	STOCKWATER	01-01 12-31	0.04 CFS	1.13 AFA
C	LLOYD MERRILL HWY 25 PAUL ID 83347 (208) 438-4605		DOMESTIC	01-01 12-31	0.02 CFS	0.34 AFA
TOTAL DIVERSION:					0.04 CFS	1.47 AFA

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion:

T09S R23E S33

NWNWNE

Stage: BENEFICIAL USE

MINIDOKA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE															
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:				
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:			
09S 23E 33 :				S																							

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE															
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:				
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:			
09S 23E 33 :				D																							

POU County: MINIDOKA

Non-Irrigation Uses: ~~DOMESTIC~~ OFFICE & EGG ROOM; (STOCKWATER/ 10000 CHICKENS)

Other Rights: NONE

Remarks: GEN TWO POINTS OF DIVERSION LOCATED IN NWNE, S 33, T09S, R 23E.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 01/03/1992 User-ID: WORSTELL Subject: DIVERSION VOLUME LIMITATION
NOT TO EXCEED 2500 GAL/DAY

Audit: 09/30/96 DSHAFF

EXP
POD F02
Comb remarks?
See also 36-10974
KKC 10976

Part 6?
N11 & N06

hold...



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

02-Nov-1990 09:35

Merrill's Poultry Farm & Hatchery
Attn: Lee W. Merrill
Route 2
Paul, ID 83347

RE: A36-10974, 10975, 10976, 10981, 10982 & 10983

Dear Mr. Merrill:

In response to your letter dated October 22, 1990 regarding providing supporting evidence of the priority dates for the above referenced claims, please consider the following definition of domestic/stock inwhich the evidence is not required:

DOMESTIC USES MEANS: A. The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or B. Any other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.

*** For purposes of filing adjudication claims on the short form inwhich the evidence is not required domestic use shall not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection B. as listed above.

Your claims are presently recorded for the following:

A36-10974	0.04 cfs	Commercial Use	3 Brooder Houses
A36-10975	0.05 cfs	Commercial Use	Office, egg room, 4 Coops
A36-10976	0.09 cfs	Commercial Use	1 House & 5 Coops
A36-10981	0.07 cfs	Commercial Use	1 House & 3 poultry houses
A36-10982	0.13 cfs	Commercial Use	12 poultry houses
A36-10983	0.06 cfs	Commercial Use	Hatchery & Truck Shop

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OCT 20 1994

Page 2
Merrill 11/02/90

At present since all claims are for commercial uses where there is not a limitation on cfs or daily volume under the definition we will require the evidence of priority. If you wish to amend your claims to conform to the above definition of domestic/stock and be able to live with the associated limits then the evidence of priority will not be required.

If you have question or need assistance in amending anyone of the above claims please feel free to contact our office.

Sincerely,



Allen Merritt, P.E.
Water Rights Supervisor

MICROFILMED
OCT 20 1994

SHAYER



MERRILL'S POULTRY FARM AND HATCHERY

PHONE 438-4605 • ROUTE 2 • PAUL, IDAHO 83347

October 22, 1990

State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Ref: A36-10974, 10975, 10976, 10981-2-3

Dear Sirs:

With respect to the letter received recently concerning evidence supporting the priority dates we have claimed, I note in the booklet that small domestic and stockwater claims do not ordinarily need such proof.

In looking through the forms, I note the ones listed above are marked commercial even though they are technically stockwater claims. None of them are for irrigation uses, and none of them require a great volume of water.

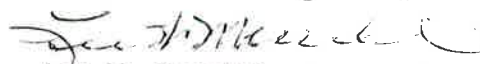
- A36-10974 - Water supply for 3 poultry brooder houses
- A36-10975 - 2 Sandpoints serving 4 coops, office, egg room
- A36-10976 - 2 Wells serving residence & 5 poultry houses
- A36-10981 - Well, serving house and 3 poultry houses
- A36-10982 - Sandpoints serving 12 poultry houses
- A36-10983 - Sandpoints serving Hatchery bldg. & repair shop

Is it necessary to submit evidence of priority for these claims? We received help in filling out these forms and hoped they were adequate. We realize that your assignment is to do all that is necessary to protect our water rights and we will try to comply with necessary items.

We will appreciate hearing from you on this matter.

Respectfully,

MERRILL'S POULTRY FARM, INC.


Lee W. Merrill, Bookkeeper

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OCT 20 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: _____

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of
Title
MERRILL'S BOUTWELL FARM, INC., that I have signed the foregoing
Organization
document in the space below as PRESIDENT of
Title
MERRILL'S BOUTWELL FARM, INC. and that the statements contained in the
Organization
foregoing document are true and correct.

Lynd F. Merrill
Signature of Authorized Agent

PRES. MERRILL'S BOUTWELL FARM, INC.
Title and Organization

1-16-89
Date

State of Idaho)
County of MURDERA) SS.

Subscribed and sworn (or affirmed) before me this 16TH day
of JANUARY 19 89

Lynd F. Merrill
Notary Public

Seal

Residing at Paul, Idaho

My Commission Expires 3-26-91



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

A36-10975
MERRILL POULTRY FARM
HWY. 25

PAUL

ID 80847

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

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FEB 07 1993

SHAYER**RECEIVED**

NOV 28 1990

Department of Water Resources
Southern Region Office**MERRILL'S POULTRY FARM AND HATCHERY**

PHONE 438-4605 • ROUTE 2 • PAUL, IDAHO 83347

November 23, 1990

State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

Dear Sirs:

This statement is submitted as evidence supporting the priority dates claimed in our previously filed applications.

My father, John C. Merrill, purchased the farm where the water rights are claimed are used in 1928. The deeds for this and the adjacent property which have been purchased as our business has expanded are recorded in the Minidoka County Recorder's office.

As our operation increased and the need for more poultry houses for laying hens developed, the original well became inadequate to supply the stockwater needed, and additional sandpoints were installed.

As of June 13, 1937, an additional well, covered under No. **A36-10981**, was drilled to provide water for the home and three poultry houses which had been constructed.

As of June 27, 1940, two additional wells were required to serve the residence on the adjacent property which we had purchased and five additional poultry houses which were being placed in use. This is **A36-10976**.

As of October 9, 1968, two additional sand points were needed to serve the new office, egg room, and four poultry houses. **A36-10975**.

In April, 1974, a new hatchery building was completed across the Highway on property purchased from Cenex, formerly the United Co-op, which had belonged to M. E. Watson. Six sandpoints interconnected to supply this building and an anticipated shop to maintain our own trucks were drilled. This is No. **A36-10983**.

In May, 1985, on property purchased adjacent to my daughter and son-in law, we provided two sand point wells to provide water for three brooder houses, constructed there to separate our brooder houses from those used for laying hens. These are covered under **A36-10974**.

In June, 1985, we installed four additional sandpoints interconnected to serve twelve brooder houses. These are listed on No. **A36-10982**.

This is in the nature of a history of our operation providing for expansion from our early small hatchery to the present one. All of the water is used for either domestic or stockwater for our chickens.

SHAYER



MERRILL'S POULTRY FARM AND HATCHERY

PHONE 438-4605 • ROUTE 2 • PAUL, IDAHO 83347

Idaho Department of Water Resources - Page 2

In no instance will our use of water come anywhere near what a regular livestock feeding operation would use. We feel that this information should provide sufficient evidence of the time when our beneficial use of the water commenced to justify our claim.

If this is not sufficient, please let us know what else we need to do.

Thank you for your attention to this matter.

Respectfully,

MERRILL'S POULTRY FARM, INC.

A handwritten signature in cursive script, reading 'Loyd C. Merrill'.

Loyd C. Merrill, President

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FEB 07 1993

SHAYER



RECEIVED

NOV 28 1990

Department of Water Resources
Southern Region Office

MERRILL'S POULTRY FARM AND HATCHERY

PHONE 438-4605 • ROUTE 2 • PAUL, IDAHO 83347

November 23, 1990

State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

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RECEIVED
FEB 07 1993

SHAYER



MERRILL'S POULTRY FARM AND HATCHERY

PHONE 438-4605 • ROUTE 2 • PAUL, IDAHO 83347

Idaho Department of Water Resources - Page 2

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Thank you for your attention to this matter.

Respectfully,

MERRILL'S POULTRY FARM, INC.

Loyd C. Merrill

Loyd C. Merrill, President

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R PROOF



CVR



MAPS



PHOTOS



MISC



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Water Right Number - 36-10975

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

MERRILL

LLOYD

1 - HWY 25

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4605

MERRILL POULTRY FARM

1 - HWY 25

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4605

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +
10/09/1968 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

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

Twn Rng Sec Tract Lot RFlg County

09S 23E 33 NW NW NE (67) MINIDOKA

+ - - - - - - - - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

04 - STOCKWATER

01/01

12/31

0.040

1.13

43 - DOMESTIC

01/01

12/31

0.020

0.34

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 1.47 0.0

+ - - - - - - - - - - - Place of Use - - - - - +

Twn Rng Sec Tract Lot Acres Code Description County

09S 23E 33 NW NE 04 STOCKWATER (67) MINIDOKA

09S 23E 33 NW NE 43 DOMESTIC (67) MINIDOKA

Total Acres:

+ - - Diversion Means - 2 1HP SANDPOINTS INTERCONN. TO SERVE OFFICE, EGG ROOM & 4 COOPS.

+ - - Non-Irrigation Use - DOMESTIC/ OFFICE & EGG ROOM; STOCKWATER/ 10000 CHICKENS

+ - - Other Rights for Same Use - NONE

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

TWO POINTS OF DIVERSION LOCATED IN NWNE, S 33, T09S, R 23E.

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Water right number - R36-10975

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 - - - - - +
Date: 01/03/1992 User Id: WORSTELL Subject: DIVERSION VOLUME LIMITATION
NOT TO EXCEED 2500 GAL/DAY

+ - - Audit Fields - - +
08/07/92 MERRITT

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

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 07/17/1991 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 08/07/1992 | Old Judicial District | - |
| Claim Received Date | - 02/03/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S006214 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

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CLAIM NO. A36 - 10975

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR SMALL INDUSTRIAL AND COMMERCIAL CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME:
NEW OWNER: _____
☒ No Change ADDRESS:
NEW ADDRESS: _____
☐ DATA ENTRY STANDARDS CHECKED?
2. ☒ No Change - DATE OF PRIORITY:
(EVIDENCE OF PRIORITY REQUIRED) ☒ Proof in File
Claimant Contact if Not _____
☐ CHANGE- Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.)
3. ☒ No Change - SOURCE:
CHANGE - Different Source found: _____
4. ☒ No Change - POINT OF DIVERSION:
Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4

Note: If the 10-acre tract is shown on the claim, then
verification of the 10-acre parcel is needed. Otherwise the
10-acre tract is not required, unless the source is a spring.

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Complete items missing, IF KNOWN.

HP of pump 2 - 1 HP Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping
water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

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$$Q = \frac{(8.8) (1+1 \text{ HP}) (0.70)}{[(5) + (40 \times 2.31)]} = \frac{12.32}{97.4} = 0.126$$

LIFT FROM:

measurement ()

owner ()

area estimate (X)

well logs ()

Booster (Y) (N)

PSI FROM:

measurement ()

owner ()

estimate (-)

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

Two ONE HP. Pumps

REMARKS

.....
DESCRIPTION OF USE: (Fully describe type, time & all aspects of Use)

SUPPLIES WATER FOR EGG CLEANING, OFFICE, AND FOUR COOPS

CALCULATE VOLUMES: (time)X(rate)= Vol.

RV-2K 1/2/92 24%

$$(25 \text{ employees}) \times (15 \text{ gpd/employee}) \times (300 \text{ working days/yr}) = 0.345 \text{ AF. Domestic}$$

$$375 \text{ gal/day} \quad 325,850 \text{ gal/AF}$$

$$(4 \text{ COOPS}) (2500 \text{ chickens/coop}) \times (10 \text{ gpd/100 chickens}) \times 365 \text{ days/yr} = 1.12 \text{ AF.}$$

$$1000 \text{ gal/hr} \quad 1375 \text{ gal/day} \quad 325,850 \text{ gal/AF} \quad 76\%$$

TOTAL = 1.47 AF

6. ☒ No Change - WATER USES:
☐ RECOMMENDED USES:

| | | | | | | div | cons |
|-----|-------|------|-------|----|-------|--------|-----------------------------|
| Use | _____ | From | _____ | To | _____ | Amount | _____ cfs _____ af _____ af |
| Use | _____ | From | _____ | To | _____ | Amount | _____ cfs _____ af _____ af |

☐ DATA ENTRY STANDARDS CHECKED FOR ITEMS 6, 7, 8 AND 9.

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

| | | | | | | |
|-------|-------|-------|-------|-------|-------|-------|
| _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ |

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
☐ CHANGE: _____

14. ☐ REMARKS AND CONDITIONS
(copy existing remarks to comments in "R")
☐ LIST STANDARD REMARKS FOR THE RECOMMENDATION: ☐ NONE

☐ LIST STANDARD CONDITIONS FOR THE RECOMMENDATION: ☐ NONE

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - J (circle one)

COMMENTS: (pertinent to field examination)

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FEB 07 1993

ATTACHMENTS: Attached to This Form. Attachments are in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM

| |
|---|
| |
| X |
| |

| |
|--|
| |
| |
| |

DATE EXAM CONDUCTED: 7/17/91

ACCOMPANIED BY: _____

FIELD EXAMINER: MIKE MARSHBARGER

SIGNATURE: Michael Marshall

REVIEWED BY/DATE: _____

DATA ENTRY BY/DATE: MTM 7/19/91

VERIFICATION BY/DATE: _____

23E

270

47' 30"

560 000 FEET

273

274

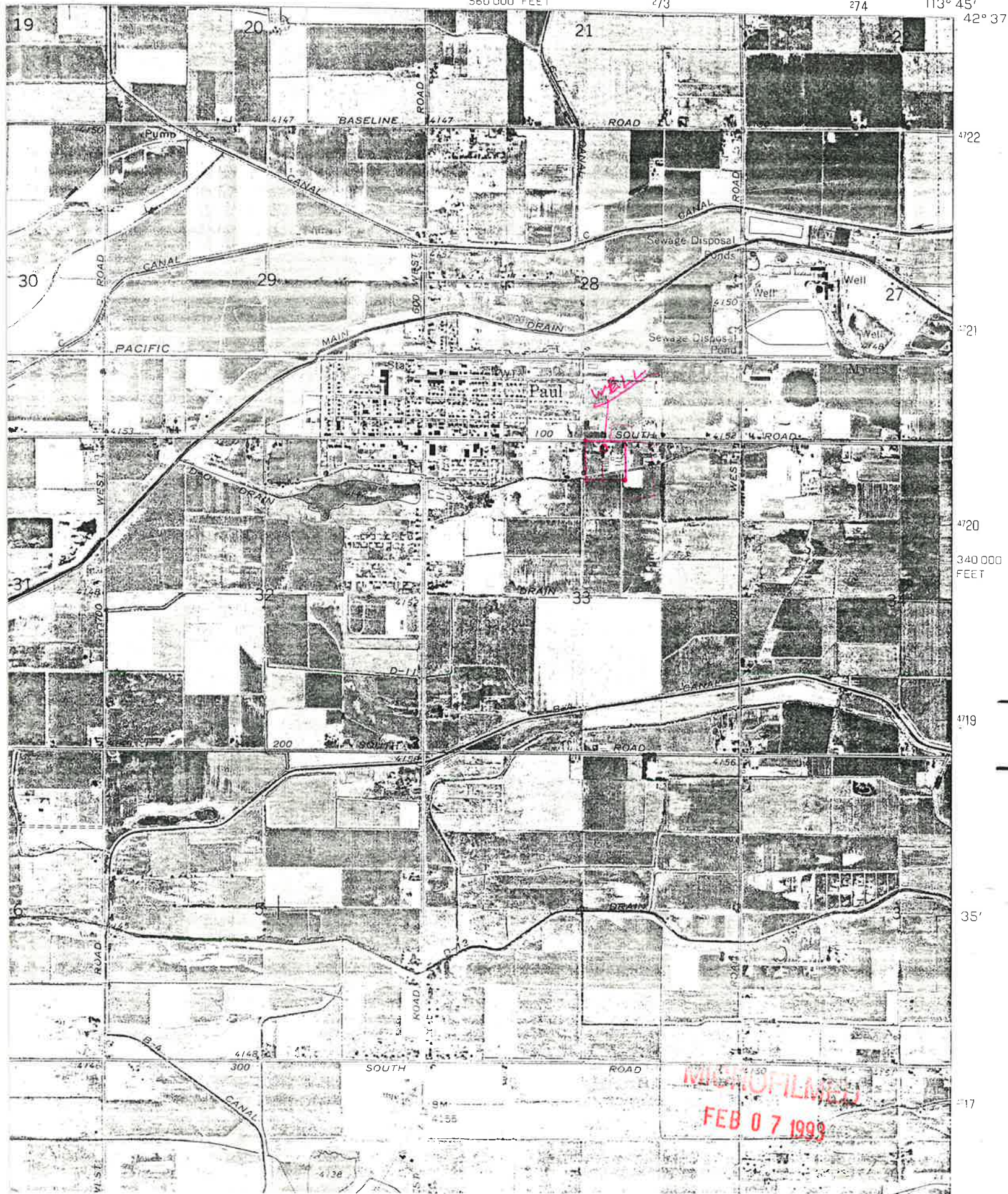
113° 45'

42° 37'

BURLEY SE QUADRANGLE

IDAHO

7.5 MINUTE SERIES (ORTHOPHOTOQUAD)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:45
12/19/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-10975

| 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 | Y | | HARSH BARGER
7/17/91 | N | | R.V. 2/12/91 | MTM
7/17/91 | R.V. 2/12/91 |
| POINT OF DIV | Y | | | N | 1 | 12/16/91 | | 12/16/91 |
| SOURCE | Y | | | N | 1 | | | |
| PLACE OF USE | Y | | | N | 1 | | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | | N | | | | |
| CONSUMPTIVE USE | - | | | N | | | | |
| PURPOSES | Y | | | N | | | | |
| PERIOD OF USE | Y | | | N | | | | |
| BASIS OF CLAIM | Y | | | N | | | | |
| REMARKS | Y | | | N | | | | |

"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.

FEB 07 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:45
12/19/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-10975

LAST: MERRILL POULTRY FARM
ADDRESS: HWY. 25
CITY: PAUL
PHONE NUMBER: 208-438-4605

FIRST:

STATE: ID ZIP: 83347

OWNER CODE: C

LAST: MERRILL
ADDRESS: HWY. 25
CITY: PAUL
PHONE NUMBER: 208-438-4605

FIRST: LLOYD

STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: SHARES OF MINIDOKA IRR. DIST. WATER.

MICROFILMED
FEB 07 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:

UNRECORDED
FEB 07 1993

A. AJ CLAIM: # A36-10975 PRIORITY DATE: 10-09-1968 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
N

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

REMARKS:

*Priority date supported by letter from Lloyd Merrill (11/23/90)
outlining the historical developments of the Merrill Poultry Farms
and their water supply from wells*

===== RECOMMENDED PRIORITY DATE:

10-9-1968

REVIEWED BY

B. V. Jk.

DATE

12/16/91

MICROFILMED
FEB 07 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|----------|
| A36-10975 | 09S | 23E | 33 | NW | NW | NE | | MINIDOKA |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-10985 NONE
A36-10986
A36-10976

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD
EXAMINER |
|----------------------------------|----------|-------------------|
| DUE TO POD DISCREPANCY? (Y/N) | Y | _____ |
| DUE TO SOURCE DISCREPANCY? (Y/N) | Y | _____ |

REMARKS:

MICROFILMED
FEB 07 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|-----------|------------|-----------|-----------|-----------|-----------|------------|-----------------|
| <u>9S</u> | <u>23E</u> | <u>33</u> | <u>NW</u> | <u>NW</u> | <u>NE</u> | <u>---</u> | <u>Minidoka</u> |

SOURCE:

G.W.

TRIB:

REVIEWED BY:

R.V. SN.

DATE:

12/16/91

RECEIVED
FEB 07 1993

A. ROOT WATER RIGHT NUMBERS: A36-10975

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|----------------------|--------------------|---------------|-----------------|----------------|------------------|
| 09S | 23E | 33 | NW | NE | | MERRILL POULTRY FARM | A36-10975 / | - / 1.0 | 40.0 | | |
| | | | | | | MERRILL , LLOYD | A36-10985 / | - / | | | |
| | | | | | | MERRILL POULTRY FARM | A36-10986 / | - / | | | |
| | | | | | | MERRILL POULTRY FARM | A36-10976 / | - / | | | |
| | | | | | | PLATTS , WILLIAM S. | A36-11721 / | - / | | | |
| | | | | | | BALLARD , FRANK | A36-13117 / | - / | | | |
| | | | | | | LARGE CLAIM | A01-10187Z1 / 40.0 | - / | | | |
| | | | | | | PLATTS , WILLIAM S. | A36-11720 / 1.5 | - / | | | |
| TOTAL ACRES | | | | | | | A36-10975 | 1.00 | 40.00 | | |

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
N

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 0

REVIEWED BY: R.V. [Signature]

DATE: 12/16/91

MICROFILMED
FEB 07 1993

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A36-10975 COMMERCIAL | FROM 01-01 TO 12-31 | .050 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | .050 CFS |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|----------|-----------|--------------------|
|----------|-----------|--------------------|

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

RECORDED
FEB 07 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

N/A

AJ TOTAL CLAIMED DIVERSION RATE: 0.050 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.040 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?

FIELD
DATABASE EXAMINER

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

N

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FEB 07 1993

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

*From Theoretical Analysis
by Harshbarger & Waustall*

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 |
|-----------|-------------|---------------------|-----------|----------------|-----------|----------------|
| A36-11721 | GROUNDWATER | PLATTS , WILLIAM S. | 0.200 | 0.200 | | |
| A36-11720 | GROUNDWATER | PLATTS , WILLIAM S. | 0.120 | 0.080 | 6.00 | 4.00 |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|------------|----------------------|---------------------|----------|--------|
| A36-10975 | COMMERCIAL | MERRILL POULTRY FARM | FROM 01-01 TO 12-31 | .050 CFS | |
| A36-10985 | DOMESTIC | MERRILL , LLOYD | FROM 01-01 TO 12-31 | .040 CFS | |
| A36-10986 | DOMESTIC | MERRILL POULTRY FARM | FROM 01-01 TO 12-31 | .040 CFS | |
| A36-10976 | COMMERCIAL | MERRILL POULTRY FARM | FROM 01-01 TO 12-31 | .090 CFS | |
| A36-11721 | DOMESTIC | PLATTS , WILLIAM S. | FROM 01-01 TO 12-31 | .040 CFS | |
| A36-11721 | STOCKWATER | PLATTS , WILLIAM S. | FROM 01-01 TO 12-31 | .090 CFS | |
| A36-11721 | COMMERCIAL | PLATTS , WILLIAM S. | FROM 01-01 TO 12-31 | .040 CFS | |
| A36-13117 | DOMESTIC | BALLARD , FRANK | FROM 01-01 TO 12-31 | .040 CFS | |
| A36-13117 | STOCKWATER | BALLARD , FRANK | FROM 03-01 TO 10-01 | .020 CFS | |
| A36-11720 | STOCKWATER | PLATTS , WILLIAM S. | FROM 01-01 TO 12-31 | .070 CFS | |
| A36-11720 | DOMESTIC | PLATTS , WILLIAM S. | FROM 01-01 TO 12-31 | .040 CFS | |

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

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

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

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

1b. CALCULATIONS

N/A

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2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|------------------------|----------------------|-----------------------|-------------------|
| <u>Commercial</u> | <u>1/1 12/31</u> | <u>.05</u> | <u>1</u> | <u>1</u> |
| TOTAL FOR THIS RIGHT | | <u>.05</u> | <u>1</u> | <u>1</u> |

REVIEWED BY:

R. V. [Signature]

DATE:

12/16/91

RECEIVED
 FEB 07 1993

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: 36-10975

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A36-10975 | 0.050 | - | - | - | - |
| TOTAL CFS | | 0.050 | | | | |

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
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

Robert V. Kerstall

DATE:

12/16/91

NAME OF FIELD EXAMINER:

TITLE:

Sr. Water Right Agent (Adj)

R V. Kerstall
12/16/91

MICROFILMED
FEB 07 1993

Phone
CONVERSATION MEMORANDUM

NAME OF PARTY Lloyd Merrill
EMPLOYEE: Bob Worstell

DATE 1/2/92
FILE 36-10974 36-10975

RE: Annual Diversion Volume Estimates

36-10976, 36-10981, 36-10982
+ 36-10983

36-10974 - For 3 Brooder Houses @ 18000 chicks each.

36-10975 - Office + Egg Room. (25 employees).

4 "COOPS" (2500 Birds/coop)

36-10976 - For 5 "COOPS" (2500 Birds/coop)

36-10981 - For 3 Poultry Houses (5000 Birds/house)

36-10982 - For 12 Poultry Houses (5000 Birds/house)

36-10983 - For Hatchery Bldg. (11 employees)

+ Repair Shop (2 employees)

$$\frac{(25 \text{ employees}) \times (159 \text{ gal/employee}) \times (300 \text{ days/yr})}{325850 \text{ gal/AF}} = 0.345 \text{ AF}$$

$$\frac{(4 \text{ coops}) (2500 \text{ Birds/coop}) \times \frac{108 \text{ gal}}{100 \text{ Birds}} \times 365 \text{ days/yr}}{325850 \text{ gal/AF}} = 1.12 \text{ AF}$$

See pg 2 of Total.
Verification Exam Sheets

1.47 AF

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FEB 07 1993