

\$96
50

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: A36-14632
Date Received: 10/05/1989
Receipt No: 5012084
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MORGAN BROTHERS 208-438-4177
Address: 756 S. 2800 E.
HAZELTON, ID 83335
OR
Name: LEE F. MORGAN 208-438-5936
Address: RT. 2 BOX 2424
PAUL, ID 83347

2. Date of Priority: MAR 11, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	21E	26	SW	SW	NW		JEROME

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.460		
DOMESTIC	01/01	12/31	0.060		
STOCKWATER	01/01	12/31	0.460		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 HOUSES S/700 DAIRY C/700 DAIRY

A36-14632

Page 1

Date: 03/29/90

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
09S	21E	26	SW		NW		DOMEST	
			SW		NW		STOCK	
			SW		NW		COMMER	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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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): Lee J. May Date: 29 March 1990

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of March 19 90
Stuart Callahan
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

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UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

255000m E

256

257

57' 30"

258

R21E

259

Schodde

T.

9

S.

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EPA 6/9 1993

A36-14632

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30.7
F

13.9
I

94.4
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65.1
F

28.3
F

30.4
G

51.8
A

22/23
22/26

55.9
ASIV
75.1

20.2
C

39.4
B
105.9
A

22/24
26/25



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

A36-14632
MORGAN BROTHERS
756 S. 2800 E.

HAZELTON

ID 88885

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,

A handwritten signature in cursive script, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Rights Supervisor

Enclosure

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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

April 8, 1991

MORGAN BROTHERS
756 S 2800 E
HAZELTON ID 83335

RE: Evidence of Priority - Snake River Basin Adjudication
Claim #A36-14632

Dear Claimant(s):

Our records indicate that your claim(s) listed above, is based upon either a "Statutory Claim" or "Beneficial Use" of the water. For water rights of this type, the claimed "Priority Date" must be substantiated with supporting evidence. We previously requested this supporting evidence be submitted by November 1, 1990, and to date we have not received the requested documentation.

Before the Department can make a recommendation to the Court to decree the claim(s), some evidence of the priority date must be submitted. Again we are enclosing a brochure outlining the types of evidence you may submit, and a printout of your claim(s) for reference. We request that you submit your evidence of priority as soon as possible. If we do not receive the requested documentation, your claim(s) will be recommended for disallowal due to lack of evidence supporting any priority date.

Please submit the required evidence supporting the priority date(s) by April 23, 1991. Please reference the claim number on your correspondence. If you have questions or need other assistance please contact this office.

Sincerely,

for. Anna Baumgardner
Allen Merritt, P.E.
Adjudication Section Supv.

Enclosure

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IN THE MATTER OF:

A36-14632

AFFIDAVIT

State of Idaho

County of Twila Falls

Lee F. Morgan

being first duly sworn,

deposes and says:

I moved on the farm in the spring of 1960 and started milking cows there that spring. The barn & house had been constructed prior to that time & water from the well has been in constant use from that point on. We were milking 350 cows 3 times a day and were watering over 700 head of cattle at one time. The well was drilled during 1959 year.

Lee F. Morgan
(signature)

Subscribed and sworn to before me this 10th day of April 19 92.

Ken Martin
(notary public) **MICROFILMED**

Residing at Kimberly Id
My commission expires 6/30/92

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Water Right Number - R36-14632

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

MORGAN BROTHERS

1 - 756 S 2800 E

2 -

3 -

City- HAZELTON

State- ID Zip- 83335

Phone - 208-438-4177

MORGAN

LEE F

1 - RT 2 BOX 2424

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-5936

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
03/11/1960 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
09S 21E 26 SW SW NW (53) JEROME

*updated 97
12-31 KKC*

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
10 - COMMERCIAL 01/01 12/31 0.070 20.80
43 - DOMESTIC 01/01 12/31 0.070 2.40
04 - STOCKWATER 01/01 12/31 0.070 21.40

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.070 44.60 3.9

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 21E 26 SW NW 04 STOCKWATER (53) JEROME
09S 21E 26 SW NW 10 COMMERCIAL (53) JEROME
09S 21E 26 SW NW 43 DOMESTIC (53) JEROME

+ - - Diversion Means - WELL WITH 5 H.P. PUMP.

+ - - Non-Irrigation Use - DOMESTIC/2 HOMES; STOCK/350 MILK & 350 DRY COWS; COMMERCIAL/BARN

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
No Remarks found.

Left

Water right number - R36-14632

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

+ - - Audit Fields - 12/19/97 KCHRISTE

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

+ - - - - 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	- 04/16/1990	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	- S012084	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- OR	Notice of Error Flag	-

R PROOF



CVR



MAPS



PHOTOS



MISC

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Water Right Number - R36-14632

Prefix Translation:

RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

MORGAN BROTHERS

1 - 756 S. 2800 E.

2 -

3 -

City- HAZELTON

State- ID Zip- 83335

Phone - 208-438-4177

1 - RT. 2 BOX 2424

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-5936

MORGAN

LEE F.

+ - - Priority Date - - +
03/11/1960+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

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

Twn Rng Sec Tract Lot RFlg County

09S 21E 26 SW SW NW (53) JEROME

+ - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
10 - COMMERCIAL		01/01	12/31	0.070	20.80
43 - DOMESTIC		01/01	12/31	0.070	2.40
04 - STOCKWATER		01/01	12/31	0.070	21.40

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
0.070	44.60	3.9	

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

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	21E	26	SW NW			04	STOCKWATER	(53) JEROME
09S	21E	26	SW NW			10	COMMERCIAL	(53) JEROME
09S	21E	26	SW NW			43	DOMESTIC	(53) JEROME

Total Acres:

+ - - Diversion Means - WELL WITH 5 H.P. PUMP

+ - - Non-Irrigation Use - DOMESTIC/2 HOMES; STOCK/350 MILK & 350 DRY COWS; COMMERCIAL/BARN

+ - - Other Rights for Same Use - NONE

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Water right number - R36-14632

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
No Remarks found.

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

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

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

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

+ - - Audit Fields - - +
04/13/92 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	- 04/13/1992	Old Judicial District	-
Claim Received Date	- 04/16/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S012084	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

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A36 14632
CLAIM NO. _____ - _____

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. 9S, Rge. 21E, Sec. 26, SW 1/4 SW 1/4 NW 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 5 Static water level 310 Well depth ?
Casing size ? Pumping water level 310 Gravity flow No

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])

Location confirmed by aerial photo
on original claim.

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$$Q = \frac{(8.8) \quad (.....5.....) \quad (0.70)}{[(...310.....) + (...50..... \times 2.31)]} = \underline{0.07}$$

LIFT FROM:

measurement ()

owner (X)

area estimate ()

well logs ()

Booster (Y) (N)

PSI FROM:

measurement ()

owner (X)

estimate ()

owner gage ()

NOTES ON PUMP:

Motor Make, Serial or ID

5 H.P.

Pump Make, Serial or ID, rating

REMARKS

8000 gal conc. tank for washing
with 20 H.P. booster.

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

How many milking cows? 350
dry cattle 350

How many times milk/dry? 3

Automatic washing equip.

Lagoon 60' X 300' X 8'

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

See Attached sheet

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

						div	cons
Use	<u>Stock</u>	From	<u>1/1</u>	To	<u>12/31</u>	Amount	<u>0.07</u> cfs <u>21.4</u> af <u>2.3</u> af
Use	<u>Commercial</u>	From	<u>1/1</u>	To	<u>12/31</u>	Amount	<u>0.07</u> cfs <u>20.8</u> af <u>1.6</u> af
	<u>Dom.</u>		<u>1/1</u>		<u>12/31</u>		<u>0.07</u> cfs <u>2.4</u> 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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ATTACHMENTS: Attached to Attachments are
 This Form. in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM

DATE EXAM CONDUCTED: _____

4/10/92In office interview
with Lee Meyer

ACCOMPANIED BY: _____

FIELD EXAMINER: _____

Alleg Hewitt

SIGNATURE: _____

[Signature]

REVIEWED BY/DATE: _____

DATA ENTRY BY/DATE: _____

ADW 4/10/92

VERIFICATION BY/DATE: _____

4/13/92

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DAIRIES: WATER USE WORKSHEET

FILE NUMBER ----- A36-14632 MORGAN BROS.
 REVIEWER ----- ADM 4/13/92

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE ----- 350
 NUMBER OF NONMILKING CATTLE ----- 350
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES; IF
 ANAEROBIC, ENTER ZERO ----- 0.4
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) ----- 4
 METHOD OF COW WASHING - ENTER 1 FOR MANUAL, 2 FOR AUTOMATIC - 1
 NUMBER OF MILKINGS PER DAY ----- 3
 IF SPRINKLERS ARE USED TO FLUSH THE HOLDING PEN, ENTER 1; IF
 NOT, ENTER ZERO ----- 1

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS):

MILKING CATTLE @35 GPD/HD ----- 0.26
 NONMILKING CATTLE @12 GPD/HD ----- 0.09
 TOTAL ----- 0.35

DIVERSION VOLUME (AFA):

STOCKWATER
 DAIRY CATTLE @35 GPD/HD ----- 16.0
 NONMILKING CATTLE @12 GPD/HD ----- 5.4
 TOTAL ----- 21.4

COMMERCIAL
 WASHING OF BULK TANK AND RELATED EQUIPMENT ----- 0.5
 PARLOR FLOOR AND MILKHOUSE FLOOR ----- 0.1
 HOLDING PEN WASHING ----- 20.2
 CATTLE WASHING BASED UPON METHOD OF WASHING ----- ~~0.6~~ 0
 TOTAL ----- ~~21.4~~ 20.8
 TOTAL DIVERSION VOLUME ----- ~~42.8~~ 42.2

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
 DAIRY ----- 2.3
 NONMILKING ----- 0.0
 TOTAL ----- 2.3
 COMMERCIAL ----- 1.6
 TOTAL CONSUMPTIVE USE ----- 3.9

Potential Volume
 $0.07 \times 1.98 \times 365 = 50.6$

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UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R21E

255000m E

256

257

57' 30"

258

259



Schott

T.
9
S.

A36-14632

MICROFILMED
FEB 4 1983

D
55.9

A51V

757

C
20.2

B
39.4

A
105.9

22/23
27/26

23/24
26/25

E
28.3

F
65.1

G
30.4

H
94.4

I
13.9

J
30.7

K
17.7

L
13.3

M
14.3

ORIGINAL
1983