

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: A36-15152
Date Received: 10/31/1990
Receipt No: S012791
Received By: Adm

COPY
FOR YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROOST POTATO COMPANY
Address: 952 S. 1400 E.
EDEN, ID

208-825-5007

83325

2. Date of Priority: MAY 01, 1957

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	19E	28	NE	SE	NW		JEROME

5. Description of diverting works:
WELL WITH 200 H.P. PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.360		

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

8. Total consumptive use is 54.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	19E	28	SW	NE		IRR	18.0

Section Acres 18.0

Total Acres 18.0

A36-15152

Page 1

Date: 10/31/90

MICROFILMED

OCT 20 1994

MICROFILMED

FEB 09 1995

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: A36-02324 OUT OF SAME SYSTEM.

14. Remarks:

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 _____ 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

Roost Potato Co. Organization, that I have signed the foregoing document in the space below as President Title of

Roost Potato Co. Organization and that the statements contained in the foregoing document are true and correct.

Calvin Jones
Signature of Authorized Agent

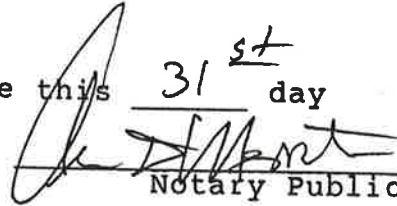
President of Roost Potato Co.
Title and Organization

10-31-90
Date

State of Idaho

County of ThiL Filly) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of Oct. 19 90


Notary Public

Seal

Residing at Kimberly, ID.
My Commission Expires 6/30/94

MICROFILMED

OCT 20 1991

MICROFILMED

FEB 04 1992

IN THE MATTER OF:

A36-~~15152~~ 15152

AFFIDAVIT

State of Idaho

County of Twin Falls

Calvin Jones

being first duly sworn,

deposes and says:

These expanded acres were
first irrigated by canal shares then in 1957
the well was developed under 36-02324
and these lands were irrigated from
the well, but were not covered under the
license. The license covered 60 acres
but 78 acres were irrigated as either
crop land and/or for irrigation of feedlot
dust control. At present the feedlot is
being taken down in this year and rowcrop
is being planted.

Calvin Jones
(signature)

Subscribed and sworn to before me this

31st

day of

Oct.

19

90.

MICROFILMED
OCT 20 1994

[Signature]
(notary public)

Residing at

Kimberly ID

My commission expires

6/30/90

FEB 09 1993

Original sent to Southern
Ringert, Clark, Harrington, Reid, Christenson & Kaufman

CHARTERED
LAWYERS

WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JAMES G. REID
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN
LAURA E. BURRI

SAMUEL KAUFMAN (1921-1988)

Permanent file
599 WEST BANNOCK STREET
P.O. BOX 2773
BOISE, IDAHO 83701
TELEPHONE (208) 342-4881
FAX (208) 342-4887

April 14, 1989

Mr. R. Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard Avenue
Boise, ID 83706

Re: Snake River Basin Adjudication - Change in Ownership

Jerome Co.
Dear Mr. Higginson:

Pursuant to the requirements of Idaho Code §42-1409(7), you are hereby notified that the property described in the enclosed "Description of Lands" has been sold by The Travelers Insurance Company, a Connecticut corporation to Roost Potato Company, Inc., whose current mailing address, according to our records is 952 S. 1400 East, Eden, Idaho 83325.

The water rights appurtenant to those lands and for which the owner is required to file a notice of claim in the Snake River Adjudication are identified by the following water right numbers in the record of the Department of Water Resources or Notices of Claim numbers in the Snake River Basin Adjudication:

Water Licenses Nos. 36-2324, 36-7000, and 36-7763.

OK
Yours very truly,

W. F. Ringert
W. F. Ringert

WFR:am

Enclosure

cc: Donald S. Reed
Margaret Veglia
Thomas S. Josselyn
Roost Potato Company, Inc.

1-17-91 change of ownership complete. See attached. Jani Smith
MICROFILMED
FEB 09 1993

IN THE MATTER OF:

A36-~~15152~~ 15152

AFFIDAVIT

State of Idaho

County of Twin Falls

Calvin Jones

being first duly sworn,

deposes and says: These expanded acres were
first irrigated by canal shares then in 1957
the well was developed under 36-02324
and these lands were irrigated from
the well, but were not covered under the
license. The license covered 60 acres
but 78 acres were irrigated as either
crop land and/or for irrigation of feedlot
dust control. At present the feedlot is
being taken down in this year and rowcrop
is being planted.

Calvin Jones
(signature)

Subscribed and sworn to before me this 31st day of Oct. 19 90.

[Signature]
(notary public)

Residing at Kimberly ID

My commission expires 6/30/90

PROFILMED
FEB 09 1993

36-15152

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36-6760

MEMO

TO: DAN NELSON
CC: SRBA FILE 36-15152
FROM: STEVE CLELLAND *sw*
DATE: June 15, 1998

RE: REVIEW WITH 36-02324 TO DETERMINE ACTIONS

=====

Previously you requested a review on the recommendation of the claim 36-02324; this memo is a follow-up on the expansion claim associated with the license.

It appears this claim, 36-15152, should have an identical place of use description as the license. The place of use should be listed in section 36 as approved in the transfer, however, the current records of this right on the AJ database continue to list the right as located in section 28.

After reviewing the SRBA on the internet, it appears this expansion claim is still in the process of the objection resolution. Final recommendation should be checked to conform to the approved transfer, unless it is somehow contradicted by the decision of the SRBA court.

Parties' Names: Magic Valley Ground Water District, Aberdeen-American Falls Ground Water District, Bingham Ground Water District, Tim Deeg, Mack Neibaur, and Ralph Breeding

NOV 05 1997

Water Resource
Southern Region

Attorneys' Names and Address

Jeffrey C. Fereday
Michael C. Creamer
GIVENS PURSLEY & HUNTLEY LLP
277 North 6th Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701-2720
(208) 342-6571
(208) 343-9492 (facsimile)

Henry R. Boomer, Esq.
Boomer Law Offices
514 Tyhee
P.O. Box 70
American Falls, ID 83211
(208) 226-2562
(208) 226-5419 (facsimile)

RECEIVED

OCT 31 1997

OFFICE OF THE
ATTORNEY GENERAL

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

In Re: SRBA

Case No. 39576

A. Subcase No. 36-15152

JOINT RESPONSE OF MAGIC VALLEY GROUND
WATER DISTRICT, ABERDEEN-AMERICAN FALLS
GROUND WATER DISTRICT, BINGHAM GROUND
WATER DISTRICT, TIM DEEG, MACK NEIBAUR,
AND RALPH BREDDING TO ROOST POTATO CO.'S
OBJECTION

(Standard Form 2)

B. NAME AND ADDRESS OF PERSONS RESPONDING

Magic Valley Ground Water District
1099 N. 400 W.
Route 5, Box 139
Rupert, ID 83350
(208) 532-4524

Mack Neibaur
1200 N. 510 W. Norland
Route 1, Box 1478
Paul, ID 83347
(208) 532-4175

Ralph E. Bredding
2875 Visiting Road
American Falls, ID 83211
(208) 226-2109

Tim Deeg
2957 Deeg Road
American Falls, ID 83211
(208) 226-5588

Aberdeen-American Falls Ground
Water District
P.O. Box 70
American Falls, ID 83211
(208) 226-5914

Bingham Ground Water District
1523 W. 300 N.
Blackfoot, ID 83221
(208) 684-3614

MAIL9412



Name & Address of Attorneys:

Jeffrey C. Fereday
Michael C. Creamer
Givens Pursley & Huntley LLP
277 No. 6th Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701

Henry R. Boomer, Esq.
514 Tyhee
P.O. Box 70
American Falls, ID 83211

C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO WHICH YOU ARE RESPONDING

Name: Roost Potato Co.

Address: 952 South 1400 East
Eden, Idaho 83325

- D. Magic Valley Ground Water District, Aberdeen-American Falls Ground Water District, Bingham Ground Water District, Tim Deeg, Mack Neibaur, and Ralph Breeding (collectively, "Respondents"), hereby respond to Roost Potato Co.'s objections to the following elements.

4. ☒ **Priority Date.** Summary response: The use involved in this claim is an enlarged use which began, and has continued, without complying with the mandatory permit system applicable to water diversions and uses under Idaho law. Accordingly, the enlarged use must cease unless it qualifies as an enlargement as defined in I.C. § 42-1426, a statute which became effective April 12, 1994. To the extent the use qualifies as an enlargement, it may be recognized as a new water right in the SRBA only if it is subordinated to all other, non-enlarged water rights existing on that date or given a priority date no earlier than April 12, 1994. If the new water is not conditioned in this manner, it will cause injury to the priorities and the water rights of other water right holders, including members of respondent.

If the priority date asserted by the claimant in this matter is assigned to this enlarged right, without the subordination condition recommended by the IDWR, then Respondents' water rights will be injured by having new water rights created in the SRBA which are given priorities ahead of Respondents' water right priorities.

Recommendation. This water right claim should be denied unless it is decreed with the subordination condition as recommended in the Director's Report or given a priority date no earlier than April 12, 1994.

VERIFICATION

STATE OF IDAHO)
: SS
COUNTY OF ADA)

Jeffrey C. Fereday and Henry R. Boomer, being first duly sworn, upon oath, deposes and says:

That we are the party/claimant filing this response as defined by I.C. 42-1401A(1) and (6); or that we are the attorneys for the parties/claimants responding and that we have read this response, know its contents and that the statements are true to the best of our knowledge.

By: Jeffrey C. Fereday
(Attorney signing in representative capacity for Magic Valley Ground Water District, Mack Neibaur, Tim Deeg, and Ralph Broeding)

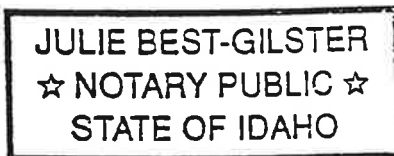
Subscribed and sworn to before me this 30th day of October, 1997.

Julie Best-Gilster
Notary Public for Idaho
Residing at: Nampa, Idaho
My commission expires: 4-21-2001

By: Henry R. Boomer
(Attorney signing in representative capacity for Aberdeen American Falls Ground Water District, and Bingham Ground Water District)

Subscribed and sworn to before me this 30th day of October, 1997.

Dorothy Huse
Notary Public for Idaho
Residing at: American Falls, Idaho
My commission expires: 1/14/98



F.

CERTIFICATE OF SERVICE

I certify that on October 30, 1997, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Roost Potato Co.
Address: 952 South 1400 East
Eden, Idaho 83325

3. One copy to the party who filed the objection at the following address:

Name: Roger D. Ling
Address: Ling, Nielsen & Robinson
615 H Street, P.O. Box 396
Rupert, ID 83350

4. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

Environment & Natural Resources Div.
United States Department of Justice
550 West Fort Street, Box 033
Boise, ID 83724

A handwritten signature in dark ink, appearing to read "J. B. White", is written over a horizontal line.

RECEIVED

OCT 28 1997

Department of Water Resources
Southern Region

Name of Party Filing Document:
Roost Potato Co.

Attorney Name & Address:
ROGER D. LING
LING, NIELSEN & ROBINSON
615 H Street, P. O. Box 396
Rupert, Idaho 83350

RECEIVED

OCT 28 1997

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 SRBA

Case No. 39576

Subcase No. 36-15152

STANDARD FORM 1

OBJECTION

INSTRUCTIONS

This form must be used to file an objection to any water right recommended in a Director's Report. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR) or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy both sides with the even-number pages upside down.

The water right number you are objecting to must be indicated above in the blank space following "Subcase." To object to multiple water right recommendations, you must use a **separate form for each** objection and there must be **only one objector** for each 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.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

Any party physically filing 25 or more objections must contact the Clerk of the SRBA Court no later than 14 days before the filing deadline and arrange an appointment to file multiple objections.

By filing an objection form, you are certifying that the objection is well-grounded in fact; that it 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. *Party/Claimant objecting:*

Name: Roost Potato Co.

Address: 952 South 1400 East
Eden, Idaho 83325

Phone: Work: (208) 825-5322 Home:

Briefly describe your interest in this water right:

Objecting party is the claimant to the water right recommended by the Director of the Idaho Department of Water Resources.

2. If this objection is filed by an attorney:

Attorney Name: Roger D. Ling

Attorney Address: P. O. Box 396
Rupert, Idaho 83350

Attorney Phone No.: (208) 436-4717

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 40-acre subdivision.
10. ☐ **Consumptive Use:** I object to the annual volume of consumptive use.
11. **Water Right Recommendation:** I object to:
 - ☐ a. this water right being recommended at all; or
 - ☐ b. this water right not being recommended.
12. ☐ **Description of Reservation:** I object to the legal description of the reservation.

13. ☐ **Other:** I object to:

REASONS SUPPORTING EACH BOX CHECKED

You **must** state the reason(s) by number for **each** box checked. You may use additional pages if necessary.

4. **Priority Date:** Claimant objects to the subordination provision under the priority date recommended, as there has been no showing by the holder of a water right with a priority date earlier than April 12, 1994 that they have been injured by this priority date of August 30, 1984.
- 9a. **Place of Use:** The legal description of place of use should be that change in the place of use noted by 1992 Transfer No. 3912.

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.

The subordination provision under **priority date** should be removed and the place of use should be 64 acres in the NE $\frac{1}{4}$ of Section 36, Township 8 South, Range 20 East of the Boise Meridian.

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.

VERIFICATION (Must be Completed)

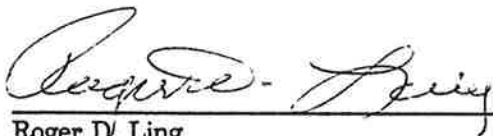
State of Idaho

County of Minidoka

Roger D. Ling, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection (as listed on Page 2, Section 1, "Party/Claimant objecting") as defined by I.C. § 42-1401A(1) and (7) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Signature of person filing objection

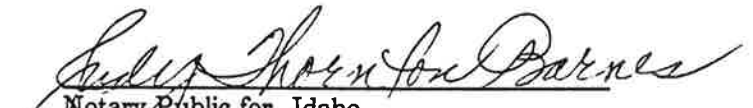


Roger D. Ling
Attorney signing in representative capacity

Subscribed and sworn to before me on: _____

Oct. 15, 1997




Notary Public for Idaho
Residing at: Rupert, Idaho
My Commission Expires: 02/03/99

INSTRUCTION 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 all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I hereby certify that on October 15, 1997, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

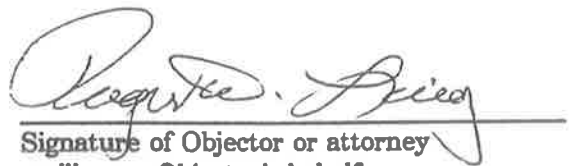
Name: Roost Potato Co.
Address: 952 South 1400 East
Eden, ID 83325

3. Copies to:

IDWR Document Depository
P. O. Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector's behalf

36-02324 & 36-15152

The transfer data base shows only two transfers on these rights.

#3048 was approved in 1984 and changed the original Place of Use of 60 acres from irrigated land to a feed lot and stockyard.

#3912 added a point of diversion and changed the place of use. It was approved in October of 1992. The original recommendation was made in Jan. 19. When the Director's Report was issued, the approved transfer data had never been made to the AT record.

We wrote them in March of 1993 and told them the only way to correct this was to have them file an objection. They did so in June of 1993. We responded in Aug. of 1993 and said there were errors in the recommendation and we needed to correct them...

JR 11/11/97

S

L No.

Last Name

ST

Status	Date
Completed	2023-10-27
In Progress	2023-10-27
Pending	2023-10-27
On Hold	2023-10-27
Cancelled	2023-10-27

Call-Up
Date

Affected Rights

Proposed Rights

3048

00/00/0000

00/00/0000

36-02324

3912 ROOST POTATO CO INC

00/00/0000

00/00/0000

36-02324

A36-15152

(GOLD 7=This Query)

(Menu _____)

WR5809NP

No. 36-02324

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT PROFILE REPORT

DATE: 11/11/97

PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROOST POTATO CO INC	04/24/1957	IRRIGATION	04/01 10/31	1.200 CFS	256.00 AFA
TOTAL DIVERSION:					1.200 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T08S R20E S36

SENE

SESE

JEROME County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
08S	20E	36	:	40		14		10												:	64.0
																				TOTAL ACRES	64.0

Pou County: JEROME

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

36-07554 36-07829

Other Water Rights Listing Overlapping Place(s) of use:

36-07829 36-08640

Conditions of Approval:

- T07 - The right holder shall accomplish the change authorized by this
 - transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this
 - transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- 046 - Right holder shall comply with the drilling permit
 - requirements of Section 42-235, Idaho Code.
- R31 - This right when combined with all other rights shall provide no
 - more than .02 cfs per acre nor more than 4.0 afa per acre for irrigation of the lands above.

Dates: App. Received: 01/27/1992 Priority Date: 04/24/1957
 Proof Due Date: Proof Made Date:
 Exam Made Date: Exam Sent to S.O.:
 Licensed Date: 04/24/1979

Misc: Water District Number: Field Exam Fee:

WR5809NP
No. 36-02324

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/11/97
PAGE: 2

=====
Comments: Date: 08/12/1992 User-ID: BALDWIN Subject: Trans. #3912
Trans. #3912 was filed to change the point of diversion and
place of use under this right and SRBA Claim A36-15152.

Audit: 12/09/85 05/28/88 CONVERT 08/12/92 BALDWIN 08/24/92 CURTIS
10/08/92 CURTIS

AJ5809NP
No. 36-02324

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/11/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROOST POTATO CO	04/24/1957	IRRIGATION DOMESTIC	04-01 10-31 01-01 12-31	1.20 CFS 0.04 CFS	
TOTAL DIVERSION:					1.20 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T09S R19E S28

NESENW

JEROME County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	19E	28	:			24		40	:											:	64.0
TOTAL ACRES																				64.0	

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: JEROME

Non-Irrigation Uses: DOMESTIC, 1 HOME

Other Rights: SEE REMARKS

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: GEN THIS RIGHT IS LIMITED TO THE IRRIGATION OF 60 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-07000, 36-13931 & 36-15152. USE OF THIS RIGHT WITH RIGHT 36-15152 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.20 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 256 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 192 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-15152 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).

Dates: Exam Made Date: Verified Date: 01/30/1992 Objection Filed Date: 06/04/1993

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

no "R" record
- needs
reformatted

AJ5809NP
No. 36-02324

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/11/97
PAGE: 2

Comments: Date: 12/23/1991 User-ID: CHRISTEN Subject: COPIED FROM REMARKS
TRANS. 3048.

Audit: 12/23/91 CHRISTEN 01/30/92 CHRISTEN 07/10/92 CWU-PROD 07/18/92 POST-STD
08/28/92 PR-PRODM 11/02/92 CPSHAW 12/05/92 ADT-SHAW 06/11/93 CM1-SEIF
09/15/93 UPD-SCHU 03/29/95 POST-STD

AJ5809NP
No. R36-15152

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/11/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROOST POTATO CO	08/30/1984	IRRIGATION	04-01 10-31	0.08 CFS	
TOTAL DIVERSION:					0.08 CFS	

Water Source: GROUNDWATER Tributary to: Stage: BENEFICIAL USE
Point(s) of Diversion: T09S R19E S28 NESENW JEROME County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	19E	28	:			24		40	:											:	64.0
TOTAL ACRES																			:	64.0	

POU County: JEROME

Other Rights: SEE REMARKS

Conditions of Approval:

- C11 - THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
- PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
- AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
- BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
- 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
- RIGHT.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 36-02324 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.20 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 256 AF.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 36-02324 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION
SEASON.

GEN THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-02324
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXP RIGHT NO. 36-02324 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag: E
Presumption Flag:

AJ5809NP
No. R36-15152

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/11/97
PAGE: 2

=====

Comments: Date: 07/16/1992 User-ID: ROBERTSO Subject: NAME STANDARD

Date: 09/08/1997 User-ID: ENORQUES Subject: REFORMAT
REFORMATTED TO CURRENT STANDARDS.

Audit: 08/27/97 DSHAFF 08/29/97 C11-PROD 09/08/97 ENORQUES 09/17/97 DSHAFF

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Roost Potato Co., Inc. Phone 825-5007
Post Office address 952 S. 1400 E., Eden, ID 83325

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Canal water is available to irrigate the original land, but none is available for Sec. 36. Additional water is needed for use in Sec. 36.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-------------------|-------------------|-----------------------|-------------------|--|
| <u>36-02324</u> | <u>4-24-57</u> | <u>1.2</u> | <u>Irrig.</u> | <u>3-15</u> to <u>11-15</u> |
| <u>A36-15152</u> | <u>5-1-57</u> | <u>0.08</u> | <u>"</u> | <u>"</u> to <u>"</u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
| <u> </u> | <u> </u> | <u> </u> | <u> </u> | <u> </u> to <u> </u> |
2. Total amount of water being transferred 1.2 cubic feet per second and/or 256 acre-feet per annum
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 64

PART 1

6. General Information:

a. Description of diversion system Existing well & pump, new well to be drilled, Connecting mainline, handline sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Land will continue to be irrigated, but source will Northside Canal Co. shares.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-02324

And said application is hereby APPROVED, subject to the following limitations and conditions:

SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

9th day of

October

, 19 92

[Signature]
CHIEF, WATER ALLOC. BUREAU

"DO NOT FILM"

CONDITIONS OF APPROVAL
Transfer of Water Right No. 36-02324

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands described above.

Dated this 9th day of October, 1992.


Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A36-15152 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5-1-1957

5. Water is used for the following purpose:

amount 0.36 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
95	19E	28			18														18

"DO NOT FILM" 18

9. Describe any other water rights used for the same purpose as described above _____

None. Same ~~and~~ system also serves Lic. 36-2324

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

Yes

If yes, describe 14 ac. originally farmed has been a feedlot for 10 years or more

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

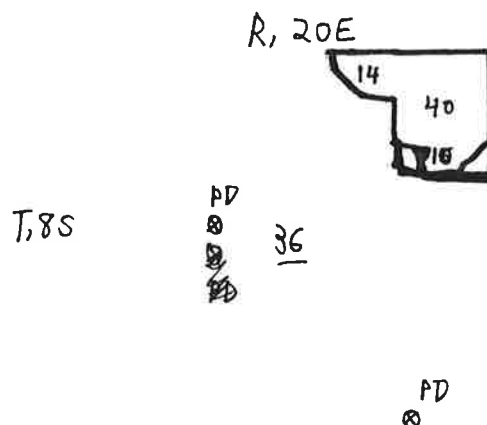
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



"DO NOT FILM"

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Calvin Jones President
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of January, 19 92

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/92

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and _____ attachments

Received by J.F. Stanton Date 1-27-92

Protest filed by _____

Prelim. check by A.S. Fee \$50.00 5014097

Receipted by JS Date 1-27-92

Published in North Side News

Copies of protest forwarded by _____

Pub. dates 9/2 & 9/9/92

Hearing held by _____ Date _____

Watermaster recommendation requested on N/A

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by JS

Copy of transfer sent to lien holder _____

"DO NOT FILM"

Transfer No. 3048Water Right No. 36-2324

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant JONES LAND & FEED YARDS, INC. Phone (208) 825-5322
Post Office address P. O. Box 465, Eden, Idaho 83325

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____ (Name of court)
- b. License No. G-26874
36-2324 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Acquired by assignment from Henry C. Jones. Assignment is already on file with Idaho Department of Water Resources.

3. Source of water Deep well tributary to subterranean flow

4. Date of priority April 24, 1957

5. Water is used for the following purposes:
domestic and
amount 1.20 c.f.s. for irrigation purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.20 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28
Township 9 S. Range 19 E., B.M., in Jerome County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>9 S.</u>	<u>19 E.</u>	<u>28</u>							<u>35</u>	<u>25</u>									<u>60</u>

Total number of acres to be irrigated 60

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years _____

36-2324 T# 3048

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 1.20 c.f.s. &/or _____ acre feet
b. Description of diverting works 1,300 feet of 4" plastic mainline and
2,640 feet of 8" steel mainline
c. Describe the reasons for the proposed changes Entire original place of use
is now a feed lot and stackyard, none of which is irrigated.

2. Change in point of diversion

Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Original land irrigated will be used as a feed lot and
stackyard.

"DO NOT FILM"

Describe the lands or place of use to which the

will be transferred:

[illegible]

Total number of acres to be irrigated 60

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

Section 28, Tp. 9S., R. 19E.

SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$

old land New land

Feed lot and
stack yard

2640 feet of 8" steel mainline

1300 feet of 4" plastic mainline

"DO NOT FILM"

SCALE: 2 inches equal 1 mile. Draw plan in ink.

J. REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

JONES LAND & FEED YARDS, INC.:

by Calvin Jones - Vice-Pres.
(Signature of Applicant)

Subscribed and sworn to before me this 1st day of June, 19 84.

H. Blandford
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2324
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 30th day of August, 19 84.

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>gf</u>	Date <u>6/21/84</u>	Protest filed by <u>None</u>
Prelim. check by <u>gf</u>	Fee <u>50.00</u>	
Received by <u>mayor</u>	Date <u>6/21/84 # 33117</u>	
Published in <u>Northside News</u>		Copies of protest forwarded by _____
Pub. dates <u>7/18 + 7/25/84</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>N/A</u>		Recommended for <u>approval</u> denial
_____ rec'd.		by <u>ADM Jim DPT</u>

"DO NOT FILM"

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 36-15152 ✓

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

October 23, 1997 7:13am

NAME:

CALVIN JONES-ROOST POTATO CO-EDEN

RE:

36-15152-ENLARGEMENT CLAIM
LATE OBJECTION-DUE 10-17-
1997.

WALK-IN; HAS REVIEWED THE DEPT'S LETTER WITH HIS ATTORNEY ROGER LING. I REVIEWED THE LETTER AND HIS COPY OF A TRANSFER INVOLVING THE CITED WATER RIGHT AND 36-02324 THAT WAS APPROVED 10-09-1992.

WE REVIEWED THE ELEMENTS OF THE RIGHT AS SHOWN IN THE ENCLOSURE HE GOT WITH HIS HEARING LETTER DATED 09-18-1997. HE SAID THAT HE THOUGHT THE POD/POU SHOULD MATCH THE INFORMATION IN THE TRANSFER. WHEN I ASKED ABOUT THE RECOMMENDED PRIORITY DATE HE SAID THAT HIS ATTORNEY DIDN'T UNDERSTAND THAT DATE EITHER.

I REVIEWED THE DEADLINE AS STATED IN THE DEPT'S COVER LETTER AND ASKED IF HE MINDED IF I CALLED THE COURT TO GET SOME DIRECTION ON THE FILING OF A LATE OBJECTION SINCE HE HAD MISSED THE DEADLINE. HE SAID NO.

I ENDED UP TALKING DIRECTLY WITH SPECIAL MASTER DOLAN WHO SUGGESTED THAT THE CLAIMANT KEEP HIS HEARING DATE AND EXPLAIN TO THE COURT AT THAT TIME ABOUT HIS MISSING THE DEADLINE.

I REVIEWED THE OTHER END OF THE CONVERSATION WITH MR JONES. HE GAVE ME COPIES OF THE THE PAPERWORK RECD FORM THE DEPT AND THE APPROVED TRANSFER FROM 1992. I TOLD HIM THAT THEY WOULD BE MADE PART OF HIS CLAIM FILE HERE AND WENT OVER THE HEARING DATE AND TIME WITH HIM AGAIN.

THE TRANSFER AND CLAIM 36-15152 ARE HIGHLIGHTED TO SHOW THE ELEMENTS OF THE USAGE THAT HE FEELS SHOULD BE CHANGED. THAT IS, THE TRANSFER ELEMENTS SHOULD BE THE ELEMENTS FOR 36-15152. I DID

NOT SPECULATE ON THE PRIORITY DATE AS RECOMMENDED.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

September 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

36-15152
ROOST POTATO CO
952 S 1400 E
EDEN ID 83325

RE: 42-1426 (Enlargement) Claims in Basin 36
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right claim in basin 36 (the lower northside Snake River Plain Aquifer area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) those of others recommended in your area. The water rights recommended in the report were identified in the SRBA Court's Order for enlargement claims dated July 11, 1997. Other water right claims based on enlargement under Section 42-1426, *Idaho Code*, for irrigation and other purposes in basin 36 will be recommended in a later process.

Note you have until October 17, 1997, in which to review your water right(s) and the water rights of other claimants and to file any objection(s) to our recommendations. Information on the other water rights can be found at the county courthouses in Arco, Gooding, Hailey, Jerome, Rupert, or Shoshone and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

Completion of the SPBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

RECEIVED

OCT 21 1997

Department of Water Resources
Southern Region

COPY

1997 SEP 25 AM 10:03
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA	)	NOTICE SETTING SUBCASE(S)
	)	FOR INITIAL HEARING
Case No. 39576	)	
_____	)	SUBCASE NOS: 36-02324 36-15152

The Initial Hearing for this subcase will be held as follows:

WEDNESDAY, NOVEMBER 12, 1997 at 03:15 PM
IDWR CONFERENCE ROOM
1341 FILLMORE ST, STE 200
TWIN FALLS, ID

All parties are required to attend and must have full
settlement authority.

At the Initial Hearing you will have an opportunity
to meet with a representative of the Idaho Department of
Water Resources (IDWR) in an attempt to reconcile any
difference between the claim and the Director's Report.
Bring any and all information you believe is relevant to your
claim and/or objection. If the claim cannot be reconciled at
the Initial Hearing, the court will set the subcase(s) for
trial within 45 days of the Initial Hearing. IF YOU INTEND
TO AMEND YOUR CLAIM, YOU MUST DO SO AT OR BEFORE THE INITIAL
HEARING.

Dated: SEPTEMBER 25, 1997

/S/ DEBBIE LASH
Deputy Clerk
Snake River Basin Adjudication

ROOST POTATO CO. INC.
CALVIN JONES, PRESIDENT
952 SOUTH 1400 EAST
EDEN, ID 83325

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the NOTICE SETTING SUBCASE(S) FOR INITIAL HEARING was mailed on SEPTEMBER 25, 1997, with sufficient first-class postage to the following:

STATE OF IDAHO

Represented by:

CLIVE STRONG

OFFICE OF ATTORNEY GENERAL

STATE OF IDAHO

PO BOX 44449

BOISE, ID 83711-4449

Phone: 208-334-2400

ROOST POTATO CO. INC.

CALVIN JONES, PRESIDENT

952 SOUTH 1400 EAST

EDEN, ID 83325

Phone: 208-420-2921

DIRECTOR OF IDWR

PO BOX 83720

BOISE, ID 83720-0098

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: September 18, 1997

PAGE: 1

NUMBER: 36-15152

NAME AND ADDRESS: ROOST POTATO CO
952 S 1400 E
EDEN ID 83325

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-02324 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.20 CFS AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 256 AF.

PRIORITY-DATE: 08/30/1984

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION
42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR
RIGHT.

POINT OF DIVERSION T09S R19E S28 NESENW Within JEROME County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.08 CFS

PLACE OF USE: IRRIGATION Within JEROME County
T09S R19E S28 SWNE 24 SENE 40
64 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-02324 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION
SEASON.

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-02324
PURSUANT TO SECTION 42-1426, IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RIGHT NO. 36-02324 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.

NOTICE OF AMENDED DIRECTOR'S REPORT IN REPORTING AREA 3 (BASIN 36) FOR ENLARGEMENT WATER RIGHTS

INTRODUCTION

This is the Idaho Department of Water Resources' (IDWR) Amended Director's Report for your water right claimed in the Snake River Basin Adjudication (SRBA) that was ordered by the SRBA District Court on July 11, 1997. IDWR is providing individual reports like this one to all claimants of enlargement water rights in your area that were originally recommended under Idaho Code § 42-1416(2) and listed in the Court's July 11th order. A complete copy of the Amended Director's Report listing these water rights is available at the SRBA courthouse in Twin Falls, any IDWR office, and the locations described on page 3. Copies of the report can be made, but you may be charged for copying and mailing.

The following instructions and definitions are designed to help you understand this report.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The description of your right which is enclosed is only the Director's recommendation to the SRBA Court on your water right. The Court will decide how it will decree your water right. You are free to agree or disagree with the Director's recommendation. If you agree with the Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Amended Director's Report contains recommendations to the SRBA Court on your water right and all other water rights in your area originally recommended under Idaho Code § 42-1416(2) and listed in the Court's order. The Court will decide how it will decree all water rights. If you want to review someone else's water right you need to look at the complete Amended Director's Report, which is available at the SRBA courthouse in Twin Falls, any IDWR office and the locations described on page 3. Copies of the report can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR TAKING A WATER RIGHT CLAIM TO COURT

What do I do if I disagree with a recommendation?

If you disagree with any element of the recommendation for your water right or anyone else's water right and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form available from any IDWR office or from the SRBA Court.

Your objection must be received by the SRBA Court on or before **October 17, 1997**.

What do I do if someone else objects to my water right recommendation?

If someone files an objection to your water right, or anyone else's water right, you may file a response to that objection. Responses to objections must be made on the standard response form available from any IDWR office or from the SRBA Court.

Your response must be received by the SRBA Court on or before October 31, 1997.

What do I do if I want to participate in the court case on someone else's water right?

If you want to be involved in the court case on any water right in the Director's Report, you must file either an objection or a response by the dates listed above.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. You are also welcome to call IDWR at any of its offices or the SRBA Court. You may also want to consider contacting an attorney to assist you. The following list will help you in this effort:

**Lake River Basin Adjudication
District Court**
253 Third Avenue North.
P.O Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

**Idaho Department of Water Resources
Western Region**
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

**Idaho Department of Water Resources
Southern Region**
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

Blaine County Courthouse
1st & Croy St..
Hailey, ID 83333

Jerome County Courthouse
300 N. Lincoln Rm. 301
Jerome, ID 83338

Lincoln County Courthouse
111 W. B St.
Shoshone, ID 83352

Gooding County Courthouse
624 Main St.
Gooding, ID 8330

Idaho Department of Water Resources
1301 North Orchard
Box 83720
Boise, Idaho 83720-0098
(208) 327-7906
(800) 451-4129

**Idaho Department of Water Resources
Northern Region**
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 765-1450

**Idaho Department of Water Resources
Eastern Region**
900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

Butte County Courthouse
248 W. Grand Ave.
Arco, ID 83213

Minidoka County Courthouse
715 G St
Rupert, ID 83350

A&B Irrigation District
11th & E Streets
Rupert, ID

Northside Canal Co.
921 N. Lincoln
Jerome, ID

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 34 or 36.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in their records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "groundwater," "unnamed spring," "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your right in relation to other rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

PURPOSE OF USE: This report only deals with claims for irrigation.

PERIOD OF USE: The period of time during the year when you can use the water for your right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys and other survey information.

BASIS OF CLAIM: The method that was used to establish your claim. All of the claims in this Report are enlargements under Idaho Code § 42-1426.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 9, 1993

ROOST POTATO CO INC
952 S 1400 E
EDEN ID 83325

RE: Approved Transfer No. 3912/Water Right Nos. 36-02324 and
A36-15152

Dear Water Right Holder(s):

- ✓ On October 9, 1992, the Department approved an application for transfer of the above referenced water right. A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 14 days of the date of this letter. If you wish to return the form by FAX, the number is (208) 327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED

OCT 21 1997

Department of Water Resources
Southern Region

Mailed
11-15-93

Marked
(Complete)

COPY

11-15-93
10-7-92

APPROVED

Transfer No. 3912STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Roost Potato Co., Inc. Phone 825-5007
 Post Office address 952 S. 1400 E., Eden, ID 83325.

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Canal water is available to irrigate the original land, but none is available for Sec. 36. Additional water is needed for use in Sec. 36.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-02324</u>	<u>4-24-57</u>	<u>1.2</u>	<u>Irrig.</u>	<u>3-15</u> to <u>11-15</u>
<u>A36-15152</u>	<u>S-1-57</u>	<u>0.08</u>	<u>"</u>	<u>"</u> to <u>"</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.2 cubic feet per second and/or 256 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>SW</u>	<u>SE</u>	<u>NW</u>	<u>36</u>	<u>8S</u>	<u>20E</u>	<u>Jerome</u>	<u>Existing well</u>
	<u>SW</u>	<u>SE</u>	<u>SE</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>"</u>	<u>New well to be drilled</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>8S</u>	<u>20E</u>	<u>36</u>	<u>40</u>	<u>14</u>		<u>10</u>													<u>460</u>

OCT 23 1992

PART 1**6. General Information:**

- a. Description of diversion system Existing well & pump, new well to be drilled, Connecting mainline, handline sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated, but source will Northside Canal Co. shares.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-02324
and said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

9th

day of

October, 19 92

J. Glen Saylor
CHIEF, WATER ALLOC. BUREAU

RECEIVED
OCT 28 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-02324 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3048 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 4-24-1957

5. Water is used for the following purpose:

amount 1.2 cfs for Irrig. purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for Domestic purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
95	19E	28			20	40													60

Total acres 60

9. Describe any other water rights used for the same purpose as described above

None. System also serves Claim A36-15152

PART 2

Transfer No. 3912

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

00

1992

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A36-15152 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5-1-1957

5. Water is used for the following purpose:

amount 0.36 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
95	19E	28			18										18				18

Total acres 18

9. Describe any other water rights used for the same purpose as described above _____

None. Same water system also serves Lic. 36-2324

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe 14 ac. originally farmed has been a feedlot for 10 years or more

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

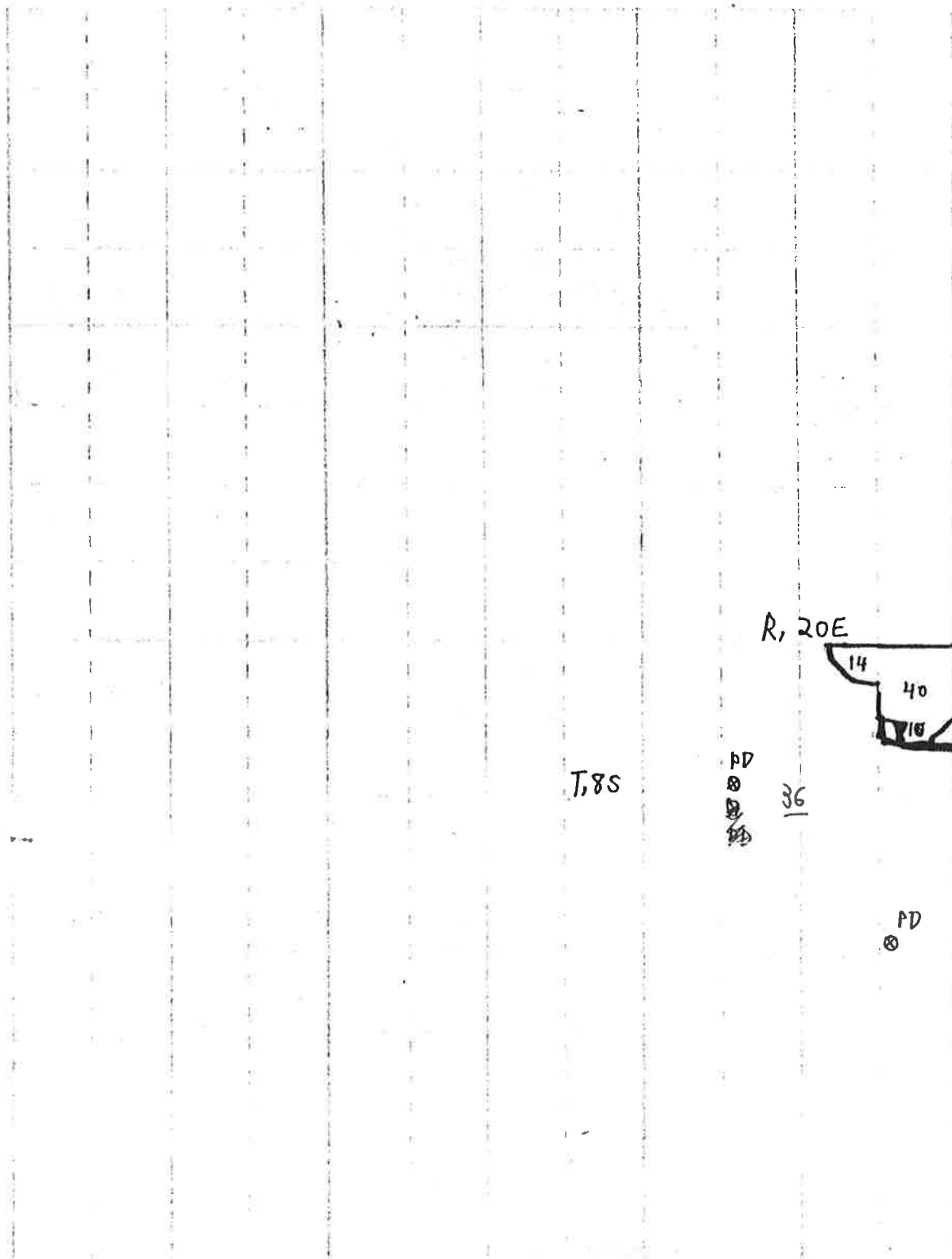
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

OCT 23 1992

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



OCT 23 1982

PART 3

CHANGES IN NATURE OF USE

New Nature of Use

Amount
(cfs/ac-ft)

Hours/days/year

Period of Use

to

to

Quantity and quality of return flows and location of discharge:

Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Calvin Jones President
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of January, 19 92.

Mary A. Baldwin
(Notary Public)

Commission expires 10/16/92

FOR DEPARTMENT USE ONLY

contains 8 pages and attachments

by J.F. Stanton Date 1-27-92

Protest filed by

checked by R.S. Fee \$50.00 5014077

by JA Date 1-27-92

in North Side Plains

Copies of protest forwarded by

s 9/2 + 9/6/92

Hearing held by Date

After recommendation requested on N/A

Recommended for ☒ approval ☐ denial

 rec'd.

by JA

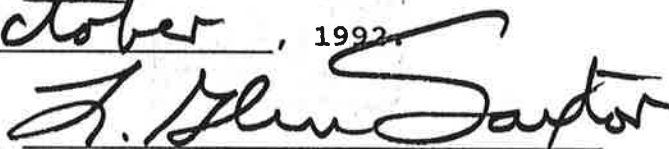
Transfer sent to lien holder

OCT 23 1992

CONDITIONS OF APPROVAL
Transfer of Water Right No. 36-02324

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands described above.

Dated this 9th day of October, 1992.


Chief, Water Alloc. Bureau

OCT 23 1992

DIRECTOR'S REPORT CONVERSATION MEMO

1. PERSON(S) MAKING THE ENQUIRY:

Include address and phone no.

in case follow-up is needed.

2. SUBJECT OF INQUIRY:

Approved Transfers 3911 & 3912
in name of Roost Potato Co., Inc. have not
been reflected in Directors Report.

3. RESPONSE TO INQUIRY:

I discussed this issue with
LK-H on 12/9/92 when she was in office.
She took down the ~~the~~ numbers to have Nick
take note for possible motion to change record.

4. IDWR STAFF AND DATE:

Print name and initial

WATER RIGHT CLAIM (Nos.):

36-02324, 36-15152, 36-07554

APM 12/10/92

MICROFILMED
JUL 20 1994

17 100
MICROFILMED

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. 36-15152 -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
OCT 20 1994

2. Person who filed objection:

Name: ROOST POTATO CO INC
Address: C/O CALVIN JONES PRESIDENT
952 S 1400 E
EDEN ID 83325

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

14. ☒ Other: I respond to the objection concerning:
TRANSFER NUMBER 3912 OF WATER RIGHT NOS.
36-02324 & A36-15152 WAS NOT ADDED TO THE
RECOMMENDATION.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection 14, and all allegations of the objection regarding this item, IDWR admits there are errors in the description of the point of diversion, place of use and remarks 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."

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. A36-15152	3
Recommended Water Rights Acquired Under State Law	1

(Over)

MICROFILMED
OCT 20 1994

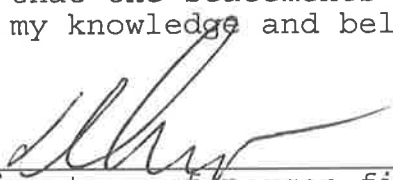
VERIFICATION (Must be Completed)

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.



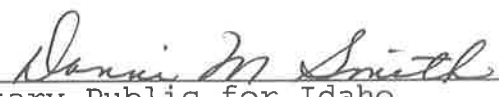
Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 30th 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 30th 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: ROOST POTATO CO INC
Address: C/O CALVIN JONES PRESIDENT
952 S 1400 E
EDEN ID 83325

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

MICROFILMED
JUL 20 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 RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-15152
Date Received: 10/31/1990
Receipt No: S012791
Received By: Adm

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROOST POTATO COMPANY 208-825-5007
Address: 952 S. 1400 E.
EDEN, ID 83325

2. Date of Priority: MAY 01, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	19E	28	NE	SE	NW		JEROME

5. Description of diverting works:
WELL WITH 200 H.P. PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.360		

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

8. Total consumptive use is 54.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	19E	28	SW	NE		IRR	18.0

Section Acres 18.0

Total Acres 18.0

A36-15152

Page 1

Date: 10/31/90

MICROFILMED
OCT 20 1994

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FEB 09 1993

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: A36-02324 OUT OF SAME SYSTEM.

14. Remarks:

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 _____ 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

Roost Potato Co., that I have signed the foregoing
Organization
document in the space below as President of _____
Title

Roost Potato Co. and that the statements contained in the
Organization
foregoing document are true and correct.

Calvin Jones
Signature of Authorized Agent

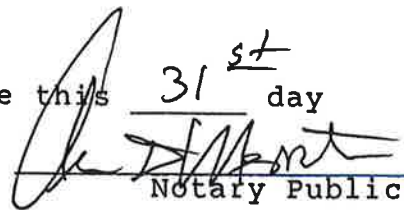
President of Roost Potato Co.
Title and Organization

10-31-90
Date

State of Idaho

County of Thielfall) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of Oct. 19 90


Notary Public

Seal

Residing at Kimberly, ID.

My Commission Expires 6/30/94

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JUL 20 1994

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FEB 09 1995

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-28-1993
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
36-15152	ROOST POTATO CO 952 S 1400 E EDEN ID 83325	08/30/1984	IRRIGATION	04-01 10-31	.08 CFS	BENEFICIAL USE
					TOTAL QUANTITY:	.08 CFS
POINT OF DIVERSION:						
~~T09S R19E S28~~		~~NESENW~~				
~~T08S R20E S36~~		~~SWSENW~~				
		~~SWSESE~~				
PLACE OF USE: IRRIGATION						
~~T09S R19E S28~~		~~SWNE 24.0~~		~~SENE 40.0~~		
~~T08S R20E S36~~		~~NENE 40~~		~~NWNE 14~~		
				~~SENE 10~~		
64.0 ACRES TOTAL						
REMARKS: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 36-02324 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.20 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 256 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 192 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02324 PURSUANT TO IDAHO CODE 42-1416(2). THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINT OR POINTS OF DIVERSION DESCRIBED ABOVE: 36-02324, ~~36-07000~~ , ~~36-07554~~ , ~~36-07829~~ AND ~~36-13931~~ ~~36-15152~~ .						

Roost Potato Company, Inc.

952S 1400E
Eden, Idaho 83835
(208) 825-5322

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

RECEIVED

JUN 07 1993

Department of Water Resources
Adjudication Bureau

6-1-93

As per Conversation on 5-27-93 please find inclosed objections and once again please forgive me for fileing late.

Objections inclosed

Transfer No. 3911 of Water Right No. 36-07554

Transfer No. 3912 of water Right Nos. 36-02324 & A36-15152

MICROFILMED
OCT 20 1994

RECEIVED

JUN 07 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources
Adjudication Bureau

Transfer No. 3912 of Water Right No.

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

Case No. 36-02324 & A36-15152

(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,

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.

OBJECTION

Transfer No 3912 was approved
ON October 9, 1992. However the
Transfer was NOT updated
IN The Recommendation

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.

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.

MICROFILMED
JUN 20 1994

I. GENERAL INFORMATION

Please fill in the following information:

1. **Person objecting:** Roost Potato Co Inc.
 Name: By Calvin Jones President
 Address: 952 S 1400 E
Eden, Idaho 83325
 Phone: Days: 420 2921 Evenings: 825 5002
 Briefly describe your interest in this water right: Irrigation

2. **Owner of the water right:**
 Name: Roost Potato Co Inc.
 Address: 952 S 1400 E
Eden Idaho 83325

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.

MICROFILMED
OCT 20 1994

13. ☐ **Description of Reservation:** I object to the legal description of the reservation.
14. ☒ **Other:** I object to: Transfer Number 3912 of water Right
Nos. 36-02324 & A36-15152 was not added to the
Recommendation.

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.

Transfer NO. 3912 was approved on October 9, 1992

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.

Add Transfer No. 3912 to water Right Nos. 36-2324 And
A36-15152

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.

Dept. of Water Resources Transfer letter. 14 pages
Dept. of Water Resources SRBA Letter. 2 pages

- ☒ 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.

Dept. of Water Resources transfer letter 14 Pages

Dept. of Water Resources SRBA letter 2 Pages

VERIFICATION (Must be Completed)

State of Idaho

County of Jerome

Roost Potato Co Inc

By Calvin Jones

Calvin Jones

_____, 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.

Calvin Jones

Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 1st day of June,
1998.

Olave Johnson

Notary Public for State of Idaho

Residing at: Harleton

My Commission expires: 6/24/98

MICROFILMED
OCT 20 1994

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 1 day of JUNE, 1993, 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:

ROOST Potato Co INC

Owner's address:

952 S 1400 E

Clew, Idaho 83325

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

ROOST Potato Co INC

By Calvin Jones President

Signature of Objector or attorney
mailing on Objector's behalf



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

March 25, 1993

R. KEITH HIGGINSON
DIRECTOR

Roost Potato Company
952 S. 1400 E.
Eden, ID 83325

RE: Snake River Basin Adjudication (SRBA)
Jerome County
Recommendations 36-02324, 36-07554, 36-15152

Dear Claimant:

We recently found several typographical errors on the recommendations of your Notices of Claim in the Basin 36 Director's Report submitted to the court on November 2, 1992.

The error consists of the following: Transfer Numbers 3912 and 3911 were approved on October 9, 1992. The transfer information was not updated in the Recommendations.

The only method currently known to this department available to correct this error is by your submission of an objection to the SRBA Court. Filing an objection will call the error to the Court's attention. It should also prevent your right from being incorrectly decreed and will give us the opportunity to correct the information. However, you should remember that the Snake River Basin Adjudication is a legal proceeding. There may be other legal procedures available to you to have this error corrected, and only a lawyer is qualified to give you legal advice. If you do have any questions concerning your legal rights and remedies, I encourage you to consult an attorney.

Enclosed is an Objection Form for your consideration and possible use in this matter. Also enclosed is a copy of the SRBA Court's order concerning the filing of objections. Please read the order and the instructions for use of the form carefully.

MICROFILMED
OCT 20 1994

Roost Potato Company
March 25, 1993
Page 2 - Jerome County

Note that May 1, 1993, is the deadline for filing objections in Basin 36. If you have any questions, please feel free to call me.

Sincerely,

Helen Harrington-Thornton

Helen Harrington-Thornton
Senior Water Resource Agent
Adjudication Bureau

HHT:sf:south:state
Enclosures:
 Objection Form
 SRBA Court Order

MICROFILMED
JUN 24 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 14, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

ROOST POTATO CO INC
952 S 1400 E
EDEN ID 83325

RE: Transfer No. 3911 of Water Right Nos. 36-07554
Transfer No. 3912 of Water Right Nos. 36-02324 & A36-15152

Dear Water Right Holder(s):

Enclosed are copies of your approved Applications for Transfer of the above referenced water rights. Be sure to note any conditions of approval as listed on the second page of each transfer.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jim Johnson'.

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

MICROFILMED
OCT 20 1994

Total acres _____

PART 1

6. General Information:

a. Description of diversion system One existing & 1 new well, motors, pumps, connecting mainline, handlines

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-07554

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

9th

day of

October

, 19 92

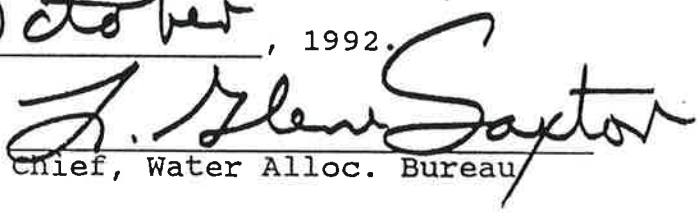
J. Glen Sexton
CHIEF, WATER ALLOC. BUREAU

MICROFILMED
JUL 20 1994

CONDITIONS OF APPROVAL
Transfer of Water Right No. 36-07554

1. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
2. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands described above.

Dated this 9th day of October, 1992.


Chief, Water Alloc. Bureau

MICROFILMED
OCT 20 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-07554 Issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
- ☐ Tax Notice ☐ Warranty Deed ☐ Other _____
3. Source of water Groundwater tributary to _____
4. Date or priority Groundwater 7/5/1975 inf 7/23/92
5. Water is used for the following purpose:
- amount 5.35 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
6. Total amount of water under right 5.35 cubic feet per second and/or 1280 acre-feet per annum.
7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SE	NW	36	8S	20E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	20E	36					40	40	40	40	40	40	40	40					320

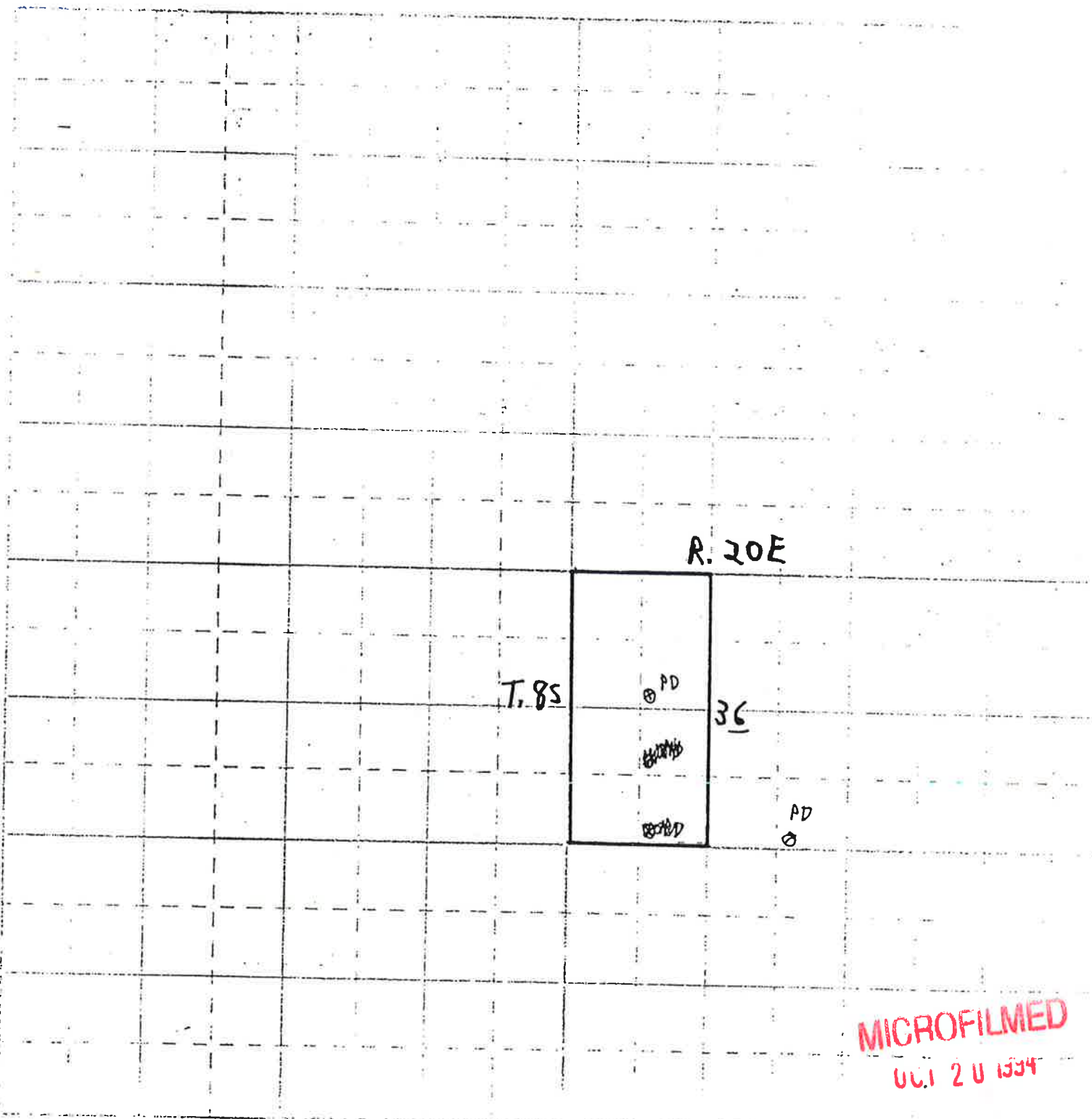
MICROFILMED
OCT 20 1994

Total acres 320

9. Describe any other water rights used for the same purpose as described above _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 27th day of January, 19 92.

Celvin Jones President
(Signature of Applicant)

Mary G. Baldwin
(Notary Public)

My commission expires 10/16/92

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by J.F. Stanton Date 1-27-92 Protest filed by _____

Prelim. check by AS Fee \$50. \$014097

Receipted by AS Date 1-27-92

Published in North Side News Copies of protest forwarded by _____

Pub. dates 8/5 & 8/12/92 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. by LA

Copy of transfer sent to lien holder _____

MICROFILMED
JUL 20 1994

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Roost Potato Co., Inc. Phone 825-5007
Post Office address 952 S. 1400 E., Eden, ID 83325

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Canal water is available to irrigate the original land, but none is available for Sec. 36. Additional water is needed for use in Sec. 36.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 36-02324 Priority 4-24-57 Amount (cfs/ac-ft) 1.2 Nature of Use Irrig. Period of Use 3-15 to 11-15
A36-15152 5-1-57 0.08 " " to "

2. Total amount of water being transferred 1.2 cubic feet per second and/or 256 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	~~SW~~ ^S	~~SE~~ ^S	~~NW~~	36	8S	20E	Jerome	Existing well
	SW	SE	SE	"	"	"	"	New well to be drilled

5. Lands irrigated or place of use:

5. Lands irrigated or place of use:

[illegible]

MICROFILMED
OCT 20 1994

PART 1

6. General Information:

a. Description of diversion system Existing well & pump, new well to be drilled, Connecting mainline, handline sprinklers

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated, but source will Northside Canal Co. shares.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-02324

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this

9th

day of

October

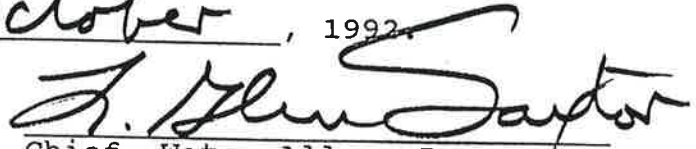
J. Glen Saylor
CHIEF, WATER ALLOC. BUREAU

MICROFILMED
1992
OCT 28 1994

CONDITIONS OF APPROVAL
Transfer of Water Right No. 36-02324

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands described above.

Dated this 9th day of October, 1992.


Chief, Water Alloc. Bureau

MICROFILMED
OCT 20 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A36-15152 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5-1-1957

5. Water is used for the following purpose:

amount 0.36 cfs for Irrigation purposes from 3-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
95	19E	28			18														18

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Total acres 18

9. Describe any other water rights used for the same purpose as described above _____

None. Same ~~water~~ system d/sso serves Lic. 36-2324

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe 14 ac. originally farmed has been a feedlot for 10 years or more

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

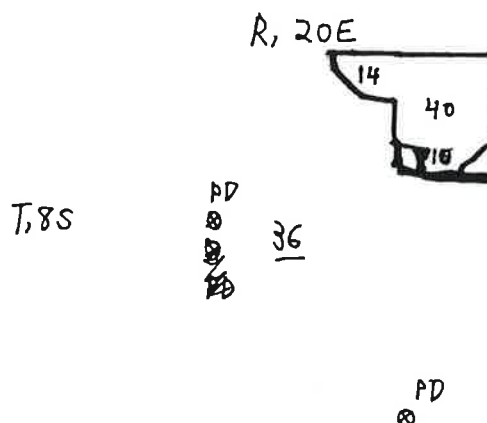
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Calvin Jones President
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of January, 19 92.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/92

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and attachments

Received by J.F. Stanton Date 1-27-92

Prelim. check by A.S. Fee \$50.00 5014097

Received by JA Date 1-27-92

Published in North Side News

Pub. dates 9/2 + 9/9/92

Watermaster recommendation requested on N/A

Protest filed by

Copies of protest forwarded by

Hearing held by Date

Recommended for ☒ approval ☐ denial

by JA

Copy of transfer sent to lien holder

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OCT 20 1994

JUN 08 1993

Department of Water Resources
Adjudication Bureau

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

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

Case No. 39576

ORDER GRANTING MOTION TO FILE LATE OBJECTIONS

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,

Clive J. Strong and A.
Calvin Jones, President

Calvin Jones, President.

State of Idaho.
se

an ex parte motion to file late

objections to Water Right Nos. 36-02324, 36-07554 and 36-15152. The substance of Mr.

Jones' objections is written notification from the Idaho Department of Water Resources

(IDWR) of their discovery of typographical errors on the recommendations of Mr. Jones'

water rights. The errors consist of the following: Transfer Numbers 3912 and 3911 were

approved on October 9, 1992, but the completed transfers were not reflected in the water

ORDER GRANTING MOTION TO FILE LATE OBJECTIONS
6/4/93.dd

Page 1

Mr. Jones' 1 3911 were



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 25, 1993

RECEIVED

MAR 30 1993

Department of Water Resources
Southern Region Office

Roost Potato Company
952 S. 1400 E.
Eden, ID 83325

RE: Snake River Basin Adjudication (SRBA)
Jerome County
Recommendations 36-02324, 36-07554, 36-15152

Dear Claimant:

We recently found several typographical errors on the recommendations of your Notices of Claim in the Basin 36 Director's Report submitted to the court on November 2, 1992.

The error consists of the following: Transfer Numbers 3912 and 3911 were approved on October 9, 1992. The transfer information was not updated in the Recommendations.

The only method currently known to this department available to correct this error is by your submission of an objection to the SRBA Court. Filing an objection will call the error to the Court's attention. It should also prevent your right from being incorrectly decreed and will give us the opportunity to correct the information. However, you should remember that the Snake River Basin Adjudication is a legal proceeding. There may be other legal procedures available to you to have this error corrected, and only a lawyer is qualified to give you legal advice. If you do have any questions concerning your legal rights and remedies, I encourage you to consult an attorney.

Enclosed is an Objection Form for your consideration and possible use in this matter. Also enclosed is a copy of the SRBA Court's order concerning the filing of objections. Please read the order and the instructions for use of the form carefully.

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OCT 20 1994

Roost Potato Company
March 25, 1993
Page 2 - Jerome County

Note that May 1, 1993, is the deadline for filing objections in Basin 36. If you have any questions, please feel free to call me.

Sincerely,

Helen Harrington-Thornton

Helen Harrington-Thornton
Senior Water Resource Agent
Adjudication Bureau

HHT:sf:south:state

Enclosures:

Objection Form

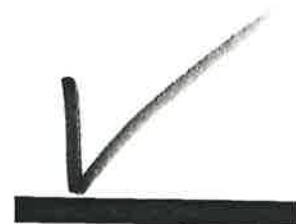
SRBA Court Order

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R PROOF



CVR



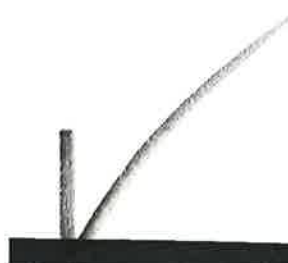
MAPS



PHOTOS



MISC



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FEB 9 1993

Water Right Number - R36-15152 Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
ROOST POTATO COMPANY

1 - 952 S. 1400 E.

2 -

3 -

City- EDEN

Phone - 208-825-5007

State- ID Zip- 83325

+ - - Priority Date - - +
08/30/1984+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - - +

+ - - Source - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

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

09S 19E 28 NE SE NW (53) JEROME

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

01 - IRRIGATION 03/15 11/15 0.080

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.080 0.0+ - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S 19E 28 SW NE 24.0 01 IRRIGATION (53) JEROME

09S 19E 28 SE NE 40.0 01 IRRIGATION (53) JEROME

Total Acres: 64.0

+ - - Diversion Means - WELL WITH 200 H.P. PUMP TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - Remarks - - - - - +

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 4 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHT NO. 36-02324 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 1.20 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 256 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 192 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 64 ACRES IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02324 PURSUANT TO

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FEB 09 1993

Water right number - R36-15152

Prefix Translation: RESEARCH

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

IDAHO CODE 42-1416(2).
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-02324, 36-07000, AND 36-13931.

+ - - - - - 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 - - +

02/07/92 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	- 02/07/1992	Old Judicial District	-
Claim Received Date	- 10/31/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S012791	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- E
				Notice of Error Flag	-

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:41:05
12/23/91

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-15152

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			Y	6,4,1			
POINT OF DIV	Y			N				
SOURCE	Y			N				
PLACE OF USE	Y			Y	6,4,1,5,2			
DIV. AMOUNT CFS/VOLUME	Y			Y	6			
CONSUMPTIVE USE	-			Y	6			
PURPOSES	Y			N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			N				
REMARKS				Y	6			

"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.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:41:05
12/23/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-15152

LAST: ROOST POTATO COMPANY
ADDRESS: 952 S. 1400 E.
CITY: EDEN
PHONE NUMBER: 208-825-5007

FIRST:
STATE: ID ZIP: 83325

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

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:

*office visit with Calvin Jones on 1-27-92
see memo of same date.*

A. AJ CLAIM: # A36-15152 PRIORITY DATE: 05-01-1957 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

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

REMARKS:

*Priority of expansion to be advanced to 8-30-84
See Attached analysis*

RECOMMENDED PRIORITY DATE:

8-30-84

REVIEWED BY

LKC

DATE

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-15152	09S	19E	28	NE	SE	NW		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02324 NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-02324
36-07000

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?

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

DATABASE
Y
Y

FIELD
EXAMINER

REMARKS:

*P/O agrees with field data for base right
36-2324. accept as claimed.
K.K.C.*

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FEB 09 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 LOT COUNTY

OK as claimed
KRC

SOURCE: TRIB: DATE:

REVIEWED BY:

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FEB 09 1993

A. ROOT WATER RIGHT NUMBERS: A36-15152

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	19E	28	SW	NE		ROOST POTATO COMPANY	A36-15152	18.0			
			SW	NE		ROOST POTATO CO.	A36-02324	20.0	36-02324	20.0	
TOTAL ACRES							A36-15152	18.00	38.00	4	4

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 4 acres of expansion only. see attached analysis.
KKC

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

64 P-P/4 4 acres this claim,
KKC
for EOI
for KPC

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-15152 IRRIGATION	FROM 03-15 TO 11-15	.360 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.360 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	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() Explain in remarks, below.

REMARKS:

OK as claimed

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FEB 09 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.360 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 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
Y

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE: A36-02324 OUT OF SAME SYSTEM.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-15152	GROUNDWATER	ROOST POTATO COMPANY	0.360	0.020		
A36-02324	GROUNDWATER	ROOST POTATO CO.	1.200	0.020		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

*licensed for = 1.2 CFS
System Area = 64 A = 0.01875 * 4 acres = 0.075
this claim ≈ 0.08 CFS*

*Recommended div
rate this claim.*

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FEB 09 1995

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() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 54.0 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.)

*See attached Remarks
Worksheet for conditions and
combined with recommendations
K K C*

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FEB 09 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS		REC. DIV VOL. AF/A		REC. CONS. USE	
		DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
<u>IRR</u>	<u>7-15 11-15</u>		<u>0.08</u>		<u>N/A</u>		<u>N/A</u>
TOTAL FOR THIS RIGHT							

REVIEWED BY:

KRC

DATE:

1-27-93

This right # 36-2324 has been included
in an application for transfer to move this right
to a new P/G and from a new P/D. the transfer
has not been approved at this time.
KRC

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FEB 09 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: 36-15152

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
-	A36-15152	0.360	R36-15152	0.360	-	
TOTAL CFS		0.360		0.360		

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:

Kelly K. Christensen

DATE:

1-30-92

NAME OF FIELD EXAMINER:

TITLE:

MICROFILMED
FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:42:33
12/23/91

PAGE: 12
PROFILE REPORT

CLAIM NUMBER: A36-15152

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROOST POTATO COMPANY 952 S. 1400 E. EDEN ID 83325 (208) 825-5007	05/01/1957	IRRIGATION	03-15 11-15	0.36 CFS	
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.36 CFS	54.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T09S R19E S28

NESENW

JEROME County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09S	19E	28	:																			:	18.0
																						TOTAL ACRES	18.0

Other Rights: NONE: A36-02324 OUT OF SAME SYSTEM.

Dates: Exam Made Date:

Verified Date:

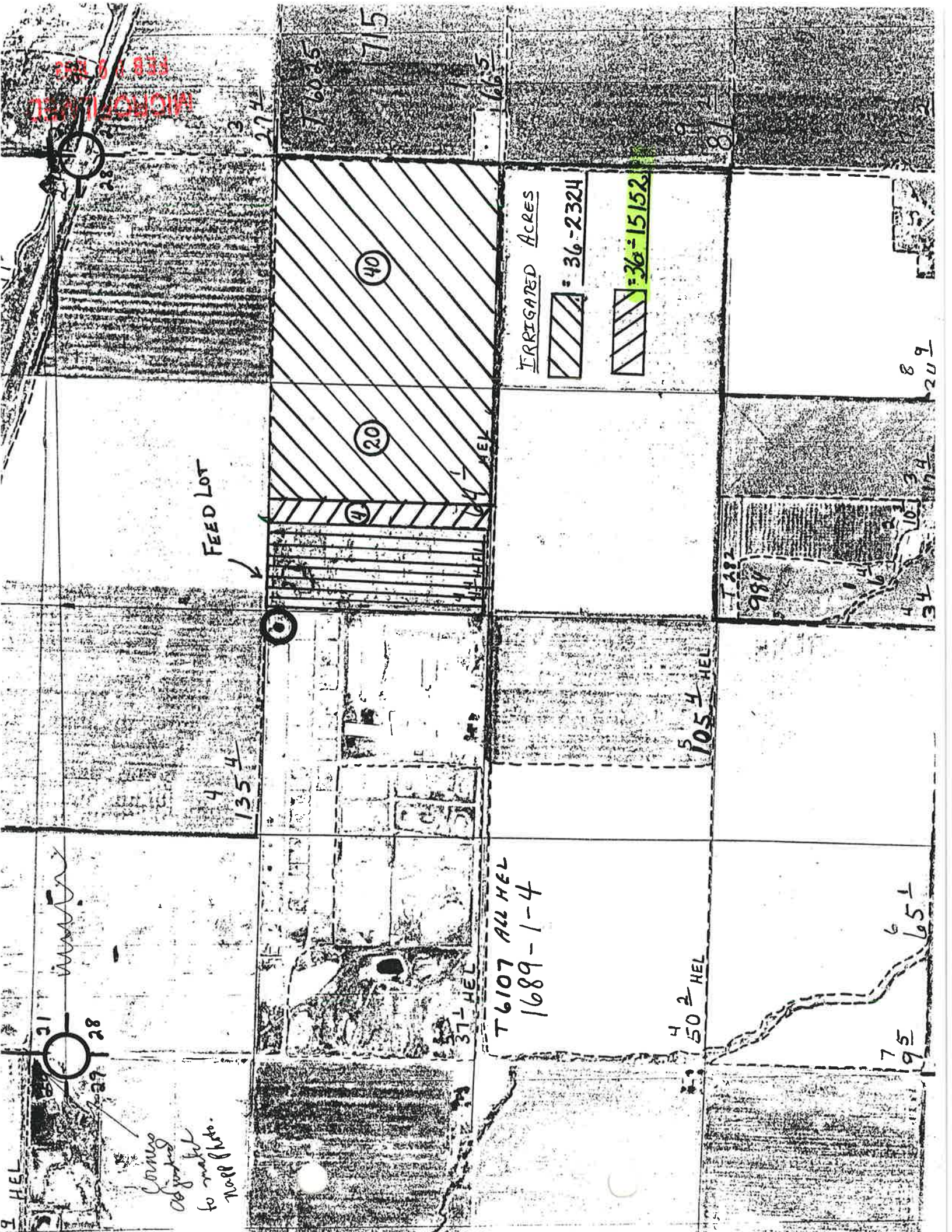
Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

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FEB 09 1992



MICROFILMED
FEB 8 1983

FEED LOT

IRRIGATED ACRES

$36 \div 2324$

$36 \div 15152$

T 6107 ALL HEL
1689-1-4

T 282
984

T 6025
715

135.4

105.4
HEL

50.2
HEL

65.1
95

8
209

Course
adjusted
to north
arrow

12-27-91

Analysis of A36-15152

Claimed priority date - - - MAY 1, 1957

Available evidence as of 12-27-91

1. a) Affidavit from Calvin Jones, dated Oct 31, 1990 states that the expansion acres were from the system licensed under 36-2324. priority date 4-24-1957
b.) the affidavit further states that the irrigation expansion was for dust control in the feed lot. updated 1-27-92
2. a) The original P/U for 36-2324 was within the S $\frac{1}{2}$ NW $\frac{1}{4}$ (60 ACRES) and was verified in the licensing field exam on 6-7-1960
b) The P/U was transferred via transfer # 3048 to the S $\frac{1}{2}$ NE $\frac{1}{4}$. the original P/U (S $\frac{1}{2}$ NW $\frac{1}{4}$) was then a feed lot. with a portion of the feed lot being in the NE $\frac{1}{4}$. transfer approved on 8-30-84
3. a) Application for Permit # 36-7000 was approved on Dec 26, 1967 recognising a priority date of 6-14-67.
The permit was for the expansion of the original feed lot ~~licensed~~ ^{claimed} under A36-13931 with a claimed priority date of 3-1-55 and for irrigation of additional acres within Sec 33.
b) The permit was licensed for stock water only. Apparently no additional irrigation was found. (no field exam data available on microfilm)
c) Additional information within the application for permit for 36-7000 was a sketch of the proposed project. Indicated by Henry Jones was "LANDS OWNED BY APPLICANT." MICROFILMED FEB 09 1993 The S $\frac{1}{2}$ NE $\frac{1}{4}$ was not within the sketched boundary. dated 8-14-67

Analysis of A36-15152 (cont) available evidence

4. The ortho photo indicates that the $S\frac{1}{2}NW\frac{1}{4}$ is a feedlot and that the feedlot extends into the $SW\frac{1}{4}NE\frac{1}{4}$, acres covered by the feedlot appears to be approx 10 acres (maybe more) the ortho photo flight date was 1976.
5. the NAPP photo shows the $S\frac{1}{2}NW\frac{1}{4}$ as a feedlot and no irrigation. It also shows approx 14 acres within the $SW\frac{1}{4}NE\frac{1}{4}$ as feed lots. and the balance as irrigated the NAPP photo flight date was 6-24-87

ANALYSIS & RECOMMENDATIONS:

The claim is for 18 acres of irrigation with a priority date of 1957 (the date of the new well and near the priority date of 36-2324 (see note 1.a.)

At that date there was no expansion in irrigation ~~as~~ in the $NE\frac{1}{4}$ as that quarter was not owned by the claimant (see note 3.c.)

Also the 1960 field exam identified only 60 acres of irrigation (see note 2.a.)

The best evidence of the existence of the feedlot excluding the irrigated acres is the Permit 36-07000 with a priority date of 1967 (see note 3.a. & b.)

The first substantial indication of any irrigation in the $NE\frac{1}{4}$ from the claimed P/D is the 1984 transfer (see note 2.b.)

therefore

I recommend 4 acres under the expansion claim with a 8-30-84 priority date.

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FEB 09 1993

the best evidence indicates no expanded acres in the NW 1/4 and no evidence of irrigation in the NE 1/4 before 1984.

On the 10-31-90 affidavit by Calvin Jones, there is reference to dust control, however, the claim (as of this date) is silent for dust abatement. No dust abatement will be recommended without further information and an amendment to the claim. The change in nature of use from dust abatement to irrigation, on a per acre basis, would be an expansion in vol & possibly rate.

The applicant was notified that an application for a permit is required for the irrigated acres that were created when the feed lot in the NE 1/4 was removed after 1987. (See Letter dated 12-31-1991).

Kelly L. Christensen

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FEB 09 1993

1-27 - 92

Office visit with Calvin Jones

He is transferring the P/O & P/U from 36-02324 & 36-15152 to Sec 36, T 8S, R-20E (pending approval) application made this date.

No dust abatement is claimed under 36-15152. Also the transfer P/U is based upon the adjudication field exam.

Stock water:

All 4 existing wells now ~~supply~~ ^{supply} water for feed lot. Wells claimed under 36-13931 are now the primary source with the well under 36-7000 used to supplement & the irrigation well originally licensed under 36-2324 being used for backup. That well no longer supplies water for irrigation. The system used for dust abatement has been abandoned as of 1990. The system was approx 1 standard rainbird ($\frac{9}{16}$ - $\frac{7}{32}$ ^{tip} range) per pen. for the pens located in Sec 28 & 29. The pens in Sec 27 used 1 big gun (1" tip $\pm$) rotated between pens.

The stock pens and water systems in Sec 27 have been removed as of this date.

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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

31-Dec-1991

ROOST POTATO COMPANY
952 S 1400 E
EDEN ID 83325

RE: EXPANSION CLAIM A36-15152 RECOMMENDATIONS

Dear Mr Jones

Based upon the information supplied I tentatively plan on recommending this claim for four acres of expansion with a 1984 priority date.

This recommendation is based upon the ASCS photos supplied, the NAAP photos, orthophotographic quad maps, your affidavit, and the other existing rights.

The supplied information indicates that the expansion occurred when the Place of Use for 36-02324 was transferred (transfer # 3048) to the S1/2NE1/4 of section 28 and that the expansion did not include acres covered in the SW1/4NE1/4 that was covered by the feedlot. As the aerial photographs indicate that that portion of the feedlot was not in irrigation as of the commencement date of November 19, 1987, those 14 acres are not recommended. To obtain a water right for those acres you are required to file an application for permit.

Although dust abatement is a beneficial use, the volume and rate of application is not compatible with an irrigation use and cannot be recognized as such. If you wish to claim dust abatement as an expanded use of A36-02324 and the 1984 priority date is acceptable, then you need to amend claim A36-15152 and provide the following additional information.

1. A description of the delivery system, including enough data to determine the rate of application.
2. The average frequency of application. e.g. Three hours a day, once a week, through the summer months, or whatever the combination may be.
3. All quarter/quarters in which the dust abatement occurred.

If you wish to claim dust abatement but want an earlier priority date than 1984, then you will have to file a new

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FEB 09 1993

ROOST POTATO COMPANY
PAGE 2
31-Dec-1991

claim which would require a \$50.00 late fee plus other applicable fees.

Items one through three, above, would also be required for the new filing. The earliest priority date that could be recognized is the date of the feedlot expansion claimed by 36-07000.

In summary, to have a water right for the converted feedlot you must file an application for permit. If you wish to claim dust abatement as an expanded use, then either claim A36-15152 must be amended or a new claim filed.

I realize that the information in this letter is brief and that you may not be able to completely understand the reasoning behind the recommendations. If you wish further information please call or come into the office for consultation. An appointment is not necessary, however, I am sometimes out of the office so please call before coming in as I would hate for you to miss me.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

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FEB 09 1993

two P/Os in the
NE SE NW
one North of the other.
North well Ref. as #1
South well " " #2

Well #1 claimed on 36-2324
 claimed on A36-15152
Well #2 claimed on A36-7080

See attached proof of application
of water to beneficial use
RECEIVED Nov 14, 1972
~~from~~ Signed by Henry Jones.

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FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 2-274

This proof is for Completion of Works for Beneficial Use In Water District No.

1. Name of applicant: Jones Land & Feed Yards, Inc.
2. Source of water supply: Subterranean water from deep well
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ of Section 25
T. 9 S. R. 19 E. B.M. County of Jerome
4. Describe works as they exist, giving dimensions and capacities of same: 4" D.P. 2" water
#1053721 Purifier pump #171202 8" discharge into concrete
distribution box 4'x4'x4' 8" x column in carrying 20" hole
11'24" in diameter well depth 300'
5. Water is used for: domestic & irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
S $\frac{1}{2}$ Sec. 28., E $\frac{1}{2}$ Sec. 33 all in Twp. 9 S., R. 19 E. B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr Jones along

Measurement was made with Cippolletti 37 in

This examination was made on the

(Signed)

day of

G. W. H. Berg

Examiner

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1955

FEB 6 9 1955

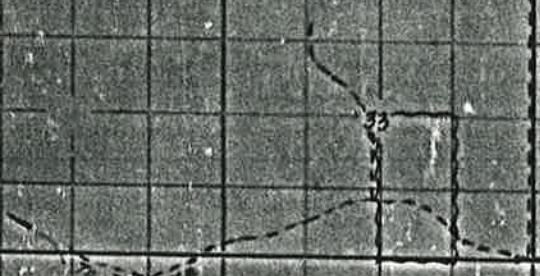
26874

R-19E



60

1
9
5



Subdivisions

2

area

60 acres

ALLGIV

1.20 CFS OR

60 acres

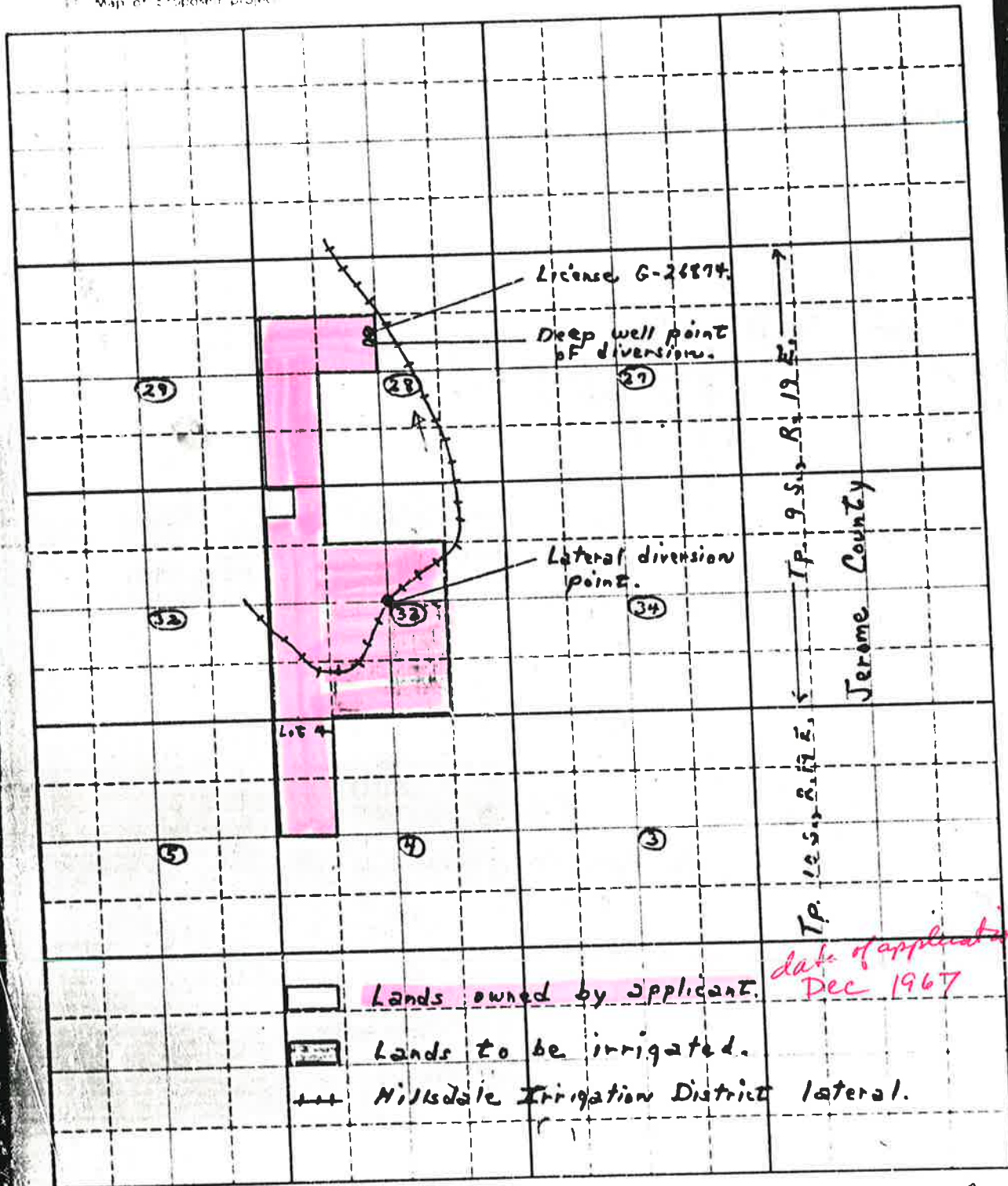
Scale: 2 inches equals 1 mile. Draw Map in ink.

26874

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FEB 09 1993

Map of proposed project



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Jones Land & Feed Yards, Inc.

Henry L. Jones
(Applicant) President.

RECORDED
FEB 09 1967

Received by MMH Date 6-14-67 Time 9:00 AM
Preliminary check by MMH Fee \$ 20.00
Received by MMH Date 6-14-67
Publication prepared by KS Date 6-15-67
Published in First Signpost News
Publication dates June 29, July 6
Publication approved KS Date 6-24-67
Priority received to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by: _____ Date: _____

Recommended for approval denial by MMH

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7000, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 72.
- Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 26th day of December, 19 67.

R. Keith Higgins
State Reclamation Engineer

MICROFILMED
FEB 09 1983

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Identification No. _____
Permit No. 36-7000

NOV 14 1972

Department of Water Administration

1. a) Name of Permit Holder Jones Land & Feed Yards, Inc.
- b) Post Office Address P. O. Box 465, Eden, Idaho 83325
2. Permit Number 36-7000
3. Date of Priority that you are prepared to establish June 14, 1967
4. a) Source from which water was appropriated Deep Well
- b) Location of the point of diversion: SE 1/4 NW 1/4 Section 28
Township 9 S. Range 19 East Boise Meridian, Other points of diversion: None
5. a) The amount of water and use to which the water has been applied:
amount 1 c.f.s for livestock watering purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1 c.f.s cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: by the undersigned (President of Permit Holder), who is a farmer and owner of several deep wells.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 40 H.P. G.E. motor with Peerless pump; 12 inch hole 305 feet deep and 242 feet to standing water; 29 feet of 1/2 inch steel casing, 12 inches in diameter.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger saddle-type 6 inch meter.
c) Give well drillers name and address and date the well was completed Chuck Jones, Mack Gray Well Drilling, Kimberly, Idaho 83341, completed Mar. 30, 1966.

Exam typed 11-22-72 MICROFILMED
FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant JONES LAND & FEED YARDS, INC. Phone (208) 825-5322Post Office address P. O. Box 465, Eden, Idaho 83325

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____

dated in _____ in _____ county of _____
(Name of court)

b. License No. G-26874
36-2324 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant Acquired by assignment from Henry C. Jones. Assignment is already on file with Idaho Department of Water Resources.

3. Source of water Deep well tributary to subterranean flow

4. Date of priority April 24, 1957

5. Water is used for the following purposes:
amount 1.20 c.f.s. for domestic and irrigation purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.20 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 28
Township 9 S. Range 19 E., B.M., in Jerome County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>9 S.</u>	<u>19 E.</u>	<u>28</u>							<u>35</u>	<u>25</u>									<u>60</u>

Total number of acres to be irrigated 60

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D. REMARKS.

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FEB 09 1993

36-2324 T# 3048

DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
- ✓ Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County
- Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 1.20 c.f.s. &/or _____ acre feet
- b. Description of diverting works 1,300 feet of 4" plastic mainline and
2,640 feet of 8" steel mainline
- c. Describe the reasons for the proposed changes Entire original place of use
is now a feed lot and stackyard, none of which is irrigated.

2. Change in point of diversion

Point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____ Township _____
Range _____, B.M., _____ County

Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
Original land irrigated will be used as a feed lot and
stackyard.

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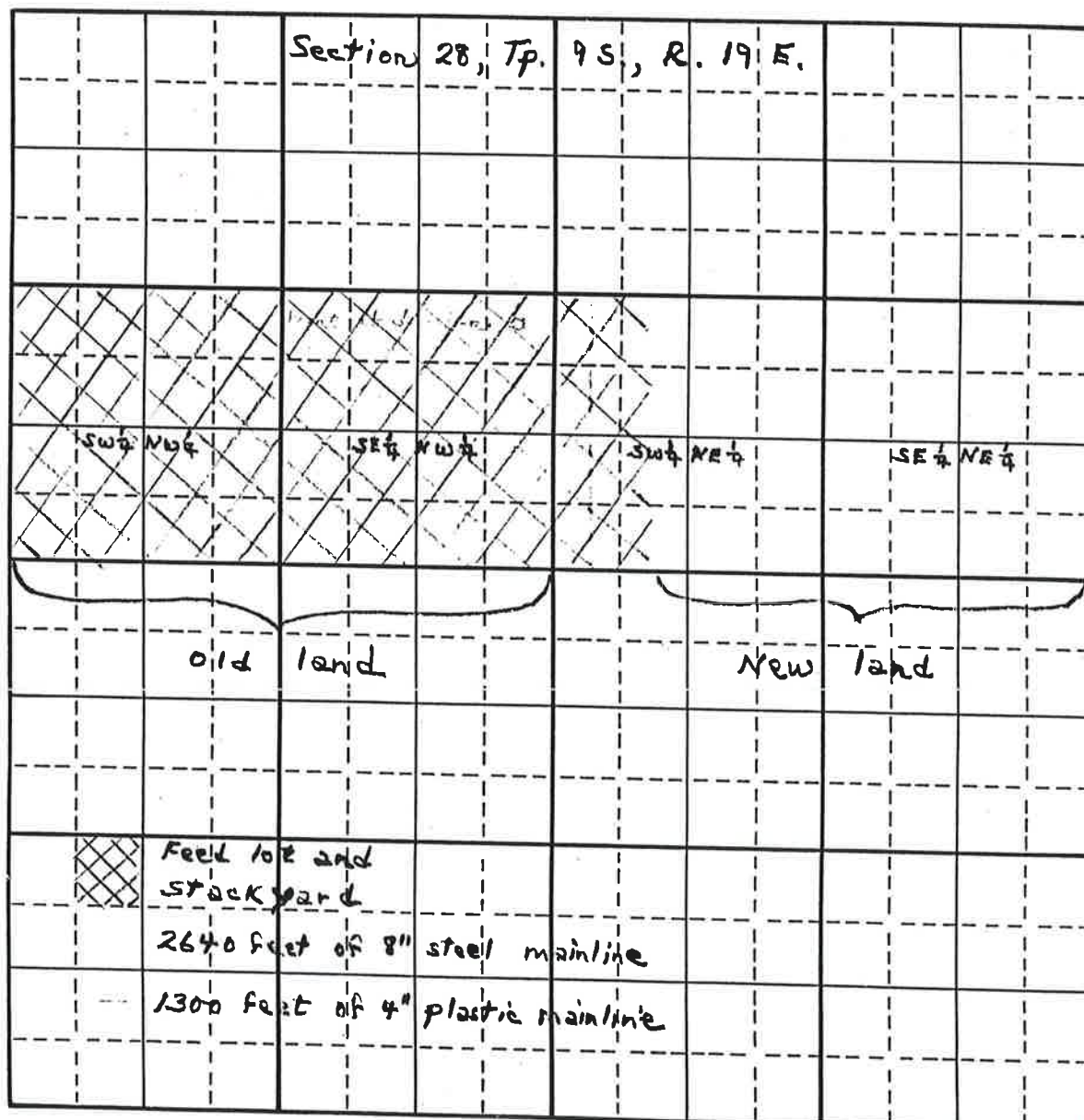
FEB 09 1993

c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼								TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9 S.	19 E.	28			20	40													60

Total number of acres to be irrigated 60

- Describe any other water rights used for the same purpose as described above. None
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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FEB 09 1993

REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willfull misrepresentations made in this application may result in voiding its approval.

JONES LAND & FERR YARDS, INC.:

by Calvin Jones - Vice-Pres.
(Signature of Applicant)

Subscribed and sworn to before me this 1st day of June, 19 84.

H. Blandford
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2324
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 30th day of August, 19 84.

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by gjs Date 6/1/84 Protest filed by None
Prelim. check by gjs Fee 50.00
Receipted by maup Date 6/21/84 # 33117
Published in north side news Copies of protest forwarded by _____
Pub. dates 7/18 + 7/25/84 Hearing held by _____ Date _____
Watermaster recommendation requested on N/A Recommended for approval denial _____
_____ rec'd. _____ by ADM Jim DPT

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FEB 09 1993

Page 1 of 8STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3912APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of applicant Roost Potato Co., Inc. Phone 825-5007
Post Office address 952 S. 1400 E, Eden, ID 83325

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Canal water is available to irrigate the original land, but none is available for Sec. 36. Additional water is needed for use in Sec. 36.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-02324</u>	<u>4-24-57</u>	<u>1.2</u>	<u>Irrig.</u>	<u>3-15</u> to <u>11-15</u>
<u>A36-15152</u>	<u>5-1-57</u>	<u>0.08</u>	<u>"</u>	<u>"</u> to <u>"</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.2 cubic feet per second and/or 256 acre-feet per annum.3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	~~SW~~	~~SE~~	~~NW~~	36	8S	20E	Jerome	Existing well
	SW	SE	SE	"	"	"	"	New well to be drilled

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	20E	36	40	14		10													460

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FEB 09 1993

PART 1

6. General Information:

- a. Description of diversion system Existing well & pump, new well to be drilled, Connecting mainline, handline sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ✓ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated, but source will Northside Canal Co. shares.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

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FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-02324 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3048 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 4-24-1957

5. Water is used for the following purpose:

amount 1.2 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for Domestic purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
95	19E	28			20	40													60

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FEB 09 1993

Total acres 60

9. Describe any other water rights used for the same purpose as described above _____

" c + . l AR 15150

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A36-15152 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 5-1-1957

5. Water is used for the following purpose:

amount 0.36 cfs for Irrigation purposes from 2-15 to 11-15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	SE	NW	28	95	19E	Jerome	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
95	19E	28			18														18

Total acres 18

9. Describe any other water rights used for the same purpose as described above _____

None Same system also serves Lic. 36-2324

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
Yes If yes, describe 14 ac. originally farmed has been a feedlot for 10 years or more

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

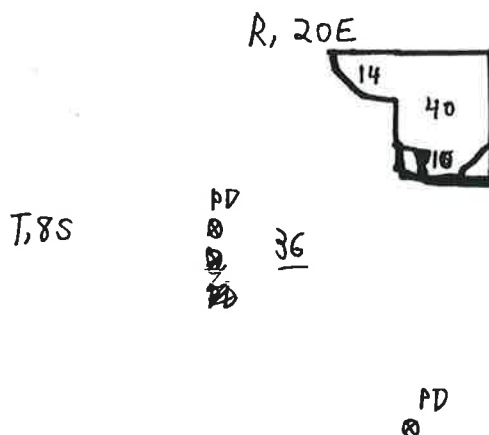
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Calvin Jones President
(Signature of Applicant)

Subscribed and sworn to before me this 27th day of January, 19 92.

Mary A. Baldwin
(Notary Public)

My commission expires 10/16/92

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and _____ attachments

Received by J.F. Stanton Date 1-27-92 Protest filed by _____

Prelim. check by R.S. Fee \$50.00 5014097

Receipted by JS Date 1-27-92

Published in North Star News Copies of protest forwarded by _____

Pub. dates 9/2 + 9/6/92 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by JS

Copy of transfer sent to lien holder _____

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FEB 19 1992