

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 A36-02230EDate Received A36-15212Receipt Number 7-16-1991

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL 16 1991

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) DARYL M. NEIBAUER Phone (208) 532 4431Mailing Address RT 1 Box 1476 Paul, Idaho Zip 833472. Date of Priority (Only one (1) per claim) JUL 15, 1953 MAR 15, 19753. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 07S Range 22E Section 28,
NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Lincoln

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, Pump, Sprinkler - 2 Trinitics,
2 Thunder birds

MICROFILMED

JUL 20 1994

Hand Delivered to
Southern 7/30/91

6. Water is claimed for the follow _____ poses:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 4.1 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	23E	28	30	39	40	39	39	39	39	40									310

Total number of acres irrigated 310

11. In which county (ies) are lands listed above as place of use located? LINCOLN

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: This is an expansion of right 36-02230E

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OCT 20 1994

Last Name NEIBAUER Ident No. A36-02230E

Copies: White - State, Yellow - Claimant

Scale: 2 inches equals 1 mile 75 23 EAST Sec 28

Point of Diversion

[illegible]

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OCT 20 1994

NOTES

Ident No. A 36-C2230E

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) ☐ Commercial Use ☐ Posted Notice ☐ License ☒ Permit ☐

Decree ☐

If applicable provide IDWR Water Right Number

Court Case Number Decree Date

Plaintiff vs Defendant

16. Signature (s)

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

Number of attachments

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Dayle M. Neilson Date 12 July 1991

Date

For Organizations: I do solemnly swear or affirm that I am

Title

of , that I have signed the foregoing

Organization

document in the space below as of

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization Date

State of Idaho/or Idaho)

County of Lincoln) SS.

Subscribed and sworn (or affirmed) before me this 12 day of July 1991

SEAL

Notary Public Renee A. Tottle

Residing at 11-20-93

My Commission Expires Lincoln County

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Address

Date

MICROFILMED

Oct 20 1994

MICROFILMED

FEB 09 1993

Last Name NEILSON Ident. Number A36-02230E

Copies White-State, Yellow-Claimant

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

EXPANSION
CLAIM A36-02230E

Ident. Number: A36-15212

Date Received: 7/16/1991

Receipt No: C021167

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARYL M. NEIBAUR 208-532-4436
Address: RT. 1 BOX 1467
PAUL, ID 83347

2. Date of Priority: MAR 15, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	23E	28	NW	NE	NE		LINCOLN

5. Description of diverting works:
WELL, PUMP, SPRINKLER - 2 TRIMATICS, 2 THUNDERBIRDS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
07S	23E	28	NE	NE		IRR	36.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
			NE	NW		IRR	39.0

A36-15212

Page 1

Date: 07/16/91

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FEB 09 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	28	NW	NW		IRR	38.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0

Section Acres 310.0

Total Acres 310.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
36-02230E

14. Remarks:

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02230E PURSUANT TO
IDAHO CODE 42-1416(2).

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 Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

Paul, Idaho

June 17, 1991

To the Idaho Department of Water Resource
Boise, Idaho

I hereby certify that the property in the N 1/2 Section
28, 7 south, 23 east Boise meridian being farmed and owned by
Daryl M. Neibaur was changed from gravity (furrow)
irrigation to sprinkler irrigation for the crop year
beginning March 15, 1975.

Sincerely



Mack W. Neibaur

Rt. 1 box 1476

Paul, Idaho 83347

Beverly A. Hatley
Lincoln County,

Commission ends 11-20-93

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FEB 09 1993

objection filed
expansion claim

CLAIM NUMBERS 36-15212 36-02230E DATE 6/3/97

TOTAL ACRES

AGENT [Signature]

FROM RECOMMENDATION 310

NO. OF CLAIMS IN POLYGON 2

GEOGRAPHIC INFO SYSTEM 309.34

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
RECOM	075	23E	28	36	39	40	39	39	38	39	40									310
GIS				35.93	38.92	39.88	38.74	38.86	37.99	39.12	39.90									309.3
RECOM																				
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				

UPDATED

UPDATED

B36-DBPOU.DBF 84

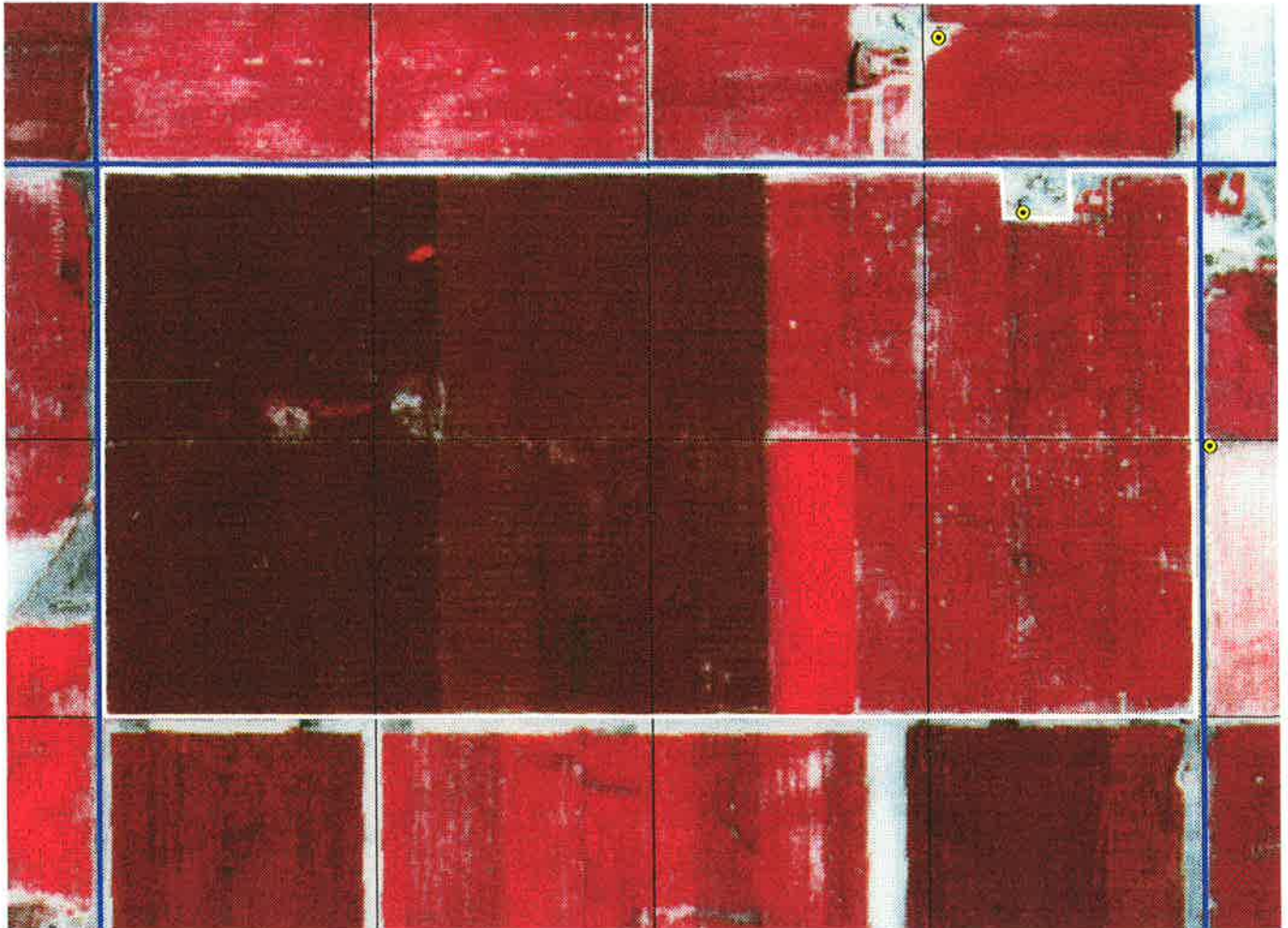
ATTRIBUTES OF B36-POU.SHP (84) 6/3/97

B36-DBPOD.DBF 90

ATTRIBUTES OF B36-POD.SHP (90) NWNENE-28

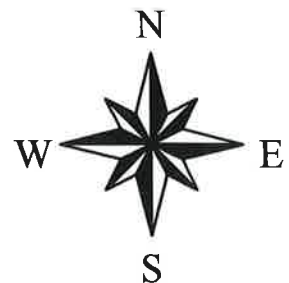
* objection filed - (period of use + cons. use)
* has expansion claim

36-02230 & 36-15212
DARYL NEIBAUR



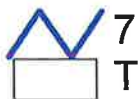
TNS 07S, RNG 23E, SEC 28

0.06 0 0.06 0.12 Miles



- ◉ B36-pod.shp
- Pou-outline.shp

T7sr23e.dxf



T07s23eqq.shp

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

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. 36-15212 -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)

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OCT 20 1994

2. Person who filed objection:

Name: DARYL M NEIBAUR
Address: ROUTE 1 BOX 1476
PAUL ID 83347

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

8. ☒ Period of Year: I respond to the objection concerning the period of year when water is used or is necessary for the purpose stated.
10. ☒ Consumptive Use: I respond to the objection concerning the annual volume of consumptive use.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: This is a beneficial use right recommended pursuant to Idaho Code Sec. 42-1416(2) as an expansion of a licensed right. Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR's irrigation season of use standards have evolved over time as better technical information has become available. A necessary consequence of this is that, depending on when a particular license was issued, water rights in the same area have been licensed inconsistently, some licenses being issued with different lengths of season listed and some being issued with no season of use listed. To remedy this problem IDWR has developed

irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. The director's report does not prohibit pre-season or post-season irrigation; subject to the conditions set forth in general provision 12b of the director's report, water may be used for irrigation outside the standard season of use.

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

CHANGES TO THE DIRECTOR'S REPORT

The director proposes no changes to the description of this claim in the Director's Report.

☒ 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:

MICHAEL MED
62

(Over)

No. of
Pages

4

Notice of Claim No. A36-15212

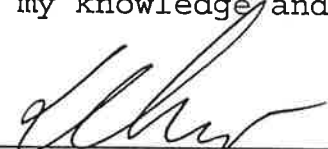
VERIFICATION (Must be Completed)

State of IDAHO

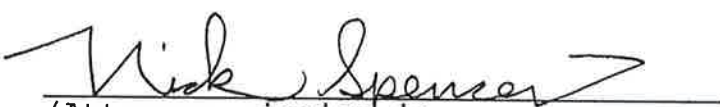
County of ADA

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

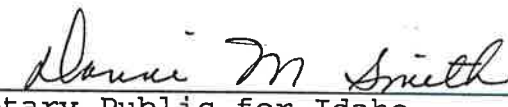
That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director 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 16th 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

(Over)

MICROFILMED
OCT 20 1993

CERTIFICATE OF MAILING

I hereby certify that on the 16TH 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: DARYL M NEIBAUR
Address: ROUTE 1 BOX 1476
PAUL ID 83347

4. One copy to:

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



Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number A36-022305Date Received A36-15212Receipt Number 7-16-1991
0021167

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL 16 1991

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) DARYL M. NEIBAUER Phone (208) 532 4436
Mailing Address RT 1 Box 1476 Paul, Idaho Zip 83347

2. Date of Priority (Only one (1) per claim) ~~JUL 15, 1953~~ MAR 15, 1975

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 07S Range 22E Section 28,
NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Lincoln

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well, Pump, Sprinkler - 2 Trimeters,
2 Thunder birds

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001 20
MICROFILMED

FEB 09 1993

It was Delivered to
Southern 7/30/91

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 4.1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
7S	23E	28	30	39	40	39	39	30	39	40									310

Total number of acres irrigated 310

11. In which county (ies) are lands listed above as place of use located? LINCOLN

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks: This is an expansion of right 36-02230E

MICROFILMED
JUL 20 1991

Last Name NEIBAUER Ident No. A36-02230E

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile 75 22 EAST Sec 28'

Point of
Diversion

[illegible]

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MICROFILMED

Last Name NEIBAUER

Ident No. A 36-02230E

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Daryl M. Heilman Date 12 July 1991

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Lincoln) SS.

Subscribed and sworn (or affirmed) before me this 12 day of July 1991

SEAL

Notary Public Renald J. Little

Residing at 11-20-93

My Commission Expires Lincoln County

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name NEIBAUR Ident. Number A36-02230E

MICROFILMED
OCT 20 1994
MICROFILMED
FEB 09 1993

Copies White-State, Yellow-Claimant

RECEIVED

APR 29 1993

Department of Water Resources
Adjudication Bureau

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

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

Case No. 36-15212

(You must insert the
water right number you
are objecting to)

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

OBJECTION

Petitioner,

36-15212 -0001/
93-04-0479

vs.

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

Respondents.

INSTRUCTIONS

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

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

(Over)

OBJECTION - 1

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

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting:

Name: Daryl M. NEUBAUER

Address: Rt 1 Box 1476

Paul, Ida 83347

Briefly describe your interest in this water right:

Owner of the property and of
the water right.

2. Owner of the water right:

Name: Daryl M. NEUBAUER

Address: Rt 1 Box 1476

Paul, Ida 83347

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.

VERIFICATION OF SERVICE
STATE OF MINNESOTA

VBK 5 2 1987

RECEIVED

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.

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06.

(Over)

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

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.

- #8 I object the changing of dates - Changed to 4-1 Through 10-31 from 3-15 to 11-15 AND I request the original dates.
- #10 Total Consumptive use should be ~~1240~~ 1240 AF instead of 930 As set by the director.

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.

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. _____

VERIFICATION (Must be Completed)

State of IDAHO

County of MINIDOKA

DARYL M. NEIBAUER, 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.

Daryl M. Neibauer
Signature of person filing objection

By: _____
(Attorney signing in
representative capacity)

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

Sharon A. Sattley
Notary Public for
Residing at: Twicken
My Commission expires: 11/20/93

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 23 day of April, 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:

DARYL M. NEIBAUER

Owner's address:

RT 1 Box 1478
PAUL, Idaho 83342

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

Mack W. Neibaur
Signature of Objector or attorney
mailing on Objector's behalf

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILMED

FEB 09 1993

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED ✓

SEP 24 1992

Department of Water Resources

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number: 36-15212
2. Name: DARYL M. NEIBAUER

Address: Rt 1 Box 1476
Paul, IDA 83347

Weekday Telephone Number: (208) 532 4436 or 532 4240

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

RECEIVED

SEP 28 1992

Department of Water Resources

Boise, Idaho 83720

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FEB 09 1993

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

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

The Changing of the Beginning and Ending Dates of the water right

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

I would like to go back to the original 3-15 to 11-15 Dates,

5. Describe why you disagree with the proposed recommendation: There Are occasions when it is critical for the harvesting of the beet crop ~~and~~ that we need the water. Although the ~~occasions~~ are rare we would still ask for the original dates,

6. Date: 9-23-92

SIGNATURE

Daryl M. Heibauer



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

08-Oct-1992

DARYL M NEIBAUR
RT 1 BOX 1476
PAUL ID 83347

RE: Proposed Recommendation for Water Right(s) Nos: 36-02230E &
36-15212

Dear Mr. Neibaur:

This letter is in response to the Notice of Error (NOE) you recently filed with IDWR regarding the Director's proposed recommendation of the claim(s) listed above. Your NOE indicates that you would like the recommendation to show a longer season of use for irrigation. For the reasons states below, the season of use that will be recommended in the Director's Report will remain as proposed.

The proposed recommendation is based on irrigation season of use standards adopted by the director for the various regions throughout the state. These standards are based on the period of the year in which there is less than a 75% chance of a 24 degree F. frost.

In addition, since there are some years in which water can be beneficially used for irrigation outside the irrigation season, the proposed Director's Report includes a general provision which provides for irrigation outside the irrigation season under certain conditions. The conditions are that the water is beneficially used, as determined by the director; that all water rights with a period of use outside the irrigation season regardless of priority, are satisfied; and that the use does not conflict with the public interest as determined by the director. This proposed general provision will be included in the Director's Report.

If you still disagree with IDWR's recommendations you will have an opportuntiy to file an objection to the Director's report with the court. When the Director's Report is filed with the court, you will be mailed a notice that will contain more information about the objection process.

Sincerely,

Marci Sterling

Marci Sterling
Engineering Specialist (EIT)

MICROFILMED

FEB 09 1993

Water Right Number - R36-15212

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

NEIBAUR

DARYL M

1 - RT 1 BOX 1467

2 -

3 -

City- PAUL

Phone - 208-532-4436

State- ID Zip- 83347

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/15/1975 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 23E 28 NW NE NE (63) LINCOLN

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.330+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.330 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 23E 28 NE NE 36.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 NW NE 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SW NE 40.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SE NE 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 NE NW 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 NW NW 38.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SW NW 39.0 01 IRRIGATION (63) LINCOLN
07S 23E 28 SE NW 40.0 01 IRRIGATION (63) LINCOLN

Total Acres: 310.0

+ - - Diversion Means - WELL, PUMP, SPRINKLER - 2 TRIMATICS, 2 THUNDERBIRDS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - - - Remarks - - - - - +
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02230E PURSUANT TO
IDAHO CODE 42-1416(2).MICROFILMED
FEB 09 1993

Water right number - R36-15212

Prefix Translation: RESEARCH

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

USE OF THIS RIGHT WITH RIGHT NO. 36-02230E IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.1 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1240 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 930 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25 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: 36-02230E

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

No Old Water Right Numbers Found

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

No Conditions of Approval found.

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

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

Date: 07/18/1991 User Id: SCHOLER Subject: COPIED FROM REMARKS

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02230E PURSUANT TO IDAHO CODE 42-1416(2).

Date: 07/18/1991 User Id: SCHOLER Subject: REVIEW - BHS

Date: 09/25/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)

NOE RECEIVED 9/24/92. CHANGED NOE FLAG FROM BLANK TO A.

CLAIM VERIFIED 8/26/91. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/08/1992 User Id: SOUTH1 Subject: NOE - RESPONSE

NO CHANGE MADE TO STANDARD SEASON OF USE. LETTER SENT 10/8/92. M. STERLING

+ - - Audit Fields - - +

10/08/92 SOUTH1

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 07/15/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C021167	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- E
				Notice of Error Flag	- B

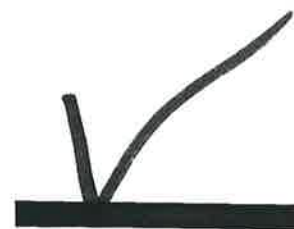
MICROFILMED

FEB 09 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

MICROFILMED
FEB 09 1993

Water Right Number - R36-15212 ✓ Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***
NEIBAUR DARYL M. 1 - RT. 1 BOX 1467
2 -
3 -
City- PAUL State- ID Zip- 83347
Phone - 208-532-4436

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/15/1975 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
07S 23E 28 NW NE NE (63) LINCOLN

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.330

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.330 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	23E	28	NE NE		36.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	NW NE		39.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	SW NE		40.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	SE NE		39.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	NE NW		39.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	NW NW		38.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	SW NW		39.0	01	IRRIGATION	(63) LINCOLN
07S	23E	28	SE NW		40.0	01	IRRIGATION	(63) LINCOLN

Total Acres: 310.0

+ - - Diversion Means - WELL, PUMP, SPRINKLER - 2 TRIMATICS, 2 THUNDERBIRDS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - - - Remarks - - - - - +
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02230E PURSUANT TO
IDAHO CODE 42-1416(2).

Water right number - R36-15212

Prefix Translation: RESEARCH

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

USE OF THIS RIGHT WITH RIGHT NO. 36-02230E IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.1 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1240 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 930 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 25 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: 36-02230E

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

No Old Water Right Numbers Found

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

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

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

Date: 07/18/1991 User Id: SCHOLER Subject: COPIED FROM REMARKS
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02230E PURSUANT TO IDAHO CODE 42-1416(2).
Date: 07/18/1991 User Id: SCHOLER Subject: REVIEW - BHS

+ - - Audit Fields - - +

08/26/91 SCHOLER

+ - - - - - 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	- 08/26/1991	Old Judicial District	-
Claim Received Date	- 07/15/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C021167	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- E
				Notice of Error Flag	-

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FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:24:19
07/17/91

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-15212

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 ✓		BHS 7-18-91	N	6	BHS 7-18-91	BHS 7-18-91	BHS 8-26-91
POINT OF DIV	Y ✓		BHS 5-15-91		5, 6			
SOURCE	Y ✓		↓		5, 6			
PLACE OF USE	Y ✓		BHS 5-15-91		2, 4, 5, 6			
DIV. AMOUNT CFS/VOLUME	Y ✓		BHS 7-18-91		6			
CONSUMPTIVE USE	- ✓							
PURPOSES	Y ✓							
PERIOD OF USE	Y ✓							
BASIS OF CLAIM	Y ✓							
REMARKS	Y ✓							

"VERIFIED BY" CODES

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

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

MICROFILMED
FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:24:19
07/17/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-15212

LAST: WEIBAUR
ADDRESS: RT. 1 BOX 1467
CITY: PAUL
PHONE NUMBER: 208-532-4436

FIRST: DARYL M.

STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE

FIELD
EXAMINER

CLAIM REMARKS: THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02230E PURSUANT TO
IDAHO CODE 42-1416(2).

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:

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FEB 09 1993

A. AJ CLAIM: # A36-15212 PRIORITY DATE: 03-15-1975 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:

RECOMMENDED PRIORITY DATE:

3-15-1977

REVIEWED BY

BHS

DATE

7-18-91

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FEB 09 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-15212	07S	23E	28	NW	NE	NE		LINCOLN

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-02230E

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

BHS

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
7S	23E	28	NW	NE	NE		LINCOLN

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE: 7-18-91

MICROFILMED

FEB 09 1993

A. ROOT WATER RIGHT NUMBERS: A36-15212

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	23E	28	NE	NE		NEIBAUR, DARYL M.	A36-15212 /36.0	- /	39.0		30
			NE	NE		NEIBAUR, DARYL M.	A36-11011 /	- /			
			NE	NE		NEIBAUR, DARYL M.	A36-02230E /35.0	36-02230E /35.0			
07S	23E	28	NW	NE		NEIBAUR, DARYL M.	A36-15212 /39.0	- /	40.0		39
			NW	NE		NEIBAUR, DARYL M.	A36-02230E /35.0	36-02230E /35.0			
			NW	NE		NEIBAUR, MACK W.		36-02292 /20.0			
07S	23E	28	SW	NE		NEIBAUR, DARYL M.	A36-15212 /40.0	- /	39.0		40
			SW	NE		NEIBAUR, DARYL M.	A36-02230E /30.0	36-02230E /30.0			
			SW	NE		NEIBAUR, MACK W.		36-02292 /40.0			
07S	23E	28	SE	NE		NEIBAUR, DARYL M.	A36-15212 /39.0	- /	37.0		39
			SE	NE		NEIBAUR, DARYL M.	A36-02230E /40.0	36-02230E /40.0			
			SE	NE		NEIBAUR, MACK W.		36-02292 /40.0			
07S	23E	28	NE	NW		NEIBAUR, DARYL M.	A36-15212 /39.0	- /	38.0		39
			NE	NW		NEIBAUR, DARYL M.	A36-02230E /30.0	36-02230E /30.0			
			NE	NW		NEIBAUR, MACK W.		36-02292 /40.0			
07S	23E	28	NW	NW		NEIBAUR, DARYL M.	A36-15212 /38.0	- /	40.0		38
			NW	NW		NEIBAUR, DARYL M.	A36-02230E /40.0	36-02230E /40.0			
			NW	NW		NEIBAUR, MACK W.		36-02292 /40.0			
07S	23E	28	SW	NW		NEIBAUR, DARYL M.	A36-15212 /39.0	- /	38.0		39
			SW	NW		NEIBAUR, DARYL M.	A36-02230E /40.0	36-02230E /40.0			
			SW	NW		NEIBAUR, MACK W.		36-02292 /40.0			
07S	23E	28	SE	NW		NEIBAUR, DARYL M.	A36-15212 /40.0	- /	36.0		40
			SE	NW		NEIBAUR, DARYL M.	A36-02230E /35.0	36-02230E /35.0			
			SE	NW		NEIBAUR, MACK W.		36-02292 /40.0			
TOTAL ACRES							A36-15212	310.00	307.00		310

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

YOK

FIELD
EXAMINER

BHS

THIS IS AN EXPANSION CLAIM OF
25 AC.

285 AC on 2230E
25 AC 15212
31 DAC
TOTAL

P.P.O.U ALLOWED ON
310 AC

MICROFILMED

FEB 09 1993

PRESUMPTION FLAG: E

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

310

25 AC EXPANSION CLAIM (15212)

REVIEWED BY:

BHS

DATE:

7-18-91

MICROFILMED

FEB 09 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-15212 IRRIGATION	FROM 03-15 TO 11-15	4.100 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.100 CFS

B. WR RECORDED USES:

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

PRESUMPTION FLAG:

E

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:

MICROFILMED

FEB 09 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

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

4.100 * CFS
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. **

FEB 09 1999
MICROFILMED
4.1 CFS DIV RATE
310 AC(TOTAL)
(25 AC)(.01323) = .33 CFS FOR
THIS CLAIM

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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: 36-02230E

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-15212	GROUNDWATER	NEIBAUR , DARYL M.	4.100	0.013		
A36-02230E	GROUNDWATER	NEIBAUR , DARYL M.	4.100	0.014		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A36-11011	DOMESTIC	NEIBAUR , DARYL M.	FROM 01-01 TO 12-31	.040 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 310 x 0.02 CFS/ACRE = 6.2 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 = AF/A
ACRES 310 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 930 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A
ACRES 310 x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 1240 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

4.1 CFS LICENSED (07490)
.33 CFS ALLOWED FOR THIS CLAIM
(.01323)(25) = .33

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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

IRRIGATION

3-15 11-15

833

BHS

1240
COMBINED

BHS

930
COMBINED

BHS

TOTAL FOR THIS RIGHT

REVIEWED BY:

BHS.

DATE:

7-18-91

MICROFILMED
FEB 09 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-15212

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-15212	4.100	-	-	-	-
TOTAL CFS		4.100				

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:

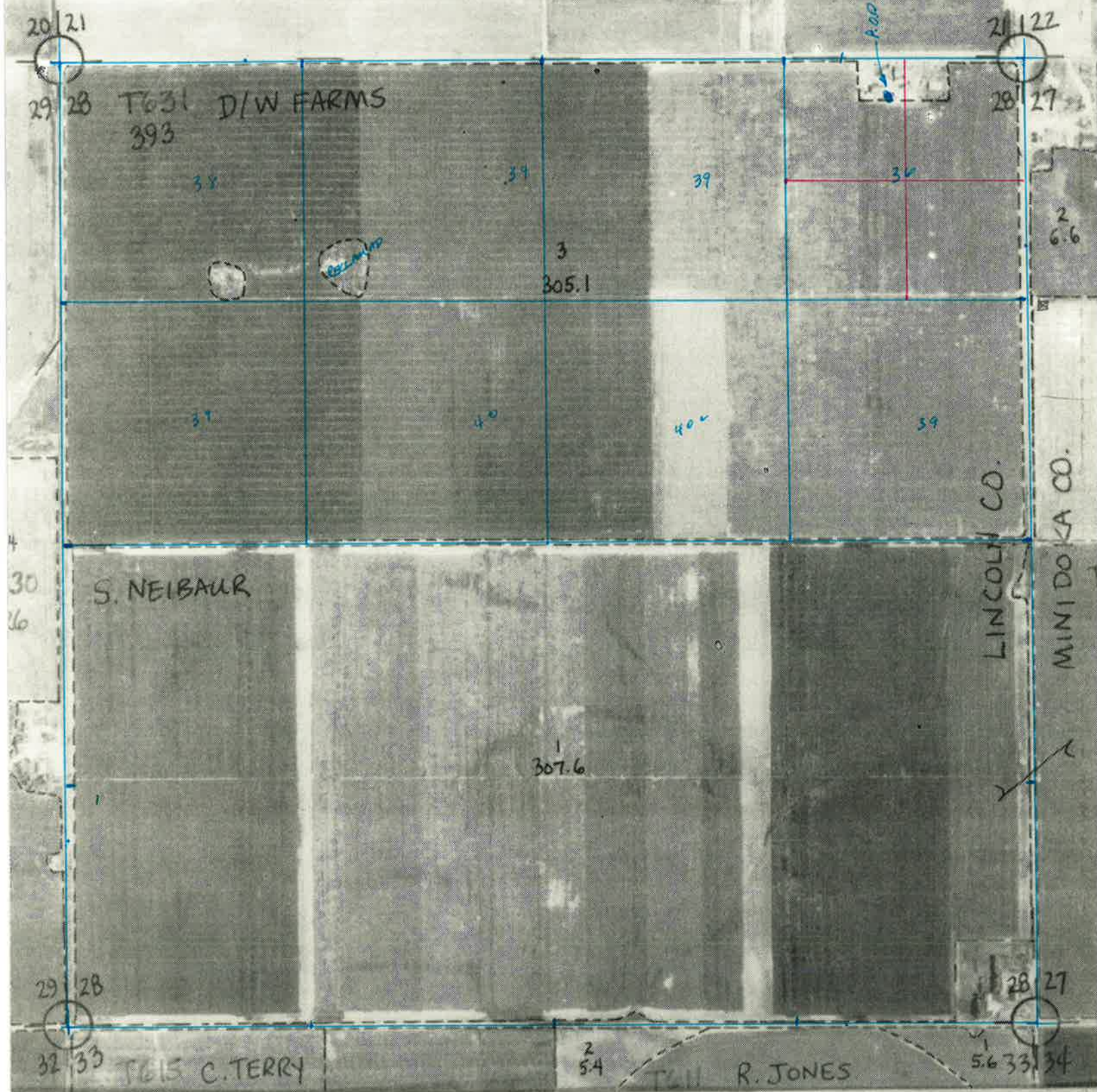
AUTHENTICATION:

SIGNATURE: *Daniel A. Schuler*

DATE: 7-18-91

NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED
FEB 19 1993



NOT TO scale

215

MICROFILMED
FEB 09 1993

Found
310