

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 - 07490 15212

Date Received

7-15-91

Receipt Number

C021166

FOR YOUR FILES
DO NOT RETURN

**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) William G. Neibaur Phone (208) 438-2182

Mailing Address Rt 1 Box 1068 Paul, ID Zip 83347

2. Date of Priority (Only one (1) per claim) ~~Feb 30, 1974~~ Mar 15, 1980

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

4. a. Location of existing point of diversion is: Township 07S Range 23E Section 27,
NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Minidoka

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, & Sprinklers

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JUL 20 1991

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 4.0 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
7	23E	27	38	39	40	39	39	36	39	40									310
					3			3	4										

Total number of acres irrigated 310

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

12. Do you own the property listed above as place of use? Yes X 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 A36-07490

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Last Name Neibaur Ident No. A36-07490

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

Copies: White-State, Yellow-Claimant

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) William G. Neibaur 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 19 91

SEAL

Notary Public Renew McWaters

Residing at Lincoln County

My Commission Expires 11-20-93

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 A36-07490

Copies White-State, Yellow-Claimant

MAILED
OCT 20 1991
FBI

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: **A36-15213**
Date Received: 7/15/1991
Receipt No: C021166
Received By: _____

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

1. Name: WILLIAM G. NEIBAUR 208-438-2182
Address: RT. 1 BOX 1068
PAUL, ID 83347

2. Date of Priority: MAR 15, 1980

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	27	NE	SW	NW		MINIDOKA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.000		

7. Total Quantity Appropriated is:
4.000 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	27	NE	NE		IRR	38.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
			NE	NW		IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
07S	23E	27	NW	NW		IRR	36.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0
Section Acres							310.0
Total Acres							310.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A36-07490

14. Remarks:

THIS RIGHT IS AN EXPANSION OF RIGHT NO. A36-07490 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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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
TO A36:07490

Ident. Number: A36-15213

Date Received: 7/15/1991

Receipt No: C021166

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM G. NEIBAUR 208-438-2182
Address: RT. 1 BOX 1068
PAUL, ID 83347

2. Date of Priority: MAR 15, 1980

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	27	NE	SW	NW		MINIDOKA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.000		

7. Total Quantity Appropriated is:
4.000 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	27	NE	NE		IRR	38.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	39.0
			NE	NW		IRR	39.0

A36-15213

Page 1

Date: 07/17/91

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	23E	27	NW	NW		IRR	36.0
			SW	NW		IRR	39.0
			SE	NW		IRR	40.0

Section Acres 310.0

Total Acres 310.0

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
A36-07490

14. Remarks:
THIS RIGHT IS AN EXPANSION OF RIGHT NO. A36-07490 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)
County of _____) SS.

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
27, 7 south, 23 east Boise meridian being farmed and owned by
William G. 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. Lantley
Lincoln County

Commission ends 11-20-93

MICROFILMED

FEB 09 1993

CLAIM NUMBERS 36-07490 36-15213 DATE 6/3/97

TOTAL ACRES

FROM RECOMMENDATION 310

NO. OF CLAIMS IN POLYGON 2

GEOGRAPHIC INFO SYSTEM 310.06

[illegible]

UPDATED

UPDATED

B36-DBPOU.DBF

ATTRIBUTES OF B36-POU.SHP (85) 6/3/97

B36-DBPOD.DBF

ATTRIBUTES OF B36-POD.SHP (91)NWSWNW-27

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be from a notebook or a standard sheet of stationery. There is no handwriting or other markings on the page.

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. 36-15213 -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)

2. Person who filed objection:

Name: WILLIAM G NEIBAUR
Address: RT 2 BOX 2530
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:

MICROFILMED
OCT 20 1994

(Over)

No. of
Pages

Notice of Claim No. A36-15213

4

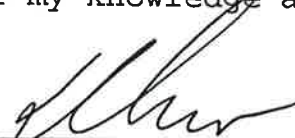
VERIFICATION (Must be Completed)

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)

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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: WILLIAM G NEIBAUR
Address: RT 2 BOX 2530
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 - ~~02170~~ 15213
Date Received 7.15.91
Receipt Number C021166

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL 16 1991

Department of Water Resources

Please type or print clearly

- Name of Claimant (s) William G. Neibaur Phone (208) 438-2182
Mailing Address Rt 1 Box 1068 Paul, ID Zip 83347
- Date of Priority (Only one (1) per claim) ~~Feb 30, 1974~~ Mar 15, 1980
- Source of water supply (a) Groundwater
which is tributary to (b) _____
- a. Location of existing point of diversion is: Township 07S Range 23E Section 27,
NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Minidoka
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 _____
- 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, & Sprinklers

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OCT 20 1991
0612

MICROFILMED
FEB 09 1993

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 4.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (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	27	38	39	40	39	39	36	39	40									310
					3			3	4										

Total number of acres irrigated 310

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

12. Do you own the property listed above as place of use? Yes X 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 A36-07490

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OCT 20 1994

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FEB 09 1993

Last Name Neibaur Ident No. A36-07490

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X 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) William G. 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 State of Idaho)
County of Lincoln) SS.

Subscribed and sworn (or affirmed) before me this 12 day of July 19 91

SEAL

Notary Public Renée A. Wadley

Residing at Lincoln County

My Commission Expires 11-20-93

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 Neilson Ident. Number A36-07490

Copies White-State, Yellow-Claimant

MICROFILMED
OCT 20 1994

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FEB 09 1993

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

RECEIVED
APR 29 1993

Department of Water Resources
Adjudication Bureau

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

Case No. 36-15213

(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

36-15213 -0001/
93-04-0480

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.

OCT 20 1994

I. GENERAL INFORMATION

Please fill in the following information:

1. *Person objecting:*

Name: William G. Neibaur
Address: Rt 2 Box 2530
Paul, Id 83347
Phone: Days: 532-4240 Evenings: 532-4374

Briefly describe your interest in this water right: Owner of the property irrigated and owner of the
water right

2. *Owner of the water right:*

Name: William G. Neibaur
Address: Rt 2 Box 2530
Paul, Id 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.

RECEIVED
MAY 15 1993
SECRETARY

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.

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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.

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.

- #8) I object to the changing of dates - Changed from 3-15 thru 11-15 to 4-1 thru 12-31. I request the original dates -
- #10) Total consumptive use should be 1240 AF which is the diversion volume under the right. It should not be changed to 930 AF.

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

William G. Neibaur, being first duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

William G. Neibaur
Signature of person filing objection

By: _____
(Attorney signing in representative capacity)

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

Renee A. Jakes
Notary Public for Idaho
Residing at: Lincoln City
My Commission expires: 11/26/93

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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 28th March 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: William G. Neibaur
Owner's address: Rt 2 Box 2530
Paul, ID 83347

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 83724

William G. Neibaur
Signature of Objector or attorney
mailing on Objector's behalf

Reasons to support the Boxes checked.

8 The original license gave the usage date as 3/15 through 11/15 annually. The director has changed this to 4/01 through 10/31 without really considering local factors that apply to water applications but has used area factors that have many variable conditions in a span of a few miles.

We cannot afford to pump water indiscriminately because of costs. We also would pay a heavy loss on those very few years when early application was needed and more loss if the soil was too dry to harvest row crops.

I therefore wish for the period of usage to remain as the original license was issued, 3/15 through 11/15.

#10. The cropping practices used will dictate the amount of water used and as such the original Acre Feet per Year is requested. The same reasoning applies as the period of usage. Farmers will not pump water indiscriminately because of many reasons other than prohibitive costs, such as souring your soil, being able to work your soil with proper soil tilth. The list can go on and on and one of the most dangerous at this time may be the wet land provisions as interpreted by the Feds.

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OCT 20 1994

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED
FEB 09 1993

NOTICE OF ERROR FORM

AUG-24-1992

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: 36-15213

2. Name: William G. Neibaur

Address: Rt 2 Box 2530
Paul, ID 83347

Weekday Telephone Number: 532-4374

RECEIVED

SEP 24 1992

Department of Water Resources
Boise Regional Office

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FEB 09 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(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:
Changing the period of use.
4. Describe the changes you wish to have made in the proposed recommendation:
Leave at the original — that is from 3-15 to 11-15.
5. Describe why you disagree with the proposed recommendation:
There have been times we had to irrigate crops up in the early spring and we have also needed to irrigate sugar beets for harvest in the fall.
6. Date: *9-23-92*

SIGNATURE *William J. McLean*



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

WILLIAM G. NEIBAUR
RT 2 BOX 2530
PAUL ID 83347

RE: Proposed Recommendation for Water Right(s) Nos: 36-07490 &
36-15213

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)

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FEB 09 1993

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FEB 09 1993

Water Right Number - R36-15213

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

NEIBAUR

WILLIAM G

1 - RT 1 BOX 1068

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-2182

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/15/1980 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

07S 23E 27 NW SW NW (67) MINIDOKA

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

01 - IRRIGATION 04/01 10/31 0.130

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.130 0.0+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

| | | | | | | | | |
|-----|-----|----|-------|--|------|----|------------|---------------|
| 07S | 23E | 27 | NE NE | | 38.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | NW NE | | 39.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | SW NE | | 40.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | SE NE | | 39.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | NE NW | | 39.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | NW NW | | 36.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | SW NW | | 39.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | SE NW | | 40.0 | 01 | IRRIGATION | (67) MINIDOKA |

Total Acres: 310.0

+ - - Diversion Means - WELL, PUMP AND SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

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

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-07490 PURSUANT TO
IDAHO CODE 42-1416(2).

Water right number - R36-15213

Prefix Translation: RESEARCH

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

USE OF THIS RIGHT WITH RIGHT NO. 36-07490 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.0 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 10 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: 36-07490

+ - - - - - 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. A36-07490 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

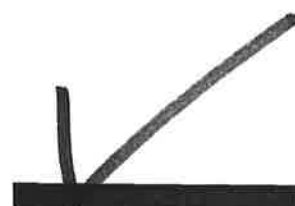
+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| 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 | - C021166 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - E |
| | | | | Notice of Error Flag | - B |

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FEB 09 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



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

Water Right Number - R36-15213

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***
NEIBAUR

WILLIAM G.

1 - RT. 1 BOX 1068

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-2182

+ - - Priority Date - - +
03/15/1980+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

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

07S 23E 27 NW SW NW (67) MINIDOKA

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

01 - IRRIGATION

03/15

11/15

0.130

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

| | | | | | | | | |
|-----|-----|----|-------|--|------|----|------------|----------------|
| 07S | 23E | 27 | NE NE | | 38.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | NW NE | | 39.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | SW NE | | 40.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | SE NE | | 39.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | NE NW | | 39.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | NW NW | | 36.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | SW NW | | 39.0 | 01 | IRRIGATION | (67) MINIDOKA |
| 07S | 23E | 27 | SE NW | | 40.0 | 01 | IRRIGATION | (67) MINIDOKA |

Total Acres: 310.0

+ - - Diversion Means - WELL, PUMP AND SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE REMARKS

+ - - Remarks - - - - - +

THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-07490 PURSUANT TO
IDAHO CODE 42-1416(2).

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FEB 09 1993

Water right number - R36-15213

Prefix Translation: RESEARCH

MICROFILMED
FEB 09 1993

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

USE OF THIS RIGHT WITH RIGHT NO. 36-07490 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.0 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 10 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: 36-07490

+ - - - - - 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. A36-07490 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 | - C021166 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - E |
| | | | | Notice of Error Flag | - |

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:24:19
07/17/91

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-15213

| 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 ✓ | | | | 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.

FEB 09 1992

NOT RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:24:19
07/17/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-15213

LAST: NEIBAUR
ADDRESS: RT. 1 BOX 1068
CITY: PAUL
PHONE NUMBER: 208-438-2182

FIRST: WILLIAM G.
STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: THIS RIGHT IS AN EXPANSION OF RIGHT NO. A36-07490 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:

MICROFILMED

FEB 6 9 1991

A. AJ CLAIM: # A36-15213 PRIORITY DATE: 03-15-1980 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

FIELD
EXAMINER

Y OK

BHS

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

REMARKS: THE AFFIDAVIT SUBMITTED FOR EVIDENCE SHOWS 3-15-1975. THE FIELD
EXAM FOR 36-07490 WAS MADE 8-79. FARMER STATED THAT THE WELL WAS
PUT INTO USE IN 1975 BUT THE EXPANSION OF ACRES^{IRRIGATED} DID NOT
~~WAS~~ OCCUR BEFORE THE IRRIGATION SEASON OF 1980. THUS A PRIORITY DATE
OF 3-15-80 BEGINNING OF IRRIGATION SEASON OF 1980.

=====

RECOMMENDED PRIORITY DATE:

3-15-1980

REVIEWED BY

BHS

DATE

7-18-1991

=====

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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 |
|-----------|------|------|------|----------|-----|-----|-----|----------|
| A36-15213 | 07S | 23E | 27 | NE
NW | SW | NW | | MINIDOKA |

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

WR RECORDS IN SAME 40 ACRE TRACT

NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

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

DATABASE
Y OK
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 | 27 | NW | SW | NW | | MINIDOKA |

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

BHS

DATE: 7-18-91

MICROFILMED
FEB 09 1993

A. ROOT WATER RIGHT NUMBERS: A36-15213

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM
ACRES |
|-----------------------|-----|-----|-----|-----|-----|---------------------------|-------------------|-----------------|-----------------|----------------|-----------------|
| 07S | 23E | 27 | NE | NE | | NEIBAUR , WILLIAM G. | A36-15213 /38.0 ✓ | - / | 40.0 | | |
| | | | NE | NE | | NEIBAUR , DARYL M. | A36-07490 /38.0 | 36-07490 /38.0 | | | |
| 07S | 23E | 27 | NW | NE | | NEIBAUR , WILLIAM G. | A36-15213 /39.0 ✓ | - / | 40.0 | | |
| | | | NW | NE | | NEIBAUR , DARYL M. | A36-07490 /39.0 | 36-07490 /39.0 | | | |
| 07S | 23E | 27 | SW | NE | | NEIBAUR , WILLIAM G. | A36-15213 /40.0 ✓ | - / | 39.0 | | 40 |
| | | | SW | NE | | NEIBAUR , DARYL M. | A36-07490 /37.0 | 36-07490 /37.0 | | | |
| | | | SW | NE | | JULION CLAWSON FARMS INC. | | 36-02070C /10.0 | | | |
| 07S | 23E | 27 | SE | NE | | NEIBAUR , WILLIAM G. | A36-15213 /39.0 ✓ | - / | 40.0 | | 39 |
| | | | SE | NE | | NEIBAUR , DARYL M. | A36-07490 /39.0 | 36-07490 /39.0 | | | |
| | | | SE | NE | | JULION CLAWSON FARMS INC. | | 36-02070C /10.0 | | | |
| 07S | 23E | 27 | NE | NW | | NEIBAUR , WILLIAM G. | A36-15213 /39.0 ✓ | - / | 39.0 | | 39 |
| | | | NE | NW | | NEIBAUR , DARYL M. | A36-07490 /39.0 | 36-07490 /39.0 | | | |
| 07S | 23E | 27 | NW | NW | | NEIBAUR , WILLIAM G. | A36-15213 /36.0 ✓ | - / | 41.0 | | 36 |
| | | | NW | NW | | NEIBAUR , DARYL M. | A36-11012 / | - / | | | |
| | | | NW | NW | | NEIBAUR , DARYL M. | A36-11013 / | - / | | | |
| | | | NW | NW | | NEIBAUR , DARYL M. | A36-07490 /33.0 | 36-07490 /33.0 | | | |
| 07S | 23E | 27 | SW | NW | | NEIBAUR , WILLIAM G. | A36-15213 /39.0 ✓ | - / | 40.0 | | 39 |
| | | | SW | NW | | NEIBAUR , DARYL M. | A36-07490 /35.0 | 36-07490 /35.0 | | | |
| | | | SW | NW | | JULION CLAWSON FARMS INC. | | 36-02070C /10.0 | | | |
| 07S | 23E | 27 | SE | NW | | NEIBAUR , WILLIAM G. | A36-15213 /40.0 | - / | 39.0 | | 40 |
| | | | SE | NW | | NEIBAUR , DARYL M. | A36-07490 /40.0 | 36-07490 /40.0 | | | |
| | | | SE | NW | | JULION CLAWSON FARMS INC. | | 36-02070C /20.0 | | | |
| TOTAL ACRES A36-15213 | | | | | | | 310.00 | | 318.00 | | 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

Y OK

FIELD
EXAMINER

BHS

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FEB 09 1993

PRESUMPTION FLAG: E

REMARKS:

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FEB 09 1993

RECOMMENDATIONS:

TOTAL ACRES: 310 -

REVIEWED BY: BHS

DATE: 7-18-91

THIS RIGHT IS FOR A 10 AC EXPANSION

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|--------------------|
| A36-15213 IRRIGATION | FROM 03-15 TO 11-15 | 4.000 CFS |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 4.000 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:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

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

4.000 CFS
CFS

DIVERSION RATE FOR THIS
EXPANSION CLAIM.

*** 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. **

4.0 ← TOTAL CLAIM + LICENSED
310 = .0129 RATE/AC

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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

Y

.0129 x 10 = .13 CFS FOR THIS
CLAIM

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: A36-07490

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------|----------------------|-----------|----------------|-----------|----------------|
| A36-15213 | GROUNDWATER | NEIBAUR , WILLIAM G. | 4.000 | 0.012 | | |
| A36-07490 | GROUNDWATER | NEIBAUR , DARYL M. | 4.000 | 0.013 | 1200.00 | 4.00 |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|------------|--------------------|---------------------|----------|--------|
| A36-11012 | DOMESTIC | NEIBAUR , DARYL M. | FROM 01-01 TO 12-31 | .060 CFS | |
| A36-11012 | STOCKWATER | NEIBAUR , DARYL M. | FROM 01-01 TO 12-31 | .020 CFS | |
| A36-11013 | DOMESTIC | NEIBAUR , DARYL M. | FROM 01-01 TO 12-31 | .040 CFS | |

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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(X)

*** 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.)

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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>IRRIGATION</u> | <u>3-15 11-15</u> | <u>.13</u> | <u>BHS</u> | <u>1240</u> | <u>BHS</u> | <u>930</u> | <u>BHS</u> |
| | | | | ↓ | | ↓ | |
| | | | | P.P.O.U. | | P.P.O.U. | |
| | | | | TOTAL | | TOTAL | |
| TOTAL FOR THIS RIGHT | | | | | | | |

REVIEWED BY: BHS

DATE: 7-18-91

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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: 36-15213

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 |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A36-15213 | 4.000 | - | | - | |
| TOTAL CFS | | 4.000 | | | | |

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:

Burke H. Scholer

DATE:

7-18-91

NAME OF FIELD EXAMINER:

BURKE H. SCHOLER

TITLE:

WATER RESOURCE AGENT

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FEB 09 1993

2-65-27

MINI DOKA CO.

S. NEIBAUER

215

FEB 09 1993

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