

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: A36-15262
Date Received: 11/ 5/1991
Receipt No: S013858
Received By: B.V. 2k

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

1. Name: KLOEPFER INC. 208-438-4525
Address: P O BOX 840
PAUL ID 83347
OR
Name: JOHN F. KLOEPFER 208-438-4525
Address: P O BOX 840
PAUL ID 83347

2. Date of Priority: MAY 1, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
4" X 30' WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL--CONCRETE MIXING

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10. Place of Use:

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

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

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

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

Signature of Authorized Agent

Title and Organization

Date

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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 _____

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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

A36-15262

Date Received

11/5/1991

Receipt Number

5013858

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Kloepfer Inc. Phone (208) 438-4525
Mailing Address P.O. Box 840 Paul, Idaho Zip 83347

2. Date of Priority (Only one (1) per claim) May 1954

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

4. a. Location of existing point of diversion is: Township 9S Range 23E Section 33,
NW 1/4 of NE 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.

Wells - Size - 4" Casing

Depth - 30

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For (Industrial) Manufacturing of concrete purposes from Jan 1 to Dec 31 amount .40 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .40 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1,000,000 gal. acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Manufacturing of concrete @ 40 gal. - yard. 20,000 yds. Year.

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	
9S	23E	33	C																—

Total number of acres irrigated _____

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 ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

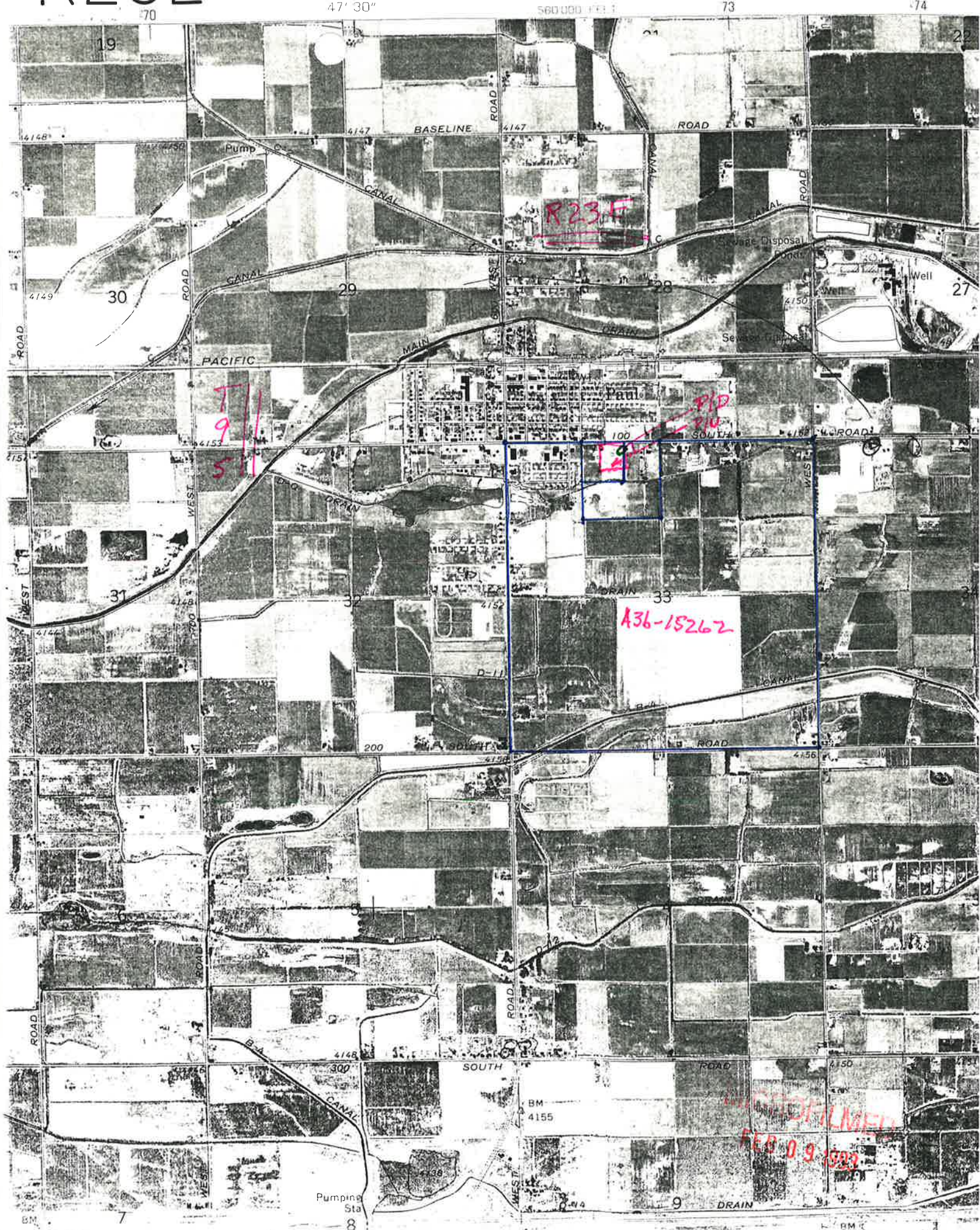
13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (✓)

14. Remarks:

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Last Name Klopper, Inc. Ident No. _____

Copies: White -State, Yellow-Claimant



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70

47' 30"

560 000 FEB 1

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DRAIN
PUMP
PACIFIC
MAIN
SOUTH
WEST
DRAIN
ROAD
PUMPING STA
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R23E

7
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PID
PUG

A36-15262

RECEIVED
FEB 09 1983

NW NENW T9S R23E Sec 33

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) John V. Klopfen Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Treasurer Title
of Klopfen, Inc. Organization, that I have signed the foregoing
document in the space below as Treasurer Title of Klopfen, Inc. Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent John V. Klopfen
Title and Organization Treasurer Date 11-5-91

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 5th day of Nov. 1991

SEAL

Notary Public Robert V. Storstell

Residing at Twin Falls, Idaho

My Commission Expires January 13, 1993

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 _____ Ident. Number _____

Copies White-State, Yellow-Claimant

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FEB 09 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

FEBRUARY 11, 1992

R. KEITH HIGGINSON
Director

KLOEPFER INC
PO BOX 840
PAUL ID 83347

**** PROOF OF PRIORITY ****
**** DEADLINE: FEBRUARY 25, 1992**

RE: EVIDENCE OF PRIORITY - CLAIM A36-15262

DEAR MR. JOHN F. KLOEPFER,

OUR RECORDS INDICATE THAT YOUR CLAIM LISTED ABOVE IS BASED UPON A "BENEFICIAL USE" OF WATER. FOR WATER RIGHTS OF THIS TYPE, THE CLAIMED "PRIORITY DATE" MUST BE SUBSTANTIATED WITH SUPPORTING EVIDENCE. WE MAY HAVE PREVIOUSLY REQUESTED THIS SUPPORTING EVIDENCE AND TO DATE WE HAVE NOT RECEIVED THE REQUESTED DOCUMENTATION.

BEFORE THE DEPARTMENT CAN MAKE A RECOMMENDATION TO THE COURT TO DECREE THE CLAIM, SOME EVIDENCE OF THE PRIORITY DATE MUST BE SUBMITTED. AGAIN WE ARE ENCLOSING A BROCHURE OUTLINING THE TYPES OF EVIDENCE YOU MAY SUBMIT AND A PRINTOUT OF YOUR CLAIM FOR REFERENCE. WE REQUEST THAT YOU SUBMIT YOUR EVIDENCE OF PRIORITY AS SOON AS POSSIBLE. IF WE DO NOT RECEIVE THE REQUESTED DOCUMENTATION, YOUR CLAIM WILL BE RECOMMENDED FOR DISALLOWAL DUE TO LACK OF EVIDENCE SUPPORTING ANY PRIORITY DATE.

PLEASE SUBMIT THE REQUIRED EVIDENCE SUPPORTING THE PRIORITY DATE BY FEBRUARY 25, 1992. PLEASE REFERENCE THE CLAIM NUMBER ON YOUR CORRESPONDENCE. IF YOU HAVE QUESTIONS OR NEED OTHER ASSISTANCE PLEASE CONTACT THIS OFFICE.

SINCERELY,


STEVE CLELLAND
WATER AGENT, SR.

ENCLOSURE

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FEB 09 1993



KLOEPFER INC.

BOX 840
PAUL, IDAHO 83347

RECEIVED

FEB 24 1992

TELEPHONE
DAY — 438-4525
DAY — 678-9293
NITE — 678-9293
TWIN FALLS
DAY — 734-3924
NITE — 734-3924

February 21, 1992

Department of Water Resources
Southern Region Office

Mr. Steve Clelland
Water Agent, Sr.
Department of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

RE: Evidence of Priority - Claim A36-15262

Dear Mr. Clelland

As I was employed with Kloepfer Inc. on May 1, 1954, I have personal knowledge that the beneficial use water right was used by Kloepfer Inc. during the manufacturing of ready mix concrete. As being Vice President in charge of the sales of ready mix concrete, I observed the use of water daily in commercial and industrial use.

Sincerely

Ernest L. Straubhaar
Vice President

ESL:mk

State of Idaho
County of Minidoka

On this 21st day of February 21, 1992, before me, the undersigned Notary Public in and for the State of Idaho did personally appear Ernest L. Straubhaar, known to me to be the person who subscribed his name to the within and foregoing instrument, and acknowledged to me that he executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year hereinabove first written.

Marilyn Karlson
Notary Public for Idaho
Residing at Rt. 3, Rupert, ID
My commission expires 4-06-94

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FEB 09 1993



KLOEPFER INC.

P. O. BOX 840
PAUL, IDAHO 83347

CERTIFIED

P 337 410 048

MAIL



RECEIVED

FEB 24 1992

Department of Water Resources
Southern Region Office

Mr. Steve Clelland
Water Agent, Sr.
Department Of Water Resources
222 Shoshone St.
Twin Falls, Idaho 83301

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1st Notice
2nd Notice
Return

Water Right Number - R36-15262

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

KLOEPFER INC

1 - PO BOX 840

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4525

KLOEPFER

JOHN F

1 - PO BOX 840

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4525

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/01/1954 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
09S 23E 33 NW NE NW (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
10 - COMMERCIAL 01/01 12/31 0.400 3.10

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.400 3.10 3.1

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 23E 33 NE NW 10 COMMERCIAL (67) MINIDOKA

+ - - Diversion Means - 4" X 30' WELL & 15 HP PUMP, (2 WELLS TIED TOGETHER)

+ - - Non-Irrigation Use - COMMERCIAL, CONCRETE MIXING PLANT

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +
POU TWO POINTS OF DIVERSION LOCATED IN NWNE NW S33, T09S, R23E.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Proved
12-10-97
KKC

update
12-9-97
KKC

Verify Remarks

Water right number - R36-15262

Prefix Translation: RESEARCH

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

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

+ - - Audit Fields - 08/16/96 KCHRISTE

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

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/05/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S013858	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- OR	Notice of Error Flag	-

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
FEB 09 1993

Water Right Number - R36-15262

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
KLOEPFER INC

1 - PO BOX 840

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4525

KLOEPFER

JOHN F

1 - PO BOX 840

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-4525

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
05/01/1954 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

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

Twn Rng Sec Tract Lot RFlg County

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

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

10 - COMMERCIAL

01/01

12/31

0.400

3.10

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.400 3.10 3.1+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S

23E

33

NE NW

10 COMMERCIAL

(67) MINIDOKA

Total Acres:

+ - - Diversion Means - 4" X 30' WELL & 15 HP PUMP, (2 WELLS TIED TOGETHER)

+ - - Non-Irrigation Use - COMMERCIAL, CONCRETE MIXING PLANT

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
TWO POINTS OF DIVERSION LOCATED IN NWNENW S33, T09S, R23E.MICROFILMED
FEB 09 1993

Water right number - R36-15262

Prefix Translation: RESEARCH

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

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

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

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

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

+ - - Audit Fields - - +
04/13/92 MERRITT

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 04/13/1992	Old Judicial District	-
Claim Received Date	- 11/05/1991	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S013858	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

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FEB 09 1993

CLAIM NO. A36-15262

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME:
☐ NEW OWNER:
☒ No Change ADDRESS:
☐ NEW ADDRESS:

☒ DATA ENTRY STANDARDS CHECKED?

2. ☒ No Change - DATE OF PRIORITY: No Field Verification Needed.
☐ CHANGE- Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable, explain in COMMENTS.)

3. ☒ No Change - SOURCE:
☐ CHANGE - Different Source found: _____

4. ☒ No Change - POINT OF DIVERSION:
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4

map w/ claim file

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

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:
☒ Incomplete desc., complete items missing, IF KNOWN.
HP of pump ? _____ Static water level _____ Well depth ? _____
Casing size _____ Pumping water level _____ Gravity flow _____
Method of irr. _____

6. ☒ No Change - WATER USES:
☒ Different uses, (list uses found).

Use Comm From _____ To _____ Amount 0.40 0.06 cfs 3.1 af
Use _____ From _____ To _____ Amount _____ cfs _____ af

7. ☒ No Change - TOTAL VOLUME:
☒ Change found, The new total is, -- -- -- 0.40 0.06 cfs 3.1 af

8. N/A

9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

☒ DATA ENTRY STANDARDS (correct to..)

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

11. ☒ Checked: N/A

12. ☒ Checked: N/A

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

14. ☒ None REMARKS: (copy existing remarks to comments in "R")
☐ Add the following standard remarks:
LIST STANDARD REMARKS FOR THE RECOMMENDATION:

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

COMMENTS: (pertinent to field examination)

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

PHOTOS

MAP

SYSTEM DIAGRAM



DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Signature _____

REVIEWED BY/DATE: SCC 2-28-92

DATA ENTRY BY/DATE: _____

VERIFICATION BY/DATE: _____



* Supplement to short form CIR

2-28-92
See

A36-15262 KLOEPFER

1,000,000 GAL PER YEAR

$$52 \text{ WEEKS} \times 6 \text{ days/WK} = 312 \text{ days}$$

Assume 10 HR-days

$$\frac{1,000,000 \text{ g/yr}}{312 \text{ days/yr}} = 3205 \text{ GPD}$$

$$\frac{3205 \text{ GPD}}{120 \text{ min/DAY}} = 26.7 \text{ GPM}$$

> TWO HOUR
PEAK FLOW

$$\frac{26.7 \text{ GPM}}{448.8 \text{ GPM/cfs}} = 0.0595 \text{ cfs}$$

* ALLOW 0.06 cfs * DIVERSION RATE

$$\left(\overset{(1.9835 \div 12)}{0.06 \times 0.165} \times 312 \right) = \underset{3.09}{3.1} \text{ AFA VOL} *$$

ALL CONSUMPTIVE = 3.1 AFA C.U. *

$$\left(\text{CHECK } 1,000,000 \text{ GAL} \div 325,850 \text{ GAL/AF} = 3.068 \right)$$

2-28-92

called Kloefer's and talked to Mix Man, Fuzzy (?)
he said two wells are tied & used together.
about 30' Deep & both have 15 HP pumps.

$$\frac{(8.8)(15)(6.70)}{30' + (50 \times 2.31)} = \frac{92.4}{145.5} = 0.63 \text{ cfs}$$

* limit to claim 0.40 cfs

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