

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: **A36-15356**

Date Received: 3/30/1992

Receipt No: S014324

Received By: SC

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

1. Name: RON S JONES 208-436-0289
Address: 233 CRESCENT
RUPERT ID 83350

2. Date of Priority: JAN 1, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	24E	12	SE	SE	NE		MINIDOKA

5. Description of diverting works:
230' WELL AND 300 HP PUMP, PIVOT & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.240		

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

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

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	24E	12	NE	NE		IRR	13.0
			SE	NE		IRR	5.0

MICROFILMED
FEB 09 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	18.0
					Total Acres	18.0

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:
A36-02415

14. Remarks:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02415 PURSUANT TO IDAHO CODE 42-1416(2). RIGHT NO. 36-02415 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. USE OF THIS RIGHT WITH RIGHT NO. 36-02415 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.11 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1244 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 933 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 311 ACRES IN A SINGLE IRRIGATION SEASON.

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): [Signature] Date: 3/30/92

Date: _____

MICROFILMED
FEB 09 1993

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of March 19 92 Steve Collins
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

MICROFILMED
FEB 09 1993

**State of Idaho****DEPARTMENT OF WATER RESOURCES**

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

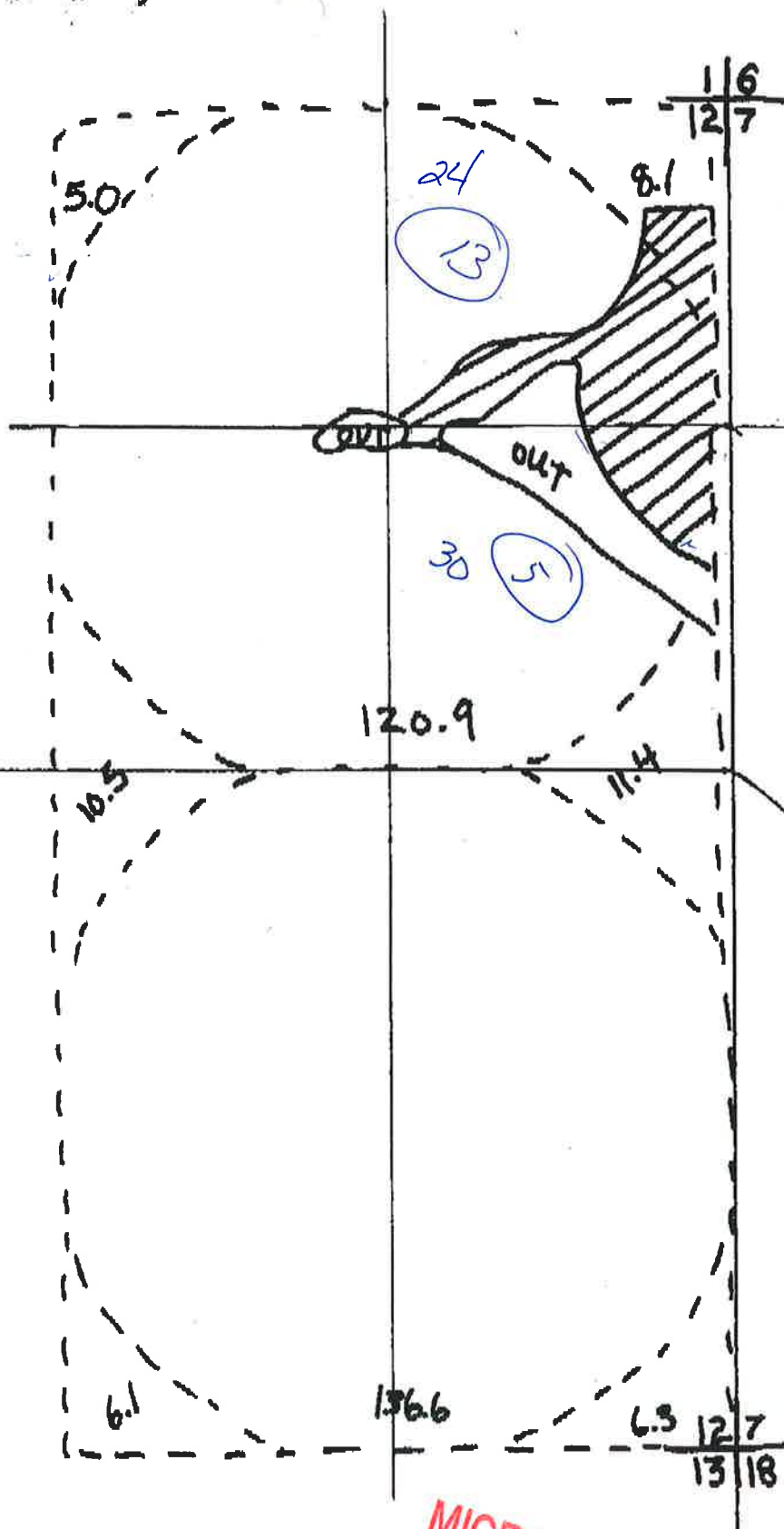
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNORR. KEITH HIGGINSON
DIRECTOR**TRANSMITTAL COVER SHEET****FAX NUMBER: (208) 327-7866****RECEIVED**

MAR 26 1992

Department of Water Resources
Southern Region Office**DATE:** 3-26-92**TO:** Steve Clelland**FROM:** S.W. KeenIDWRIDWRTWIN FALLSBOISE**DOCUMENT DESCRIPTION:** MAP for A36-02415**COVER SHEET + 1 PAGES****CONTACT:** S.W. Keen **IF YOU DO NOT RECEIVE ALL THE PAGES**
327-7934**MICROFILMED**
FEB 09 1993

To: Steve Clelland



A36-02415

Ron S. Jones

The  portion
was not licensed but
is now irrigated.

MICROFILMED
FEB 09 1993

2002 MAY 24 AM 11:24

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILEDIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE
OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Subcase No: 36-15356, 36-15356A,
	)	36-15356B
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

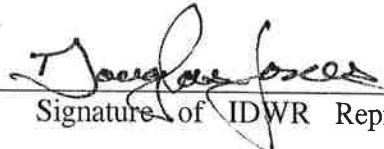
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership	☒ Split of Water Right
☒ Point of Diversion	☒ Place of Use
☐ Period of Use	☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 5/23/02


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/24, 2002, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Roger Ling
Ling Neilsen & Robinson
PO Box 396
Rupert ID 83350-0396
3. One Copy to:
Each party in the subcase or attorney of record:
Jeffrey Fereday
Givens Pursley & Huntley
PO Box 2720
Boise ID 83701
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 W Fort St MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

5/23/02

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-15356

SPLIT RIGHT: SEE RIGHT NOS. 36-15356A and 36-15356B.

05/22/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-15356A
NAME AND ADDRESS: KENT HARMAN
1500 N 461-A E
RUPERT ID 83350

JACK HARMAN
1500 N 461-A E
RUPERT ID 83350

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.220 CFS
66.00 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-02415A IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.77 CFS AND A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 1140 AF.

PRIORITY DATE: 06/30/1973

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

POINT OF
DIVERSION: T07S R24E S12 SESENE Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.220 CFS 66.00 AFY

PLACE OF USE: IRRIGATION Within MINIDOKA County

T07S R24E S12	NENE	33.0	T07S R24E S12	NWNE	33.0
T07S R24E S12	SWNE	40.0	T07S R24E S12	SENE	33.0
T07S R24E S12	NESE	40.0	T07S R24E S12	NWSE	40.0
T07S R24E S12	SWSE	33.0	T07S R24E S12	SESE	33.0

285 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-02415A IS LIMITED TO THE IRRIGATION OF
A COMBINED TOTAL OF 285 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS FOR AN ENLARGEMENT OF 16.5 ACRES WITHIN THE PLACE OF USE
DESCRIBED FOR THIS RIGHT.

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

05/22/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 36-02415A
PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT NO. 36-02415A IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION
DESCRIBED ABOVE.

05/22/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-15356B

NAME AND ADDRESS: KENT HARMAN
1500 N 461-A E
RUPERT ID 83350

JACK HARMAN
1500 N 461-A E
RUPERT ID 83350

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS
6.00 AFY

RIGHTS 36-02415B AND 36-15356B WHEN COMBINED SHALL NOT EXCEED A
TOTAL DIVERSION RATE OF 0.34 CFS.

PRIORITY DATE: 06/30/1973

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

POINT OF
DIVERSION: T07S R25E S8 NESWNE Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.020 CFS 6.00 AFY

PLACE OF USE: IRRIGATION Within MINIDOKA County

T07S R25E S09	NWNE	1.0	T07S R25E S09	SWNE	15.0
T07S R25E S09	NENW	5.0	T07S R25E S09	NWNW	5.0

26 ACRES TOTAL

RIGHT 36-15356B IS LIMITED TO THE IRRIGATION OF 1.5 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHTS 36-02415B AND 36-15356B WHEN COMBINED ARE LIMITED TO THE
IRRIGATION OF 26 ACRES.

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

RIGHT 36-15356B IS BASED UPON AN ENLARGEMENT OF RIGHT 36-02415B
PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 24, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROGER LING
LING NEILSEN & ROBINSON
PO BOX 396
RUPERT ID 83350

RE: SRBA Claim(s) 36-15356

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Jeffrey Fereday

Pod Dry

NCAI
Southern

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5493
WATER RIGHT NO(S). 36-02415B/36-15356B

RECEIVED
APR 25 2000
Department of Water Resources
Southern Region

This is to certify that: JACK HARMAN
KENT HARMAN
1500 N 461-A E
RUPERT ID 83350

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02415B : IRRIGATION Priority: 02/18/1960	03/15 to 11/15	0.34 CFS	98.0 AF
Right No. 36-15356B : IRRIGATION Priority: 06/30/1973	03/15 to 11/15	0.02 CFS	6.0 AF
TOTAL:		0.34 CFS	104.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NESWNE , Sec. 8, Township 07S, Range 25E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	25E	9	NWNE 1	SWNE 15	NENW 5	26
			NWNW 5			26
Total number of acres irrigated:						26

CONDITIONS OF APPROVAL AND REMARKS

- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

15-

TRANSFER NO. 5493
WATER RIGHT NO(S). 36-02415B/36-15356B

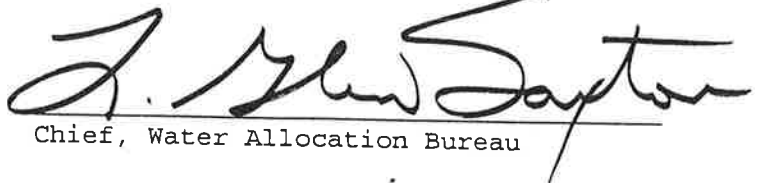
CONDITIONS OF APPROVAL AND REMARKS

2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Right 36-15356B is based upon an enlargement of Right 36-02415B pursuant to Section 42-1426, Idaho Code.
7. Water right 36-15356B is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
8. Approval of Transfer 5493 does not confirm Claimed Right 36-15356B.
9. Right 36-02415B is limited to the irrigation of 24.5 acres within the place of use described above in a single irrigation season.
10. Right 36-15356B is limited to the irrigation of 1.5 acres within the place of use described above in a single irrigation season.
11. Rights 36-02415B and 36-15356B when combined shall not exceed a total diversion rate of 0.34 cfs and the irrigation of 26 acres.
10. Pursuant to Section 42-1412(6), Idaho Code, these water rights are subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of a final unified decree.

Dated this 20 day of

April

, 2000


Chief, Water Allocation Bureau

1

04/12/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 36-15356B
NAME AND ADDRESS: KENT HARMAN
1500 N 461-A E
RUPERT ID 83350

JACK HARMAN
1500 N 461-A E
RUPERT ID 83350

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.02 CFS
6.0 AFY

RIGHTS 36-02415B AND 36-15356B WHEN COMBINED SHALL NOT EXCEED A
TOTAL DIVERSION RATE OF 0.34 CFS.

PRIORITY DATE: 06/30/1973

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

POINT OF DIVERSION:

T07S R25E S8 NESWNE Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.020 CFS 6.00 AFY

PLACE OF USE:

IRRIGATION Within MINIDOKA County

T07S R25E S09	NWNE	1.0	T07S R25E S09	SWNE	15.0
T07S R25E S09	NENW	5.0	T07S R25E S09	NWNW	5.0

26 ACRES TOTAL

RIGHT 36-15356B IS LIMITED TO THE IRRIGATION OF 1.5 ACRES WITHIN THE PLACE
OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHTS 36-02415B AND 36-15356B WHEN COMBINED ARE LIMITED TO THE
IRRIGATION OF 26 ACRES.

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

RIGHT 36-15356B IS BASED UPON AN ENLARGEMENT OF RIGHT 36-02415B
PURSUANT TO SECTION 42-1426, IDAHO CODE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Beneficial Use

RECEIVED

OCT 28 1997

Department of Water Resources
Southern Region

RECEIVED

OCT 28 1997

Department of Water Resources
Application Bureau

Name of Party Filing Document:
Jack Harman and Kent Harman

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

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

In Re SRBA

Case No. 39576

Subcase No. 36-15356

STANDARD FORM 1

OBJECTION

INSTRUCTIONS

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

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

You must file your objection by the deadline shown in the notice that IDWR mailed to you. The objection must be **received** by the court on or before the deadline specified. Instructions for mailing this objection are found at Page 6, and must be strictly followed.

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

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

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

I. GENERAL INFORMATION

Please fill in the following information:

1. *Party/Claimant objecting:*

Name: Jack Harman and Kent Harman

Address: 518 East 1400 North
Rupert, Idaho 83350

Phone: Work: (208) 532-4568 Home: (208) 532-4236

Briefly describe your interest in this water right:

Objecting parties are the claimants to the water rights recommended by the Director of the Idaho Department of Water Resources.

2. **If this objection is filed by an attorney:**

Attorney Name: Roger D. Ling

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

Attorney Phone No.: (208) 436-4717

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ **Name and Address:** I object to the name and/or address of the owner of the water right.
2. ☐ **Source:** I object to the source of water.
3. **Quantity:** I object to:
 - ☐ a. the total quantity of water used in cubic feet per second; or
 - ☐ b. the total quantity of water stored in acre feet per year; or
 - ☐ c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☒ **Priority Date:** I object to the priority date.
5. ☐ **Points of Diversion:** I object to the legal description of the point(s) of diversion.
6. ☐ **Instream Flow:** I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ **Purpose(s) of Use:** I object to the purpose(s) of use.
8. ☐ **Period of Year:** I object to the period of year when water is used or is necessary for the purpose stated.
9. **Place of Use:** I object to:
 - ☐ a. the legal description of the place of use; or
 - ☐ b. the number of irrigated acres within each 40-acre subdivision.
10. ☐ **Consumptive Use:** I object to the annual volume of consumptive use.
11. **Water Right Recommendation:** I object to:
 - ☐ a. this water right being recommended at all; or
 - ☐ b. this water right not being recommended.
12. ☐ **Description of Reservation:** I object to the legal description of the reservation.

13. ☐ **Other:** I object to:

REASONS SUPPORTING EACH BOX CHECKED

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

4. **Priority Date:** Claimants object to the subordination provision under the priority date recommended, as there has been no showing by the holder of a water right with a priority date earlier than April 12, 1994 that they have been injured by this priority date of June 30, 1973.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

The subordination provisions under **priority date** should be removed.

Note: You should attach copies of documents which support your objection. Note on each document the box number it supports.

- ☐ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

VERIFICATION (Must be Completed)

State of Idaho

County of Minidoka

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

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

Signature of person filing objection

Roger D. Ling
Roger D. Ling
Attorney signing in representative capacity

Subscribed and sworn to before me on: October 15, 1997



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

INSTRUCTION FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

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

1. Original to:

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

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

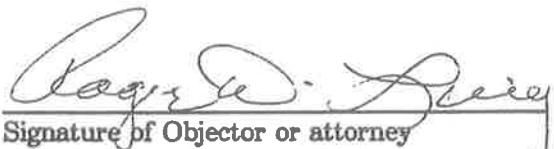
Name: Jack Harman and Kent Harman
Address: 518 East 1400 North
Rupert, ID 83350

3. Copies to:

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

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

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


Signature of Objector or attorney
mailing on Objector's behalf

RECEIVED

NOV 3 1997

RECEIVED

NOV 05 1997

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

Attorneys' Names and Address

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

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

RECEIVED

OCT 31 1997

OFFICE OF THE
ATTORNEY GENERAL

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT

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

In Re: SRBA

Case No. 39576

A. Subcase No. 36-15356

JOINT RESPONSE OF MAGIC VALLEY GROUND
WATER DISTRICT, ABERDEEN-AMERICAN FALLS
GROUND WATER DISTRICT, BINGHAM GROUND
WATER DISTRICT, TIM DEEG, MACK NEIBAUR,
AND RALPH BREDDING TO JACK HARMAN'S AND
KENT HARMAN'S OBJECTION

(Standard Form 2)

B. NAME AND ADDRESS OF PERSONS RESPONDING

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

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

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

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

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

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

MAIL9346



Name & Address of Attorneys:

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

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

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

Name: Jack Harman and Kent Harman

Address: 518 East 1400 North
Rupert, Idaho 83350

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

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

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

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

VERIFICATION

STATE OF IDAHO)
 : SS
COUNTY OF ADA)

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

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

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

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

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

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

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

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

JULIE BEST-GILSTER
☆ NOTARY PUBLIC ☆
STATE OF IDAHO



F.

CERTIFICATE OF SERVICE

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

1. Original to:

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

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

Name: Jack Harman and Kent Harman
Address: 518 East 1400 North
Rupert, Idaho 83350

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

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

4. Copies to:

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

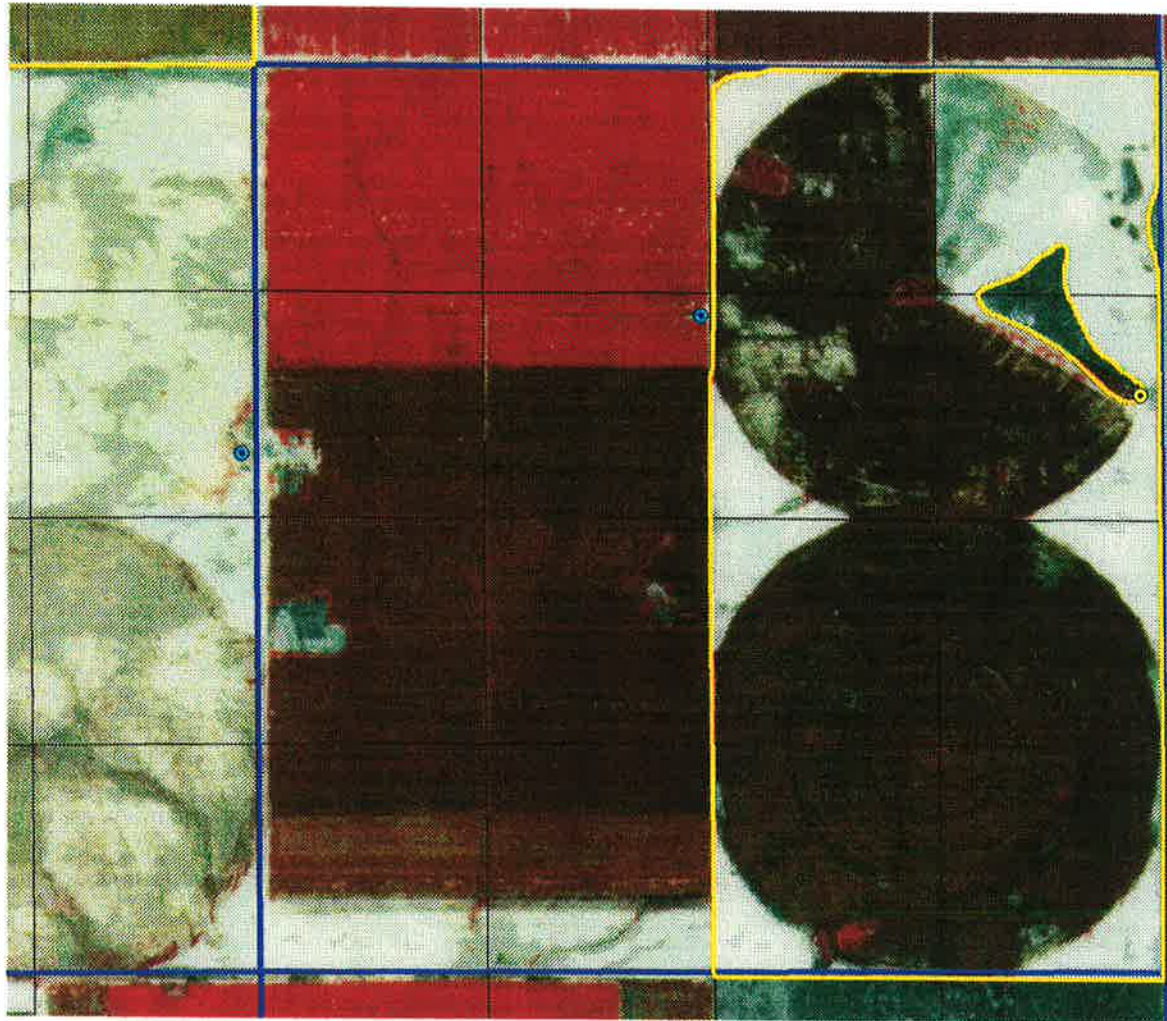
Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

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

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

IDAHO DEPARTMENT OF WATER RESOURCES

36-02415, 36-15356



1320 0 1320 2640 3960 5280 Feet

TNS 8S, RNG 21E, SEC 12 E1/2



⊙ RECOMMENDED POINT OF DIVERSION



RECOMMENDED PLACE OF USE



SECTION LINES &/OR TRACT LINES



QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY NOVEMBER 11, 1997
BY DOUGLAS JONES

NO. OF CLAIMS IN POLYGON _____

TRANSFER NUMBER _____

CLAIM NUMBERS 36-02415 36-15356

DATE 6/23/97

OBJECTION FILED _____

AGENT [Signature]

TOTAL ACRES FROM RECOMMENDATION 311

GEOGRAPHIC INFO SYSTEM 311

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	7S	24E	12	37	39	40	35									40	40	40	40
GIS				36.9	38.15	39.7	35.1									39.5	39.9	39.9	39.4
				37	38	40	35									40	40	40	40
RECOM	7S	24E	13																
GIS				1.3	1														2.3
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

B36-DBPOU.DBF

ATTRIBUTES OF B36-POU.SHP (143)

B36-DBPOD.DBF

ATTRIBUTES OF B36-POD.SHP (154)

POLYGON #

UPDATED

6/24/97

6/24/97

POU could be amended to include 313

P/U CONFLICT yes (X) no

P/D CONFLICT yes (X) no

SENT FOR DECREE yes () no

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: **A36-15356**
Date Received: 3/30/1992
Receipt No: S014324
Received By: lt

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JACK HARMAN 208-532-4236
Address: RT 3 BOX 3254
RUPERT ID 83350
AND
Name: KENT HARMAN 208-532-4236
Address: RT 3 BOX 3254
RUPERT ID 83350

2. Date of Priority: JAN 1, 1970

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	24E	12	SE	SE	NE		MINIDOKA

5. Description of diverting works:
230' WELL AND 300 HP PUMP, PIVOT & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.240		

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

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

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	24E	12	NE	NE		IRR	13.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	24E	12	SE	NE		IRR	5.0
Section Acres							18.0
Total Acres							18.0

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:
A36-02415

14. Remarks:

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02415 PURSUANT TO IDAHO CODE 42-1416(2). RIGHT NO. 36-02415 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. USE OF THIS RIGHT WITH RIGHT NO. 36-02415 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.11 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1244 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 933 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 311 ACRES IN A SINGLE IRRIGATION SEASON.

6-13-95 TF: CHANGE IN OWNERSHIP MADE. REC'D 4-7-95.

15. Basis of Claim: BENEFICIAL USE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 4-6-95

LEGAL DESCRIPTION OF PROPERTY: Township 7 South Range 24 East

Section 12, E1/2 ~~XXXX~~ ~~XXXX~~ ~~XXXX~~, BM., Minidoka County

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

APR 07 1995

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR:

36-02415; 36-15356

Department of Water Resources
Southern Region

☒ Name and Address of Former
Owner/Claimant(s)(Seller):

Ronald S. Jones (Arrowhead Farms, Inc.)

237 Crescent

Rupert, Idaho 83350

☒ New Owner/Claimant
(Purchaser):

Jack Harman/Kent Harman

☒ New Mailing Address:

Route #3, Box 3254

Rupert, Idaho 83350

☒ New Telephone Number:

(208) 532 - 4236

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of
ownership, describe
proof attached:

Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New
Owner/Claimant(s)

Jack Harman

Jack Harman

Date 4-6-95

Kent Harman

Kent Harman

Date 4-6-95

☒ Signature of Former
Owner/Claimant(s):

Ronald S. Jones

Ronald S. Jones

Date 4-6-95

(Arrowhead Farms, Inc) Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

DEC 05 1996

46
RECEIVED

SEP 05 1995

Department of Water Resources
Southern Region

RECEIVED

JUL 27 1995

Department of Water Resources
Adjudication Bureau

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

In Re SRBA

Case No. 39576

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

36-02415, 36-15356

document accepted by court 7/25/95
CM system not updated - 10/1/95

INSTRUCTIONS FOR USE records J

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The Substitution shall be filed by the new claimant/purchaser.

I am the new claimant/purchaser of 36-02415 and 36-15356
(Insert each water right number)

My name is Jack Harman and Kent Harman

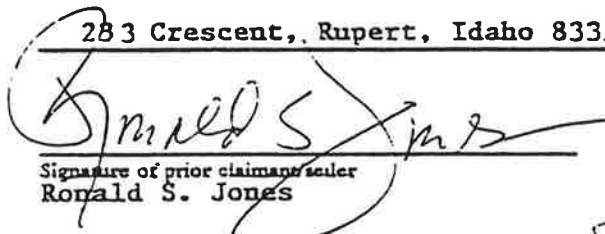
My address is Route 3, Box 3254, Rupert, Idaho 83350

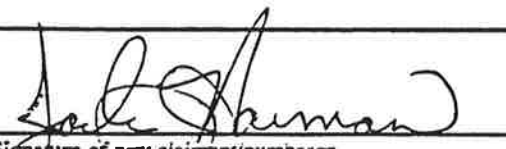
My phone number is: Work _____ Home (208) 532-4236

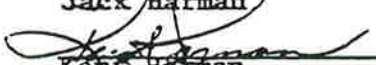
The name and address of the prior claimant/seller who I wish to be substituted for are:

Ronald S. Jones (Arrowhead Farms, Inc.)

283 Crescent, Rupert, Idaho 83350


Signature of prior claimant/seller
Ronald S. Jones


Signature of new claimant/purchaser
Jack Harman


Kent Harman

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name Roger D. Ling

Attorney of record for Jack Harman and Kent Harman
(Identify party/claimant)

Attorney address and phone number: 615 H. Street, P.O. Box 396, Rupert, Idaho 83350
(208) 436-4717

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☒ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

MICROFILMED
DEC 05 1996

INSTRUCTIONS FOR MAILING

Mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on the 24th day of July, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

<u>Alan Goodman, Esq.</u>	<u>Ronald S. Jones (Arrowhead Farms, Inc.)</u>
<u>P. O. Box D</u>	<u>233 Crescent</u>
<u>Rupert, Idaho 83350</u>	<u>Rupert, Idaho 83350</u>

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

MICROFILMED

DEC 05 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

June 13, 1995

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JACK AND KENT HARMAN
RT 3 BOX 3254
RUPERT ID 83350

RE: SRBA Claim(s) A36-02415 and A36-15356

Gentlemen:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Since this claim is listed on the Snake River Basin Adjudication Director's Report, a Standard Form #3 must be filed with the Adjudication Court in Twin Falls. If this form has not been submitted, you may contact this office or the SRBA Court for a copy.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

MICROFILMED

DEC 05 1996

Water Right Number - 36-15356

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
HARMAN

JACK

1 - RT 3 BOX 3254

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-532-4236

HARMAN

KENT

1 - RT 3 BOX 3254

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-532-4236

*** D - DIR RPT OWNER ***
JONES

RON S

1 - 233 CRESCENT

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-0289

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/30/1973 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
07S 24E 12 SE SE NE (67) MINIDOKA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 0.240+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.240 0.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
07S 24E 12 NE NE 37.0 01 IRRIGATION (67) MINIDOKA
07S 24E 12 NW NE 39.0 01 IRRIGATION (67) MINIDOKA
07S 24E 12 SW NE 40.0 01 IRRIGATION (67) MINIDOKA
07S 24E 12 SE NE 35.0 01 IRRIGATION (67) MINIDOKA
07S 24E 12 NE SE 40.0 01 IRRIGATION (67) MINIDOKA
07S 24E 12 NW SE 40.0 01 IRRIGATION (67) MINIDOKA
07S 24E 12 SW SE 40.0 01 IRRIGATION (67) MINIDOKA
07S 24E 12 SE SE 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 311.0

MICROFILMED
DEC 05 1996

Water right number - 36-15356

Prefix Translation: WATER RIGHT

+ - - Diversion Means - 230' WELL AND 300 HP PUMP, PIVOT & SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02415

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

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02415 PURSUANT TO
IDAHO CODE 42-1416(2).
RIGHT NO. 36-02415 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.
USE OF THIS RIGHT WITH RIGHT NO. 36-02415 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.11 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1244 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 933 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 311 ACRES IN A SINGLE IRRIGATION SEASON.

+ - - - - - 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: 04/01/1992 User Id: KEEN Subject: CLAIM REVIEW
DESKTOP INVESTIGATION, RECOMMENDATIONS, AND DATA ENTRY BY S.W. KEEN ON 4-1-1992.
Date: 06/13/1995 User Id: TFAWCETT Subject: NAME CHANGE
6-13-95 TF: CHANGE OF OWNERSHIP MADE. REC'D 4-7-95.

+ - - Audit Fields - - +

06/13/95 TFAWCETT

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 04/01/1992	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	- 03/30/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S014324	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	- E
				Notice of Error Flag	-

MICROFILMED
DEC 05 1996

035

RECEIVED
SEP 13 1995
Department of Water Resources
Southern Region

RECEIVED
JUL 27 1995
Department of Water Resources
Adjudication Bureau

RECEIVED
JUL 25 1995
OFFICE OF THE
ATTORNEY GENERAL

Movant's Name: Jack Harman and Kent Harman
Attorney Name & Address: ROGER D. LING
LING, NIELSEN & ROBINSON
615 H. Street, P.O. Box 396
Rupert, Idaho 83350

→ modified "A" & blank records 9-7-95.

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

In Re SRBA) Subcase Nos. 36-02415
Case No. 39576) and 36-15356

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

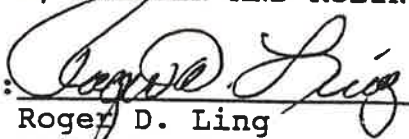
This document is a Notice of Appearance by Roger D. Ling of the firm of Ling, Nielsen and Robinson on behalf of Jack Harman and Kent Harman.

NOTICE OF APPEARANCE

PLEASE TAKE NOTICE, that Roger D. Ling of the firm of Ling, Nielsen and Robinson hereby enters an appearance of the firm as the attorneys of record in the subcases listed above for Jack Harman and Kent Harman.

DATED this 24th day of July, 1995.

LING, NIELSEN AND ROBINSON

By: 
Roger D. Ling
Attorney for Jack Harman
and Kent Harman

MICROFILMED
DEC 05 1995

LING, NIELSEN & ROBINSON
ATTORNEYS AT LAW
RUPERT, IDAHO 83350

LING, NIELSEN & ROBINSON

ATTORNEYS AT LAW

RUPERT, IDAHO 83350

CERTIFICATE OF MAILING

I hereby certify that on the 24th day of July, 1995,
I served a true and correct copy of the NOTICE OF APPEARANCE
upon:

Original to:

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

Copies to:

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

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

Alan Goodman, Esq.
GOODMAN & BOLLAR
P. O. Box D
Rupert, Idaho 83350

Ronald S. Jones
Arrowhead Farms, Inc.
233 Crescent
Rupert, Idaho 83350

by depositing a copy thereof in the United States mail, postage
prepaid, in an envelope addressed to said persons at the
foregoing addresses.


Roger D. Ling

Water Right Number - 36-15356

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** A - ATTORNEY ***
LING

ROGER D

1 - LING NIELSEN & ROBINSON
2 - 615 H ST
3 - PO BOX 396
City- RUPERT
Phone - 208-436-4717

State- ID Zip- 83350

*** C - CURRENT OWNER ***
HARMAN

KENT

1 - RT 3 BOX 3254
2 -
3 -
City- RUPERT
Phone - 208-532-4236

State- ID Zip- 83350

HARMAN

JACK

1 - RT 3 BOX 3254
2 -
3 -
City- RUPERT
Phone - 208-532-4236

State- ID Zip- 83350

*** D - DIR RPT OWNER ***
JONES

RON S

1 - 233 CRESCENT
2 -
3 -
City- RUPERT
Phone - 208-436-0289

State- ID Zip- 83350

+ - - Priority Date - - +
06/30/1973+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

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

07S 24E 12 SE SE NE (67) MINIDOKA

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

01 - IRRIGATION 04/01 10/31 0.240

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.240 0.0+ - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

07S	24E	12	NE NE		37.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	12	NW NE		39.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	12	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	12	SE NE		35.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	12	NE SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	12	NW SE		40.0	01	IRRIGATION	(67) MINIDOKA

MICROFILMED
DEC 05 1996

Water right number - 36-15356

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
07S	24E	12	SW SE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	24E	12	SE SE		40.0	01	IRRIGATION	(67) MINIDOKA

Total Acres: 311.0

+ - - Diversion Means - 230' WELL AND 300 HP PUMP, PIVOT & SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02415

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02415 PURSUANT TO IDAHO CODE 42-1416(2). RIGHT NO. 36-02415 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE. USE OF THIS RIGHT WITH RIGHT NO. 36-02415 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.11 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1244 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 933 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 311 ACRES IN A SINGLE IRRIGATION SEASON.

+ - - - - 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

Date: 04/01/1992 User Id: KEEN Subject: CLAIM REVIEW
DESKTOP INVESTIGATION, RECOMMENDATIONS, AND DATA ENTRY BY S.W. KEEN ON 4-1-1992.
Date: 06/13/1995 User Id: TFAWCETT Subject: NAME CHANGE
6-13-95 TF: CHANGE OF OWNERSHIP MADE. REC'D 4-7-95.
Date: 09/07/1995 User Id: SSHERMAN Subject: NOTICE OF APPEARANCE
ADDED ROGER D LING AS ATTORNEY PER NOA REC'D 07/27/95.

+ - - Audit Fields - - +
09/07/95 SSHERMAN

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 04/01/1992	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	-

MICROFILMED
DEC 05 1996

AJ0743NP
(OD-124)

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

09/07/95 13:19:59
Page 3

Water right number - 36-15356

Prefix Translation: WATER RIGHT

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

Claim Received Date	- 03/30/1992	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S014324	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	- E
				Notice of Error Flag	-

MICROFILMED
DEC 05 1995

INFORMATION REQUEST

NAME: Sari Dossaceo Yarni Cr. DATE: 2/28/95
 ADDRESS: 409 Shoshone
 CITY/ZIP: Winn Falls ID 83301 PHONE: 734-0882
 (please print)

I HAVE REQUESTED TO REVIEW AND/OR OBTAIN COPIES OF THE FOLLOWING DOCUMENTS ON FILE WITH THE DEPARTMENT OF WATER RESOURCES.

Adj. & Prop.
Report

ADJUDICATION CLAIM NUMBERS	ALLOCATION WATER RIGHT NUMBERS	OTHER DOCUMENTS
-------------------------------	-----------------------------------	--------------------

36 - 153560

36 - 02415

RESEARCH SUBJECT: _____

COPIES MADE OF: _____

10 COPIES OR LESS: FREE

NUMBER OF COPIES MADE: 4

FEES DUE @ \$0.05 PER COPY: N/C

OTHER FEES: _____

RECEIPT NUMBER: _____

ASSISTING AGENT: HB

Sari Dossaceo
 (customer signature)

MICROFILMED
 DEC 05 1996

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
FEB 09 1993

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																								
C	RON S JONES 233 CRESCENT RUPERT ID 83350 (208) 436-0289	06/30/1973	IRRIGATION	04-01 10-31	0.24 CFS																																																																																									
TOTAL DIVERSION:					0.24 CFS																																																																																									
Water Source: GROUNDWATER		Tributary to:		Stage: BENEFICIAL USE																																																																																										
Point(s) of Diversion:		T07S R24E S12 SESENE		MINIDOKA County																																																																																										
Place of use Legal Description for: IRRIGATION																																																																																														
<table><thead><tr><th colspan="4"></th><th colspan="4">NE</th><th colspan="4">NW</th><th colspan="4">SW</th><th colspan="4">SE</th><th></th></tr><tr><th>T</th><th>R</th><th>S</th><th>:</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>Lt</th><th>Ac</th><th>:</th><th>SUM</th></tr></thead><tbody><tr><td>07S</td><td>24E</td><td>12</td><td>:</td><td>37</td><td></td><td>39</td><td></td><td>40</td><td></td><td>35</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td>40</td><td></td><td>40</td><td></td><td>311.0</td></tr><tr><td colspan="20"></td><td>TOTAL ACRES</td><td>311.0</td></tr></tbody></table>											NE				NW				SW				SE					T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	07S	24E	12	:	37		39		40		35								40		40		311.0																					TOTAL ACRES	311.0
				NE				NW				SW				SE																																																																														
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM																																																																									
07S	24E	12	:	37		39		40		35								40		40		311.0																																																																								
																				TOTAL ACRES	311.0																																																																									

POU County: MINIDOKA

Other Rights: 36-02415

Other Water Rights with Same Point(s) of Diversion and Source:
A36-02415 A36-15356 R36-02415

Other Water Rights Listing Overlapping Place(s) of use:
A36-02415 A36-15356 R36-02415

Remarks: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02415 PURSUANT TO
IDAHO CODE 42-1416(2).
RIGHT NO. 36-02415 IS ALSO DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE.
USE OF THIS RIGHT WITH RIGHT NO. 36-02415 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.11 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1244 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 933 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 311 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: 04/01/1992 Verified Date: 04/10/1992

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

Comments: Date: 04/01/1992 User-ID: KEEN Subject: CLAIM REVIEW
DESKTOP INVESTIGATION, RECOMMENDATIONS, AND DATA ENTRY BY
S.W. KEEN ON 4-1-1992.

Audit: 04/01/92 KEEN 04/10/92 KEEN

Verified by S.W. Keen
on 4-13-92

MICROFILMED
FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:12:52
04/01/92

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-15356

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		S.W. Keen 4-9-92	Yes	6	S.W. Keen 4-9-92	S.W. Keen 4-10-92	S.W. Keen 4-13-92
POINT OF DIV	Y		S.W. Keen 4-1-92	No	1, 6	S.W. Keen 4-1-92	S.W. Keen 4-1-92	
SOURCE	Y			No	6			
PLACE OF USE	Y			Yes	1, 2, 4			
DIV. AMOUNT CFS/VOLUME	Y			No	6			
CONSUMPTIVE USE	-			Yes	6			
PURPOSES	Y			No	6			
PERIOD OF USE	Y			No	6			
BASIS OF CLAIM	Y			No	6			
REMARKS	Y			No	6			

"VERIFIED BY" CODES

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

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

MICROFILMED
FEB 09 1993

Flag = E
Cond. Code = None
Remarks = claimed remarks

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:13:09
04/01/92

PAGE: 12
PROFILE REPORT

CLAIM NUMBER: A36-15356

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RON S JONES 233 CRESCENT RUPERT ID 83350 (208) 436-0289	01/01/1970	IRRIGATION	04-01 10-31	0.24 CFS	
				TOTAL DIVERSION:	0.24 CFS	
				CONSUMPTIVE USE:		54.0 AFA
	Water Source: GROUNDWATER		Tributary to:		Stage: BENEFICIAL USE	
	Point(s) of Diversion:	T07S R24E S12	SESENE		MINIDOKA County	
Place of use Legal Description for: IRRIGATION						
	NE	NW	SW	SE		
	NENE NWNE SWNE SENE	NENW NWNW SWNW SENW	NESW NWSW SWSW SESW	NESE NWSE SWSE SESE		SUM
T R S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac		
07S 24E 12	: 13	05				18.0
					TOTAL ACRES	18.0

POU County: MINIDOKA

Other Rights: A36-02415

Remarks: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02415 PURSUANT TO IDAHO CODE 42-1416(2). RIGHT NO. 36-02415 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. USE OF THIS RIGHT WITH RIGHT NO. 36-02415 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.11 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1244 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 933 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 311 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date:

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

MICROFILMED
FEB 09 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:12:52
04/01/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-15356

LAST: JONES FIRST: RON S
ADDRESS: 233 CRESCENT
CITY: RUPERT STATE: ID ZIP: 83350
PHONE NUMBER: 208-436-0289

OWNER CODE: C

FIELD EXAM REQUIRED?	DATABASE	FIELD EXAMINER
VERIFICATION REQUIRED DUE TO REMARKS?	Y	

CLAIM REMARKS: THIS RIGHT IS LIMITED TO THE IRRIGATION OF 18 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02415 PURSUANT TO IDAHO CODE 42-1416(2). RIGHT NO. 36-02415 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. USE OF THIS RIGHT WITH RIGHT NO. 36-02415 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.11 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1244 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 933 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 311 ACRES IN A SINGLE IRRIGATION SEASON.

MICROFILMED
FEB 09 1993

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 09 1993

A. AJ CLAIM: # A36-15356 PRIORITY DATE: 01-01-1970 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: Claimant submitted a depreciation schedule for a sprinkler system purchased in 6-73. The schedule does not, however, list Mr. Jones name or the location of his farm. Apparently, however, this was the only farm owned by Rolland Jones Potatoes, Inc., in the 1970s. (The company owned the farm before Mr. Ron S. Jones acquired it in 1990.) Therefore, it follows that any sprinkler system bought for ~~the~~ Rolland Jones Potatoes, Inc., in 1973 went on this farm.

U.S.G.S. orthophoto quad dated 1979 (AA80) shows the expansion to have been completed by then.

=====

RECOMMENDED PRIORITY DATE:

6-30-1973

REVIEWED BY S.W. Keen

DATE 4-10-92

=====

MICROFILMED
FEB 09 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-15356	07S	24E	12	SE	SE	NE		MINIDOKA

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02415 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	FIELD EXAMINER
			Y	<u>No</u>
			Y	<u>No</u>

REMARKS:

Point of diversion - appears in the place claimed on U.S.G.S. and NAPP photos

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S</u>	<u>24E</u>	<u>12</u>	<u>SE</u>	<u>SE</u>	<u>NE</u>	<u>---</u>	<u>Minidoka</u>

No govt. lots!

SOURCE: Groundwater
REVIEWED BY: S.W. Keen

TRIB:

DATE: 4-1-92

MICROFILMED
FEB 09 1993

A. ROOT WATER RIGHT NUMBERS: A36-15356

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	24E	12	NE	NE		JONES, RON S	A36-15356 /13.0	-	/	37.0	36.5
			NE	NE		JONES, RON S.	A36-02415 /24.0	36-02415	/24.0		
07S	24E	12	SE	NE		JONES, RON S	A36-15356 / 5.0	-	/	38.0	35.0
			SE	NE		JONES, RON S.	A36-02415 /30.0	36-02415	/30.0		
TOTAL ACRES							A36-15356	18.00		75.00	

ASCS Photo
+
planimeter

MICROFILMED
FEB 09 1993

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y(✓) N()

IF YES SEE ATTACHED SHEET: This is a 2nd presumption expansion claim based on 36-02415. Recommend with a permissible place of use.

C. FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER
No

POU COUNTY: MINIDOKA

DUE TO POU DISCREPANCY? (Y/N)

(See CVR in
A36-02415 for
complete place of use.)

PRESUMPTION FLAG: E

REMARKS:

1979 1987
- Expansion shows clearly on U.S.G.S., NAPP, and ASCS aerial photography.
- ASCS total for the permissible place of use is 304.9 acres. Landsat says 309; Anna Baumhoff's total is 311; I used the planimeter and got 310.5. (See CVR for A36-02415.)

RECOMMENDATIONS:

TOTAL ACRES: 18 of 311 acres.

REVIEWED BY: S.W. Keen

DATE: 4-1-92

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-15356 IRRIGATION	FROM 04-01 TO 10-31	.240 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.240 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	<u>No</u>
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	<u>No</u>
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	<u>No</u>

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(☐)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(☐) N(☐) Explain in remarks, below.

REMARKS:

Claimed season matches standard.

MICROFILMED
FEB 09 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.240 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? FIELD
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) DATABASE EXAMINER
Y

MICROFILMED
FEB 09 1993

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-02415

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-15356	GROUNDWATER	JONES , RON S	0.240	0.013		
A36-02415	GROUNDWATER	JONES , RON S.	4.110	0.014		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

A36-15356 is an expansion claim based on license 36-02415. Recommend 0.24 cfs diversion rate for A36-15356, but limit both rights to 4.11 cfs.

SW Keen
4-1-92

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 18 x 0.02 CFS/ACRE = .36 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() ***

1b. CALCULATIONS

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 54.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

- Permissible place of use = 311 acres.

- 311.0 acres x 4.0 AF/ACRE = 1244 AFY Diversion Volume for combined rights

- 311.0 acres x 3.0 AF/ACRE = 933 AFY Consumptive Use Volume for combined rights.

MICROFILMED
FEB 09 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
<u>Irrigation</u>	<u>4-1 10-31</u>	<u>0.24cfs</u>		
TOTAL FOR THIS RIGHT		<u>0.24cfs</u>		<u>covered in remarks for combined use.</u>
REVIEWED BY: <u>S.W. Keen</u>		DATE: <u>4-1-92</u>		

MICROFILMED
FEB 09 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED

()
()
()

NEEDS
REVIEW

()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-15356

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

-

A36-15356

0.240

-

-

TOTAL CFS

0.240

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:

No Split

AUTHENTICATION:

SIGNATURE:

Shelley Walter Keen

DATE:

4-13-92

NAME OF FIELD EXAMINER:

Shelley Walter Keen

TITLE:

Sr. W.R. Agent

MICROFILMED
FEB 09 1993

2
38.3

3
77.5

4
38.0

2 11

14 12 T1502
1422
TRACT-HEL

1
50

T272
2081

1 6
3 12 7

8.1

39

TRACT-HEL 37

R36-02415

AND

R36-15356

T75, R24E, S12

40

35

PD

N
4
T

Scale $\approx \frac{1}{8310}$

40

40

40

40

11 12
14 13

2
162.5

6
6.1

8
6.8

12 7
13 18

MICROFILMED
FEB 09 1993

A36-024
A36-15356

2
38.3

3
77.5

53.0

12 T1502

1422

Tracer-Hel

Area in green is
the acres now being
worked were not
licenced (See field Exam
of Licence.)
Approx 12 ACRES
total.

O = P.D.

licence = 293 ACRES
ing OC = 304.9 ACRES

EXPANSION = 11.9 ACRES
in E $\frac{1}{2}$, NE $\frac{1}{4}$

1
5.0

T272
2061

Tracer-Hel

3
8.1

2
120.9

10.5

11.4

SEEK 7

2
162.5

6
6.1

136.6

8
63

MICROFILMED
FEB 09 1993

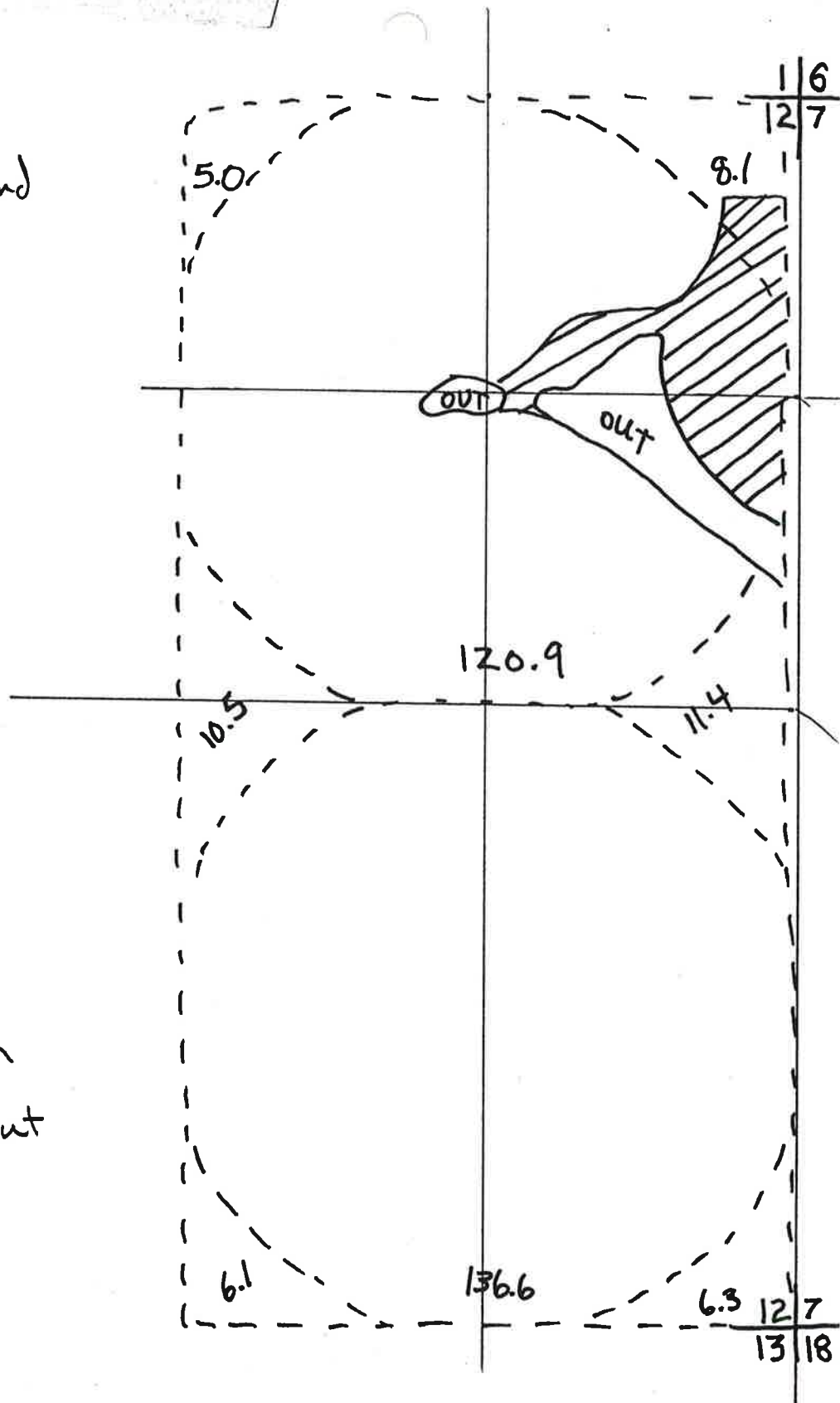
To: Steve Clelland

From: S.W. Keen

A36-02415

Ron S. Jones

The  portion
was not licensed but
is now irrigated.



$$\frac{41}{40} = \frac{5.222}{x}$$

2.178
1.92
2.25
2.30

MICROFILMED
FEB 09 1993

T6S
T7S

AA80

T7S, 24E, S12, E $\frac{1}{2}$

R36-15356

This photo indicates
that the expansion of
sues had occurred
by 1979.



DEPRECIATION SCHEDULE

Property of Rolland Jones Potatoes, Inc

Wells

160-08
260-08

KIND OF PROPERTY	Date Acquired	COST or other basis	Investment Credit	Basis Less Salvage Value	Method if other than straight line	RATE or LIFE	RESERVE 7-31-83	DEPREC.	RESERVE 7-31-84	DEPREC. 7-31-85	RESERVE 7-31-85	DEPREC.
Well - H + A Place	5-62	4000 00			SL	16	4000 00	-	4000 00	-	4000 00	
Pump and Motor	5-62	12000 00		760 00	SL	8	11240 00	-	11240 00	-	11240 00	
Sprinkler System - Newcomb	6-73	24200 50			DDC	8	24200 50	-	24200 50	-	24200 50	
Sprinkler System	8-80	152208 36			SL	10	4560189	15200 63	6080252	15200 63	76003 75	
		192208 36					8504239	15200 63	10024302	15200 63	115443 65	
April 6, 1992												
I Certify this to be a true copy of the corporate records of Rolland Jones Potatoes, Inc.												
Wm. Schwan Financial Officer												
Witness Linda Casagrande												
Shelley The Farm was converted to sprinkler in 1973. If you have any more questions call me. Thank you Jim												
TOTALS												

MICROFILMED
FEB 09 1993

CLAIMANT'S NAME: Ron S. JonesDATE: 3-25-92COUNTY: MinidokaEMPLOYEE: S.W. Keen

I called Mr. Jones (Mobile # 678-0248-1212^{at the time}) to ask about the additional acres in the NE $\frac{1}{4}$ S.12, T7S, R24E. He agreed to go to Twin Falls to talk to Steve Clelland about claiming these acres.

I then called Steve and told him to expect Mr. Jones.

4-2-92 I called Ron S. Jones at 436-0289 to ask for proof of priority for expansion claim A36-15356. He agreed to send something to me ~~xxx~~ within two weeks.

4-10-92 I called Ron Jones on his mobile phone to ask him to clarify his relationship to Rolland Jones Potatoes, Inc., and to ~~xxx~~ shed some light on the priority evidence he sent.

Apparently, Rolland Jones Potatoes, Inc., owned the farm until Ron S. Jones acquired it in 1990. Mr. Ron S. Jones was a stockholder in the firm until that time. Furthermore, Mr. Jones told me that his farm is the only farm that the company owned in the 1970s. Therefore, the sprinkler system described on the company's depreciation ~~xxx~~ schedule had to be for the farm that Mr. Jones now owns.

MICROFILMED
FEB 09 1993