

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: A36-07417
Date Received: 3/27/1990
Receipt No: 5011696
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: OKELBERRY FARMS INC. 208-829-5407
Address: 1935 E. 1200 S.
HAZELTON, ID 83335

2. Date of Priority: DEC 11, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	20E	14	NE	NE	SW		JEROME

5. Description of diverting works:
WELL WITH 200 H.P. TURBINE & 150 H.P. BOOSTER TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.780		

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

8. Total consumptive use is 615.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	20E	14	SW	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0

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Page 1

Date: 03/27/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	20E	14	SE	SW		IRR	36.0
			NW	SE		IRR	9.0
Section Acres							205.0
Total Acres							205.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
A36-02151

14. Remarks:

SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION AND VOLUME PER YEAR SHALL NOT EXCEED 2.32 CFS / 820 AF WHEN COMBINED WITH LICENSE NO. 22466/36-2151.

15. Basis of Claim: LICENSE

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: 1 Map

For Organizations:

I do solemnly swear or affirm that I am President of
Chelley Farms Inc. that I have signed the foregoing
document in the space below as President of
Chelley Farms Inc. and that the statements contained in the
foregoing document are true and correct.

John H. Chelley
Signature of Authorized Agent

President Chelley Farms Inc.
Title and Organization

3-27-90
Date

State of Idaho)
County of Twin Falls) SS.

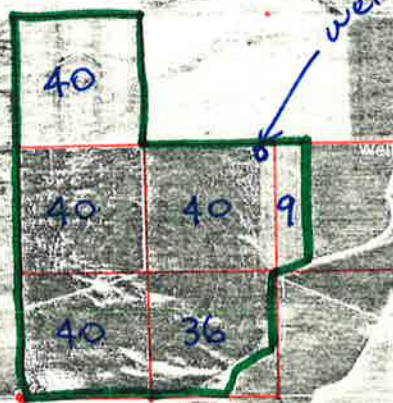
Subscribed and sworn (or affirmed) before me this 27th day
of March 19 90

[Signature]
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/92

A36-07417



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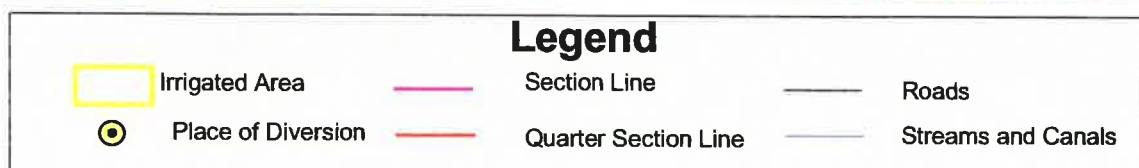
Log for claim 36-07417

Spatial Dynamics BTD

9/14/01

TR	SEC	QQ	Acres		COMMENT
			Recommended	Shaped	
10s20e	14	SWNW	40	40	
10s20e	14	NESW	40	40	Permissible place of use
10s20e	14	NWSW	40	40	Permissible place of use
10s20e	14	SWSW	40	40	Permissible place of use
10s20e	14	SESW	36	36	Permissible place of use
10s20e	14	NWSE	9	12	Permissible place of use
Totals:			205	208	

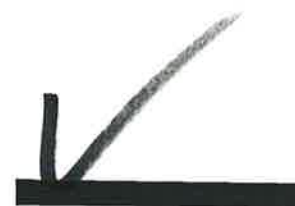
09/14/2001


**SPATIAL
DYNAMICS**

R PROOF



CVR



MAPS



PHOTOS



MISC



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Water Right Number - R36-07417

Prefix Translation: RESEARCH

VERIFIED ADM
Old (D) Number -

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

*** C - CURRENT OWNER ***
OKELBERRY FARMS INC.

1 - 1935 E. 1200 S.

2 -

3 -

City- HAZELTON

State- ID Zip- 83335

Phone - 208-829-5407

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/11/1973 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
10S 20E 14 NE NE SW (53) JEROME+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 0.510+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.510 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10S 20E 14 SW NW 40.0 01 IRRIGATION (53) JEROME
10S 20E 14 NW SE 5.0 01 IRRIGATION (53) JEROME

Total Acres: 45.0

+ - - Diversion Means - WELL WITH 200 H.P. TURBINE & 150 H.P. BOOSTER TO SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-02151

+ - - - - Remarks - - - - - +
USE OF THIS RIGHT WITH RIGHT NO. 36-02151 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.32 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 820 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 615 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 205 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-02151 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.MICROFILMED
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Water right number - R36-07417

Prefix Translation: RESEARCH

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

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

No Old Water Right Numbers Found

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

C05 - RIGHT INCLUDES CHANGE IN PLACE OF USE.

M01 - A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED
- AS A PART OF THE DIVERTING WORKS.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

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

Date: 01/15/1991 User Id: BEDKE Subject: NB-STAFF REVIEW

+ - - Audit Fields - - +

07/30/91 MERRITT

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

Court Report Filing - 00/00/0000
Objection Filed Date - 00/00/0000
Response Filed Date - 00/00/0000
Claim Received Date - 03/27/1990

Field Inspection Made - 00/00/0000
Field Inspection Flag -
Verified Date - 07/30/1991
Last Amended Date - 00/00/0000
Receipt Number - S011696
POU Ownership Flag - Y
Name Connector -

Civil Case Number - 39576
Old Case Number -
Old Judicial District -
Temporary Right - P
Water District -
Federal/State Indicator - S
Presumption Flag - C

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STATE IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:46:11
09/15/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07417

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			7/28/90 11/19/90	N				
POINT OF DIV	Y			N				
SOURCE				N				
DE OF USE	Y			N				
DIV. AMOUNT CHS/VOLUME				N				
CONSUMPTIVE USE				N				
PURPOSES				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS	Y			N				

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"VERIFIED BY" CODES

TOPO MAP/ORTHO-PHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAIP 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.

STATE INLAND
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:46:11
09/15/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A96-07417

LAST: OKELBERRY FARMS INC.
ADDRESS: 1936 E. 1200 S.
CITY: HAZELTON
PHONE NUMBER: 208-829-5407

FIRST:
STATE: ID ZIP: 83235

OWNER CODE: C

LAST: LEROY
ADDRESS: 1308 ALDER DRIVE
CITY: TWIN FALLS
PHONE NUMBER: 208-000-0000

FIRST: EDWIN
STATE: ID ZIP: 83301

OWNER CODE: C

LAST: PERMANN
ADDRESS:
CITY: XXX
PHONE NUMBER: 208-000-0000

FIRST: MARILYN J.
STATE: ID ZIP: 000

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: SUBJECT TO THE CONDITION THAT THE MAXIMUM RATE OF DIVERSION AND
VOLUME PER YEAR SHALL NOT EXCEED 2.32 CFS / 820 AF WHEN COMBINED
WITH LICENSE NO. 22466/36-2151.

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CONTACT PERSON: _____

PHONE NUMBER: (____) _____

DATE OF FIELD EXAM: 11 / 19 / 90

APPOINTMENT MADE: Y(____) N(☒)

TIME: ____ : ____ A(____) P(____)

ACCOMPANIED BY: No one

PHONE NUMBER: (____) _____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A36-07417 PRIORITY DATE: 12-11-1973 STAGE: L
B. WR RECORD: # 36-07417 PRIORITY DATE: 12-11-1973 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

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

REMARKS:

RECOMMENDED PRIORITY DATE:
12-11-1973

REVIEWED BY

nofo

DATE

11/19/90

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07417	10S	20E	14	NE	NE	SW		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02151 NONE

WR RECORDS IN SAME 40 ACRE TRACT
36-02151

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07417	10S	20E	14	NE	NE	SW		JEROME

OTHER WR RECORDS WITH SAME WR POD

36-02151

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A36-02151 NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
N

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

S.A.M.B.

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

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A. ROOT WATER RIGHT NUMBERS: A36-07417

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10S	20E	14	SW	NW		OKELBERRY FARMS INC.	A36-07417 740.0	36-07417 740.0	40.0		40.0
10S	20E	14	NE	SW		OKELBERRY FARMS INC.	A36-07417 740.0	36-07417 740.0	40.0		40.0
						OKELBERRY FARMS INC.	A36-02151 /40.0	36-02151 /40.0			
10S	20E	14	NW	SW		OKELBERRY FARMS INC.	A36-07417 740.0	36-07417 740.0	40.0		40.0
						OKELBERRY FARMS INC.	A36-02151 /40.0	36-02151 /40.0			
10S	20E	14	SW	SW		OKELBERRY FARMS INC.	A36-07417 740.0	36-07417 740.0	40.0		40.0
						OKELBERRY FARMS INC.	A36-02151 /40.0	36-02151 /40.0			
10S	20E	14	SE	SW		OKELBERRY FARMS INC.	A36-07417 736.0	36-07417 736.0	40.0		36
						OKELBERRY FARMS INC.	A36-02151 /36.0	36-02151 /40.0			
10S	20E	14	NW	SE		OKELBERRY FARMS INC.	A36-07417 7 9.0	36-07417 7 9.0	40.0		9
						IDAHO FIRST NATIONAL BANK	A36-02079 /20.0	36-02079 /20.0			
						OKELBERRY FARMS INC.	A36-02151 / 4.0	- /			
TOTAL ACRES							A36-07417 205.00	205.00	240.00		205

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(✓)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
✓

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 205

REVIEWED BY: [Signature]

DATE: 11/19/90

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A36-07417 IRRIGATION	FROM 03-15 TO 11-15	1.780 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.780 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
86-07417 IRRIGATION	FROM 03-15 TO 11-15	1.780 CFS 820.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.780 CFS 820.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	N
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	N
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	N

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(☐)

AI TOTAL CLAIMED DIVERSION RATE: 1.780 CPS
OR ROOT RIGHT TOTAL DIVERSION RATE: 1.780 CPS

*** IS 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 NUF required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

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

Y

☒

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: A36-02151

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-07417	GROUNDWATER	OKELBERRY FARMS INC.	1.780	0.008		
A36-02151	GROUNDWATER	OKELBERRY FARMS INC.	2.320	0.014		

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 205 x 0.02 CFS/ACRE = 4.1 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 615.0 AF/A
ACRES 205 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
TOTAL CONSUMPTIVE USE 615 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 820 AF/A
ACRES 205 x DIVERSION VOL. AF/A FOR AREA 4 =
TOTAL DIVERSION VOLUME 820 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

This right when combined w/ A36-02151 cannot exceed 1" / acre

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CUNTS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 1.780 ✓	DATABASE EXAMINER 820 ✓	DATABASE EXAMINER 615.0 ✓
TOTAL FOR THIS RIGHT		1.780 ✓		615.0

REVIEWED BY:

DATE: 11/19/90

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
☒	☐
NA	☐
NA	☐

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07417

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.780

EXAMINER
☒

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07417	1.780	-		36-07417	1.780
TOTAL CFS		1.780				1.780

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
Y

FIELD
EXAMINER
☒

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

N.D. BROWN

DATE:

11/19/90

TITLE:

WRA

SYSTEM CLAIM NUMBERS

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

AGENT

INITIALS

KKC 7-19-91

CLAIM NO.

OR ENTRY

REMARK

CODE

ENTRY DATA

CONDITION

CODE

STAGE

OR

STATUS

PRESUMPTION

CODE

A36-07417

E01

36-2151

C05C

232

820.

615.

205

F05

36-2151

M01

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A36 - 2551 AND A36 - 7417 ✓

The system is one well irrigating
205 acres licensed under both rights.
A36 - 7417 adds 45 New acres.

A36 - 2551

Four acres were shifted from the SE-SW
to the NW-SE apparently the SE corner (4A) ~~area~~ of sask
were never irrigated.

The claim requires a "C" code in presumption Reg.
A36 - 2551 was licensed for the system capacity
of 232 CFS. The field exam for licensing of
A36 - 7417 did NOT find additional diversion rate.
No other changes required.

A36 - 7417

This right was licensed for the 205 acres but
with no increase in diversion rate therefore the
the acres licensed under A36 - 2551 have a higher
rate per acre and are therefore are not
recommended on this claim.

The recommendation is for the additional 45A.
at the current diversion rate of 0.0113 CFS/ACRE
or $0.508 \approx 0.51 \text{ CFS}$

CALCULATIONS

A36 - 2551 = $2.32 \text{ CFS} / 160 \text{ A} = 0.0145 \text{ CFS} / \text{ACRE}$
CURRENT RATE = $2.32 \text{ CFS} / 205 \text{ A} = 0.0113 \text{ CFS} / \text{ACRE}$

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