

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07490
Date Received: 1/23/1989
Receipt No: S006137
Received By: lw

COPY
DO NOT RETURN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARYL NEIBAUR
Address: RT 1 BOX 1476
PAUL, ID 83347 208-532-4436

AND/OR

Name: WILLIAM G. NEIBAUR
Address: RT. 1 BOX 142
PAUL, ID 83347-0000

2. Date of Priority: JUL 30, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	23E	27	NW	NW			MINIDOKA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	4.000		1200.00

7. Total Quantity Appropriated is:
4.000 C.F.S. (and/or) 1200.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07490

Page 1

Date: 01/23/89

MICROFILMED

OCT 19 1994

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	23E	27	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	37.0
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	33.0
			SW		NW		IRR	35.0
			SE		NW		IRR	40.0

Section Acres 300.0

Total Acres 300.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

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OCT 19 1994

753 0 1 000

(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.

OCT 19 1994

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
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Receipt No: S006137
Received By: lw

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ACQUIRED UNDER STATE LAW

1. Name: ~~DARYL NEIBAUR~~ 208-532-4436
Address: ~~RT 1 BOX 1476~~
~~PAUL, ID~~ 83347

AND/OR
Name: WILLIAM G. NEIBAUR SOLE OWNER
Address: RT. 1 BOX 142
PAUL, ID 83347-0000

2. Date of Priority: JUL 30, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	23E	27	NW	NW			MINIDOKA

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

6. Water is used for the following purposes:

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IRRIGATION	03/15	11/01	4.000		1200.00

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4.000 C.F.S. (and/or) 1200.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07490

Page 1

Date: 01/23/89

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FEB 04 1989

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	23E	27	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	37.0 + 3 -
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	33.0 + 3 - 10 +
			SW		NW		IRR	35.0 + 4 -
			SE		NW		IRR	40.0
Section Acres								300.0
Total Acres								<u>300.0</u> 10

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: 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:

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): Dayl M. Heibauer Date: 1-23-89
Date:

State of Idaho)
County of TK) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of Jan 19 89 Lois White
Notary Public

Seal

Residing at TK
My Commission Expires 5/94



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUL 29 1991

Department of Water Resources

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 7S Range 23E
 Section 27, NE 1/4 ~~SE~~ NW 1/4 ~~SE~~, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

- ☐ 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: A36-07490
- ☐ Name and Address of Former Owner/Claimant(s) (Seller): DARYL M. NEBAUR RT 1 Box 1476 PAUL ID 83347
AND/OR WILLIAM G. NEBAUR RT 1 Box 142 PAUL ID 83347
- ☐ New Owner/Claimant (Purchaser): WILLIAM G. NEBAUR
- ☐ New Mailing Address: RT. 1 Box 142
PAUL ID 83347
- ☐ New Telephone Number: (208) 438-2182
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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: N/A

(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): x William G. Nebaur Date 25 July 1991
- ☐ Signature of Former Owner/Claimant(s): x Daryl M. Nebaur Date 25 July 1991

(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

FEB 04 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
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 18, 1991

RECEIVED

JUL 22 1991

WILLIAM G NEIBAUR
RT 1 BOX 1068
PAUL ID 83347

Department of Water Resources
Southern Region Office

RE: Snake River Basin Adjudication (SRBA)
Minidoka County - Claim #A 36-07490
Receipt # C021166

Dear Claimant:

Enclosed is your receipt for filing fees submitted with your Notice of Claim for a Water Right. Please retain this receipt in your records.

If you have any questions about your claim or the SRBA process, please feel free to contact this office.

Sincerely,

John D. Carlson
John D. Carlson
Adjudication Supervisor

JDC:sf:0:region
Enclosures:

Receipt # C021166

MICROFILMED

FEB 04 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 22, 1999

Mr. Mack W. Neibaur
511 W. 1200 N.
Paul, ID 83347

Re: Snake River Basin Adjudication (SRBA)
Objections to Seasons of Use for Water Right Nos. 36-07490, 36-07529A,
36-07529B, 36-02070J and 36-02070K

Dear Mr. Neibaur,

Enclosed you will find the standard forms required by the SRBA Court to change the seasons of use on the referenced water rights. Each "Standard Form 5" corrects the single water right shown as the Subcase No. on the document.

Please read and sign the documents, remembering to initial the attachments. William Neibaur will need to sign the document for 36-07490, unless you are authorized to do so by him. (In that case, please supply a copy of the Power of Attorney or other document that evidences this authorization.)

Return the documents in the enclosed, addressed, envelope; we will complete the process by filing the documents with the SRBA Court. Please feel free to contact me if there are any questions.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

rb:region

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.: 36-07490

STANDARD FORM 5

STIPULATED ELEMENTS OF A
WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR

CONCURRENCE

William G. Neibaur

date

APPROVED AS TO FORM

Nicholas B. Spencer

date

Deputy Attorney General
State of Idaho

Roxanne Brown

date

Sr. Water Resource Agent
Idaho Dept. of Water Resources

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

DATE: OCT-22-1999

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07490

NAME AND ADDRESS: WILLIAM G NEIBAUR
495 W 1200 N
RT 1 BOX 142
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 4.00 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR DOMESTIC & HOME

USE OF THIS RIGHT WITH RIGHT NO. 36-15213 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.0 CFS, AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1240 AF.

PRIORITY DATE: 07/30/1974

POINT OF DIVERSION: T07S R23E S27 NWSNW Within MINIDOKA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		03-15 11-15	4.00 CFS
		04/01 10/31	

PLACE OF USE:	IRRIGATION	Within MINIDOKA County		
	T07S R23E S27	NENE 38	NWNE 39	SWNE 40
		NENW 39	NWNW 36	SENE 39
				SWNW 39
				SENE 39
				SENE 40

310 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-15213 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 300 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHT NO. 36-15213 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
IDAH0 CODE #2-1416(2)

USE OF THIS RIGHT WITH RIGHT NO. 36-15213 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.0 CFS, A TOTAL COMBINED

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

DATE: OCT-22-1999

PAGE: A-2

36-07490 (CONT.)

ANNUAL DIVERSION VOLUME OF 1240 AF; A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 930 AF; AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON;

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 300 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON;

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-15213

EXPLANATORY MATERIAL:

BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RIGHT NO. 36-15213 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

RIGHT NO. 36-15213 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

RB

CERTIFICATE OF MAILING

I certify that on _____, 1999, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐	overnight mail
Snake River Basin Adjudication	☐	regular mail
P.O. Box 2707	☐	hand-delivered
Twin Falls, ID 83303-2707	☐	facsimile

2. Copies to:

Clive Strong	☐	overnight mail
Off ice of the Attorney General	☐	regular mail
P.O. Box 44449	☐	hand-delivered
Boise, ID 83711-4449	☐	facsimile

IDWR Document Repository	☐	overnight mail
P.O. Box 83720	☐	regular mail
Boise, ID 83720-0098	☐	hand-delivered
	☐	facsimile

William G. Neibaur	☐	overnight mail
495 W. 1200 N.	☐	regular mail
Paul, ID 83347	☐	hand-delivered
	☐	facsimile

☐	overnight mail
☐	regular mail
☐	hand-delivered
☐	facsimile

Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

Roxanne

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 7, 1999

Mr. Mack W. Neibaur
511 W. 1200 N.
Paul, ID 83347

RE: Objections to Seasons of Use for Water Rights Nos. ^{3-15/11-1} ~~36-07490~~, ~~36-07529A~~,
~~36-07529B~~, ~~36-02070J~~, and ~~36-02070K~~
_{4/10-31}

Dear Mr. Neibaur:

The purpose of this letter is to advise you that I have received your objections to our recommendations for the above-referenced water rights, and I have made distribution of the objections to the following entities as per standard requirements: SRBA Court (originals), IDWR Document Repository, Office of the Attorney General, and United States Department of Justice.

I discussed the issues related to your objections with our SRBA Attorney assigned to Basin 36, Mr. Nick Spencer, and he concurs in the solution that we discussed whereby under the circumstances in these cases IDWR will agree to modification of the irrigation seasons to result in seasons of 3/15 to 11/15. The Senior Agent who will be working on this matter with you is Ms. Roxanne Brown. She will initiate our preparation "Standard Form 5" agreements soon, and will contact you accordingly.

Please advise if you have any questions in this matter.

Sincerely,

David R. Tuthill, Jr., P.E.
Chief, Adjudication Bureau

Cf: William G. Niebaur

AUG 13 1999

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

36-07490

STANDARD FORM 1a

OBJECTION TO IRRIGATION SEASON
 AND/OR CONJUNCTIVE MANAGEMENT
 GENERAL PROVISIONS

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: William S. Neibaur

Name & address of attorney, if any:

Address: 495 W 1200 N

Paul Idaho 83347

Daytime Phone: (208) 532 4374

C. CLAIMANT OF WATER RIGHT AS LISTED IN
SUPPLEMENTAL DIRECTOR'S REPORT

Name: Same as above

Address:

D. ELEMENTS OBJECTED TO:

8. Period (Irrigation Season) of Use

Should be: 3/15 to 11/15

12. General Provision

Number: Reported in Basin:

Comments:

E. REASONS SUPPORTING OBJECTION: (if you have additional reasons, please attach to this form)

This standard form is for the sole purpose of objecting to the Director's supplemental recommendations on irrigation season of use and general provisions. This form may not be used to object to any other elements of your water right.

If you have evidence that the recommendations on irrigation season of use and/or conjunctive management adversely affect other elements of your water right, please contact the Snake River Basin Adjudication at 208-736-3011. A deputy clerk of the court will inform you of how to proceed.

F. VERIFICATION (Must be Completed)

State of _____)

)ss.

County of _____)

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

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) 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.

William H. Neibaur
Mack W. Neibaur
(Signature of person filing objection)

Subscribed and sworn to before me on: 8-11-99

(Attorney signing in representative capacity)

William T. Goodman
Notary Public
for Idaho

Residing at: Regent, Id.

My Commission Expires: 12/24/04

WILLIAM T. GOODMAN
NOTARY PUBLIC
STATE OF IDAHO

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on September 8, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

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 the claimant of the water right
at the following address:

Name: _____

Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

William T. Goodman
Signature of Objector or attorney

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

DATE: SEP-10-1999

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07490

NAME AND ADDRESS: WILLIAM G NEIBAUR
495 W 1200 N
RT 1 BOX 142
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 4.00 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR DOMESTIC & HOME

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PRIORITY DATE: 07/30/1974

POINT OF DIVERSION: T07S R23E S27 NWSNW Within MINIDOKA County

PURPOSE AND
PERIOD OF USE:PURPOSE OF USE
IRRIGATION

PERIOD OF USE

03-15	11-15
04/01	10/31

QUANTITY
4.00 CFS

PLACE OF USE:

IRRIGATION

Within MINIDOKA County

T07S R23E S27

NENE 38

NWNE 39

SWNE 40

SENE 39

NENW 39

NWNW 36

SWNW 39

SENW 40

310 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 36-15213 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 310 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 300 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

RIGHT NO. 36-15213 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
IDAH0 CODE 42-1416(2).

USE OF THIS RIGHT WITH RIGHT NO. 36-15213 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.0 CFS, A TOTAL COMBINED

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

DATE: SEP-10-1999

PAGE: A-2

36-07490 (CONT.)

ANNUAL DIVERSION VOLUME OF 1240 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 930 AF, AND TO THE IRRIGATION OF A
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PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-15213

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

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DIVERSION DESCRIBED ABOVE.

RIGHT NO. 36-15213 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
SECTION 42-1426, IDAHO CODE.

RECEIVED

RECEIVED

SEP 17 1999

AUG 13 1999

Department of Water Resources
Southern Region

Department of Water Resources

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

36-07490

STANDARD FORM 1a

OBJECTION TO IRRIGATION SEASON
AND/OR CONJUNCTIVE MANAGEMENT
GENERAL PROVISIONS

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: William H. Neibaur

Name & address of attorney, if any:

Address: 595 W 1200 NPaul Idaho 83347Daytime Phone: (208) 532 4374C. CLAIMANT OF WATER RIGHT AS LISTED IN
SUPPLEMENTAL DIRECTOR'S REPORTName: Sam Neibaur

Address: _____

D. ELEMENTS OBJECTED TO:

8. Period (Irrigation Season) of Use

Should be: 3/15 to 11/15

12. General Provision

Number: _____ Reported in Basin: _____

Comments: _____

E. REASONS SUPPORTING OBJECTION: (if you have additional reasons, please attach to this form)

This standard form is for the sole purpose of objecting to the Director's supplemental recommendations on irrigation season of use and general provisions. This form may not be used to object to any other elements of your water right.

If you have evidence that the recommendations on irrigation season of use and/or conjunctive management adversely affect other elements of your water-right, please contact the Snake River Basin Adjudication at 208-736-3011. A deputy clerk of the court will inform you of how to proceed.



F. VERIFICATION (Must be Completed)

State of _____)
)ss.
County of _____)

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

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) 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.

William H. Neibaur
Mack W. Neibaur
(Signature of person filing objection)

Subscribed and sworn to before me on: 8-11-99

William T. Goodman
Notary Public
for Idaho

(Attorney signing in representative capacity)

WILLIAM T. GOODMAN
NOTARY PUBLIC
STATE OF IDAHO

Residing at: Regent, Id.
My Commission Expires: 12/24/04

INSTRUCTIONS FOR MAILING

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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 the claimant of the water right
at the following address:

Name: _____

Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

David M. Smith
Signature of Objector or attorney

objection filed
expansion claim

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

TOTAL ACRES

AGENT 8

FROM RECOMMENDATION 310

NO. OF CLAIMS IN POLYGON 2

GEOGRAPHIC INFO SYSTEM 310.06

RIGHT NO				NE				NW				SW				SE				
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
RECOM	075	23E	27	38	39	40	39	39	36	39	40									310
GIS				38.35	39.11	39.88	39.40	38.97	35.62	38.63	39.88									310.06
RECOM																				
GIS																				
RECOM																				
GIS																				
RECOM																				
GIS																				

UPDATED

UPDATED

B36-DBPOU.DBF 85

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

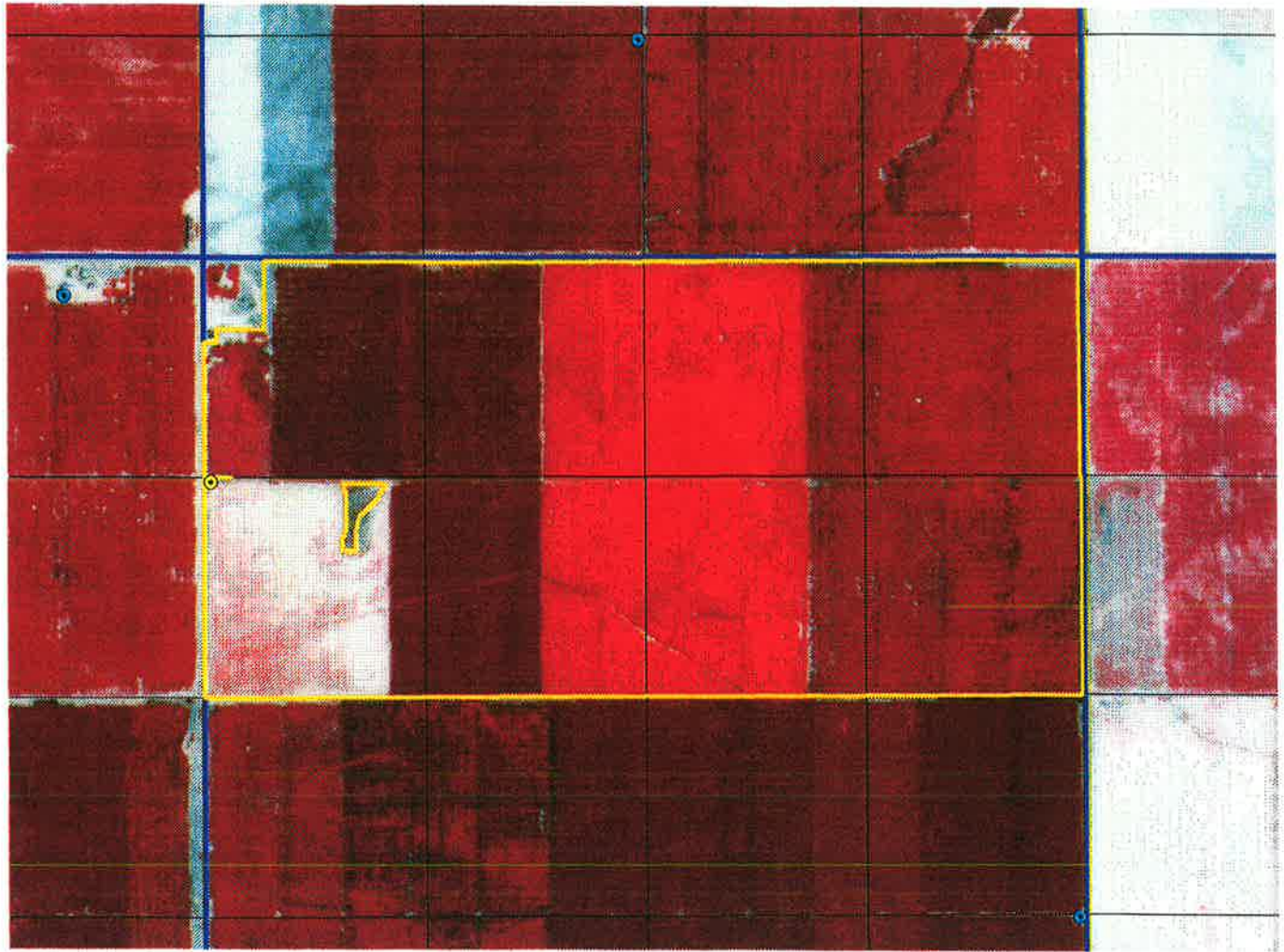
B36-DBPOD.DBF 91

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

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

IDAHO DEPARTMENT OF WATER RESOURCES

36-07490 & 36-15213



1320 0 1320 2640 3960 5280 Feet

TNS 8S, RNG 14E, SEC 27 N1/2NE



⊙ RECOMMENDED POINT OF DIVERSION

 RECOMMENDED PLACE OF USE

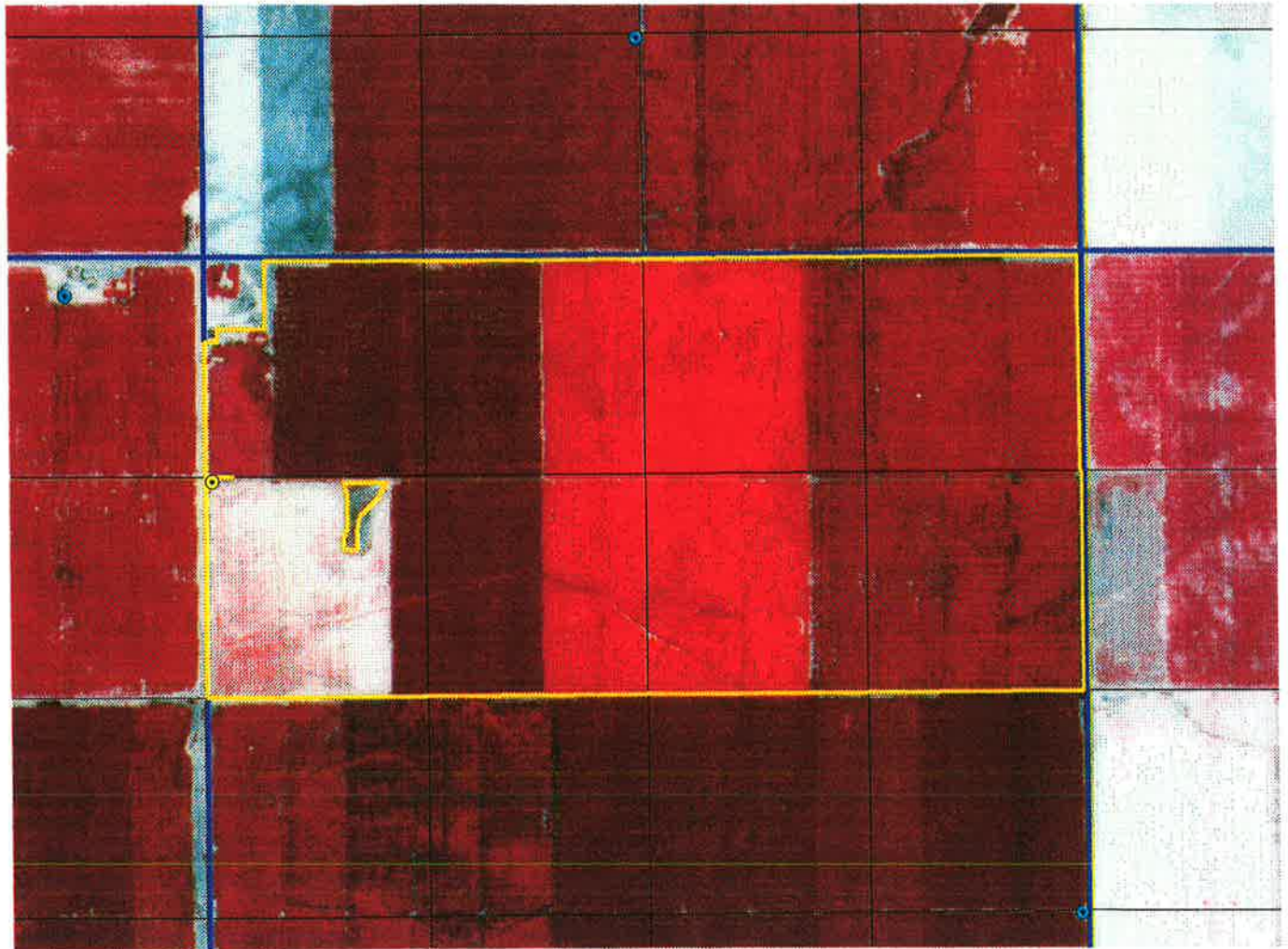
 SECTION LINES &/OR TRACT LINES

 QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987 and/or 1988 NAPP PHOTOGRAPHY
DATA ENTRY JUNE 3, 1997
BY J ROBERTSON

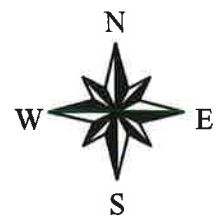
IDAHO DEPARTMENT OF WATER RESOURCES

36-07490 & 36-15213



1320 0 1320 2640 3960 5280 Feet

TNS 8S, RNG 14E, SEC 27 N1/2NE



⊙ 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 JUNE 3, 1997
BY J ROBERTSON

AJ5808NP
(00-26)

Water Right Number - 36-15213

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/18/97 09:18:15
Page 1

----- Last Name -----

----- First Name -----

Old (D) Number -

*** C - CURRENT OWNER ***

NEIBAUR

WILLIAM G

----- Address -----

1 - RT 1 BOX 1068

2 -

3 -

City- PAUL

Phone - 208-438-2182

State- ID Zip- 83347

----- Priority Date -----
03/15/1980

----- Region -----
17 SOUTHERN

----- Stage -----
J - BENEFICIAL USE

----- Status -----

----- Source -----
GROUNDWATER

----- Tributary -----

----- Point of Diversion -----
County (67) MINIDOKA

----- Diversion Name -----
----- Diversion Rate -----
----- Diversion Volume -----
----- Diversion Capacity -----

----- Total Div. Rate -----
0.130
----- Total Div. Volume -----
----- Total Div. Capacity -----
----- Total Consumptive Use -----
0.0
----- KW Usage -----

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
07S	23E	27	NE NE		38.0	01	IRRIGATION	(67) MINIDOKA
07S	23E	27	NW NE		39.0	01	IRRIGATION	(67) MINIDOKA
07S	23E	27	SW NE		40.0	01	IRRIGATION	(67) MINIDOKA
07S	23E	27	SE NE		39.0	01	IRRIGATION	(67) MINIDOKA
07S	23E	27	NE NW		39.0	01	IRRIGATION	(67) MINIDOKA
07S	23E	27	NW NW		36.0	01	IRRIGATION	(67) MINIDOKA
07S	23E	27	SW NW		39.0	01	IRRIGATION	(67) MINIDOKA
07S	23E	27	SE NW		40.0	01	IRRIGATION	(67) MINIDOKA
Total Acres:					310.0			

----- Diversion Means - WELL, PUMP AND SPRINKLERS

----- Non-Irrigation Use -

----- Other Rights for Same Use - SEE REMARKS

----- Remarks -----
EXP (K02) GEN
QNT (E019 E05)
THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-07490 PURSUANT TO
IDAHO CODE 42-1416(2).
USE OF THIS RIGHT WITH RIGHT NO. 36-07490 IS LIMITED TO A

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

Water right number - 36-15213

Prefix Translation: WATER RIGHT

-----+
+ - - - - - Remarks - - - - -
TOTAL COMBINED DIVERSION RATE OF 4.0 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1240 AF, A TOTAL COMBINED ANNUAL
CONSUMPTIVE USE VOLUME OF 930 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 310 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 10 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-07490
-----+

POU 1 (E11)
POU 3 (K06)
EXP (K05)

-----+
+ - - - - - 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

+ - - Audit Fields - 07/18/91 SCHOLER 08/26/91 SCHOLER 07/10/92 CWJ-PROD 07/21/92 POST-STD 08/28/92 PR-PRODM
09/25/92 SCHULTZ 10/08/92 SOUTH1 11/02/92 CPHAW 12/05/92 ADT-SHAW 06/10/93 CM1-SEIF
08/25/93 UPD-SCHU 03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 257850 08/24/92
-----+

+ - - - - Comments - - - - -
Date: 07/18/1991 User Id: SCHOLER Subject: REVIEW - BHS
Date: 07/18/1991 User Id: SCHOLER Subject: COPIED FROM REMARKS
THIS RIGHT IS AN EXPANSION OF RIGHT NO. A36-07490 PURSUANT TO
Date: 09/25/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/24/92. CHANGED NOE FLAG FROM BLANK TO A.
Date: 10/08/1992 User Id: SOUTH1 Subject: NOE - RESPONSE
NO CHANGE MADE TO STANDARD SEASON OF USE. LETTER SENT 10/8/92. M. STERLING
IDAHO CODE 42-1416(2)
CLAIM VERIFIED 8/26/91. DID NOT REVERIFY ANY PART OF CLAIM.
-----+

+ - - - - Adjudication Rights Dates and Flags Area - - - - -
Court Report Filing - 11/02/1992 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 04/27/1993 Field Inspection Flag - Old Case Number -
Response Filed Date - 08/16/1993 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 07/15/1991 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 - C021166 Federal/State Indicator - S
Name Connector - Y Presumption Flag - E
Notice of Error Flag - B
-----+

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07490
Date Received: 1/23/1989
Receipt No: S006137
Received By: lw

COPY
FOR YOUR FILES
DO NOT RETURN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARYL NEIBAUR 208-532-4436
Address: RT 1 BOX 1476
PAUL, ID 83347

AND/OR
Name: WILLIAM G. NEIBAUR
Address: RT. 1 BOX 142
PAUL, ID 83347-0000

2. Date of Priority: JUL 30, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	23E	27	NW	NW			MINIDOKA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	4.000		1200.00

7. Total Quantity Appropriated is:
4.000 C.F.S. (and/or) 1200.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	23E	27	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	37.0
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	33.0
			SW		NW		IRR	35.0
			SE		NW		IRR	40.0
							Section Acres	300.0
							Total Acres	300.0

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:
NONE

14. Remarks:

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: _____

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): Dayle M. Leilani Date: 1-23-89

Date: _____

State of Idaho)
County of SK) SS.

Subscribed and sworn (or affirmed) before me this 23rd day

of Jan 19 89

Lois White
Notary Public

Seal

Residing at SK

My Commission Expires 5/94

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07490
Date Received: 1/23/1989
Receipt No: S006137
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ~~DARYL NEIBAUR~~ 208-532-4436
Address: ~~RT 1 BOX 1476~~
~~PAUL, ID~~ 83347

AND/OR

Name: WILLIAM G. NEIBAUR SOLE OWNER
Address: RT. 1 BOX 142
PAUL, ID 83347-0000

2. Date of Priority: JUL 30, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	23E	27	NW	NW			MINIDOKA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	4.000		1200.00

7. Total Quantity Appropriated is:
4.000 C.F.S. (and/or) 1200.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	23E	27	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	37.0 + 3 -
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	33.0 + 3 + 10 +
			SW		NW		IRR	35.0 + 4 -
			SE		NW		IRR	40.0
Section Acres								300.0
Total Acres								<u>300.0</u> 10

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: LICENSE

(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.

MICROFILMED
FEB 04 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUL 29 1991

Department of Water Resources

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 7S Range 23E
Section 27, NE 1/4 of NW 1/4 of PA, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ 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: A36-07490
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): DARYL M. NEIBAUER RT 1 Box 1476 PAUL ID 83347
AND/OR WILLIAM G. NEIBAUER RT 1 Box 142 PAUL ID 83347
- ☐ New Owner/Claimant (Purchaser): WILLIAM G. NEIBAUER
- ☐ New Mailing Address: RT. 1 Box 142
PAUL ID 83347
- ☐ New Telephone Number: (208) 438 - 2182
- ☐ 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: N/A
(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) x William G. Neibauer Date 25 July 1991
- ☐ Signature of Former Owner/Claimant(s) x Daryl M. Neibauer Date 25 July 1991

(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

FEB 04 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
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 18, 1991

RECEIVED

JUL 22 1991

WILLIAM G NEIBAUR
RT 1 BOX 1068
PAUL ID 83347

Department of Water Resources
Southern Region Office

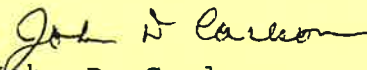
RE: Snake River Basin Adjudication (SRBA)
Minidoka County - Claim #A 36-07490
Receipt # C021166

Dear Claimant:

Enclosed is your receipt for filing fees submitted with your Notice of Claim for a Water Right. Please retain this receipt in your records.

If you have any questions about your claim or the SRBA process, please feel free to contact this office.

Sincerely,


John D. Carlson
Adjudication Supervisor

JDC:sf:0:region
Enclosures:

Receipt # C021166

MICROFILMED

FEB 04 1993

Water Right Number - 36-07490

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

NEIBAUR

WILLIAM G

1 - RT 1 BOX 142

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-2182

*** O - ORIGINAL OWNER ***

NEIBAUR

WILLIAM G

1 - RT 1 BOX 142

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-000-0000

NEIBAUR

DARYL M

1 - RT 1 BOX 1476

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-532-4436

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
07/30/1974 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name
07S 23E 27 NW SW NW (67) MINIDOKA+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 4.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.000 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 23E 27 NE NE 38.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 NW NE 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SW NE 40.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SE NE 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 NE NW 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 NW NW 36.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SW NW 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SE NW 40.0 01 IRRIGATION (67) MINIDOKA

Total Acres: 310.0

Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use - SEE REMARKS

[illegible]

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 36-15213

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

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

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

+ - - Audit Fields - 07/18/91 SCHOLER 08/26/91 SCHOLER 07/10/92 CWU-PROD 07/15/92 CWU-PROD 07/17/92 MERRITT
07/18/92 POST-STD 07/30/92 SMITH 08/28/92 PR-PRODM 09/25/92 SCHULTZ 10/08/92 SOUTH1
11/02/92 CPSHAW 12/05/92 ADT-SHAW 06/07/93 CM1-SEIF 08/25/93 UPD-SCHU 03/29/95 POST-STD

+ - - Certified Numbers & Date Mailed - 257776 08/24/92

[illegible]

Date: 07/18/1991 User Id: SCHOLER Subject: REVIEW - BHS
 Date: 07/30/1992 User Id: SMITH Subject: CORRECTION
 ADDED "DOMESTIC, 1 HOME", DELETED UNSPECIFIED. VERIFIED STATUS UNCHANGED.
 Date: 09/25/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
 NOE RECEIVED 9/24/92. CHANGED NOE FLAG FROM BLANK TO A.
 Date: 10/08/1992 User Id: SOUTH Subject: NOE - RESPONSE
 NO CHANGE MADE TO STANDARD SEASON OF USE. LETTER SENT 10/8/92. M. STERLING

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

Court Report Filing	- 11/02/1992	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 04/27/1993	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 08/16/1993	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/23/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

06/18/97 09:15:13
Page 3

Water right number - 36-07490

Prefix Translation: WATER RIGHT

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

Licensed Date	- 00/00/0000	Receipt Number	- S006137	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	- B

R PROOF

CVR

MAPS

PHOTOS

MISC

OCT 19 1994

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

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

Case No. 36-07490 -0001

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

RESPONSE TO OBJECTION

Petitioner,)

vs.)

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

Respondents.)
_____)

I. GENERAL INFORMATION

1. Person responding to objection:

Name: R. KEITH HIGGINSON, DIRECTOR

Address: IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449

Briefly describe your interest in this water right:

IDWR is required to file a response to an objection to part
I of the director's report pursuant to I.C. section 42-1412(2).

(Over)

2. Person who filed objection:

Name: WILLIAM G NEIBAUR
Address: ROUTE 2 BOX 2530
PAUL ID 83347

3. If this response is filed by an attorney:

Attorney Name(s): NICHOLAS B. SPENCER
Attorney Address: DEPUTY ATTORNEY GENERAL(S)
IDAHO DEPARTMENT OF WATER RESOURCES
P.O. BOX 44449
BOISE, ID 83711-4449
Attorney Phone No.: (208) 327-7900

II. STATEMENT OF THE RESPONSE

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

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 8, and all allegations of the objection regarding this item, IDWR responds as follows: Idaho Code Sec. 42-1411(2)(g) requires the director to determine the period of use of each water right acquired under state law that is recommended in the director's report. IDWR's irrigation season of use standards have evolved over time as better technical information has become available. A necessary consequence of this is that, depending on when a particular license was issued, water rights in the same area have been licensed inconsistently, some licenses being issued with different lengths of season listed and some being issued with no season of use listed. To remedy this problem IDWR has developed irrigation season of use standards for various climatic areas throughout the state based on a 75% chance of a 24 degree

fahrenheit frost. The period of the year during which this water right may be used is consistent with the standard irrigation season of use for the area in which the place of use of this water right is located. The director's report does not prohibit pre-season or post-season irrigation; subject to the conditions set forth in general provision 12b of the director's report, water may be used for irrigation outside the standard season of use.

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

CHANGES TO THE DIRECTOR'S REPORT

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

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

(Over)

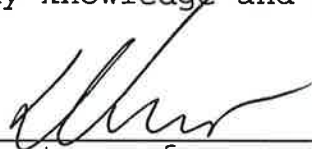
VERIFICATION (Must be Completed)

State of IDAHO

County of ADA

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

That R. Keith Higginson, in his official capacity as director of the Idaho Department of Water Resources, is a party to this proceeding, as defined by I.C. 42-1401A(1) and (7); that I am the Adjudication Bureau Chief for IDWR and am authorized by R. Keith Higginson, in his official capacity as director of IDWR, to verify this response; and that I have read the foregoing response, know its contents and that the statements contained therein are true to the best of my knowledge and belief.



Signature of person filing response

By:



(Attorney signing in
representative capacity)

Subscribed and sworn to before me this 16th day of August,
1993.



Notary Public for Idaho
Residing at: _____
My Commission expires: _____

Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994

(Over)

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of AUGUST, 1993, I mailed the original and copies of the foregoing response, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepared and addressed as follows:

1. Original to:

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

2. One copy to the owner of the water right, and you must fill in the following information:

See No. 3

3. One copy to the party who filed the objection, or if represented by an attorney, to their attorney; and you must fill in the following information:

Name: WILLIAM G NEIBAUR
Address: ROUTE 2 BOX 2530
PAUL ID 83347

4. One copy to:

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


Signature of Respondent or attorney
mailing on Respondent's behalf

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-07490
Date Received: 1/23/1989
Receipt No: S006137
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARYL NEIBAUR 208-532-4436
Address: RT 1 BOX 1476
PAUL, ID 83347

AND/OR

Name: WILLIAM G. NEIBAUR
Address: RT. 1 BOX 142
PAUL, ID 83347-0000

2. Date of Priority: JUL 30, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	23E	27	NW	NW			MINIDOKA

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

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/01	4.000		1200.00

7. Total Quantity Appropriated is:
4.000 C.F.S. (and/or) 1200.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A36-07490

Page 1

Date: 01/23/89

MICROFILMED
OCT 10 1993
FEB 10 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
07S	23E	27	NE		NE		IRR	38.0
			NW		NE		IRR	39.0
			SW		NE		IRR	37.0
			SE		NE		IRR	39.0
			NE		NW		IRR	39.0
			NW		NW		IRR	33.0
			SW		NW		IRR	35.0
			SE		NW		IRR	40.0

Section Acres 300.0

Total Acres 300.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

(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.

MICROFILMED
FEB 04 1993
OCT 19 1994

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

APR 29 1993

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

Case No. 36-07490

Department of Water Resources
Adjudication Bureau

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

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

OBJECTION

Petitioner,)

vs.)

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

36-07490 -0001/
93-04-0329

Respondents.)

INSTRUCTIONS

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

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

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

MICROFILMED

OCT 19 1994
3/25/93

I. GENERAL INFORMATION

Please fill in the following information:

1. **Person objecting:**

Name: William G. Neibaur

Address: Rt 2 Box 2530

Paul, Id 83347

Phone: Days: 532-4240 Evenings: 532-4374

Briefly describe your interest in this water right: _____

Owner of the property irrigated and owner of the
water right

2. **Owner of the water right:**

Name: William G. Neibaur

Address: Rt 2 Box 2530

Paul, Id 83347

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

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

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

RECEIVED
MAR 28 1993

II. STATEMENT OF THE OBJECTION

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

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

13. ☐ *Description of Reservation:* I object to the legal description of the reservation.

14. ☐ *Other:* I object to: _____

REASONS SUPPORTING EACH BOX CHECKED

In the space following, you must state the reason(s) by number for each box checked. You may use additional pages if necessary.

CHANGES TO THE DIRECTOR'S REPORT

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

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

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

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

VERIFICATION (Must be Completed)

State of Idaho

County of Minidoka

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

That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.

William G. Neibaur
Signature of person filing objection

By: _____
(Attorney signing in representative capacity)

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

Renee N. Jantzen
Notary Public for Idaho
Residing at: Idaho City
My Commission expires: 11/28/93

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted by the Clerk of the Court.** You must also send a copy to the owner of the water right, if other than yourself; to the Office of the Attorney General, State of Idaho; and to the United States Department of Justice, as set out below in the Certificate of Mailing. Finally, you must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of April, 1993, I mailed the original and copies of the foregoing objection, including all attachments, to the following persons, by mailing the original and/or true and correct copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the owner of the water right, and you must fill in the following information:

Owner name: William G. Neibaur
Owner's address: Rt 2 Box 2530
Paul, Id 83347

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

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

Reasons to support the Boxes checked.

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

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

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

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

MICROFILMED

OCT 19 1984

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



MICROFILMED

FEB 04 1993

AUG-24-1992

NOTICE OF ERROR FORM

RECEIVED

SEP 24 1992

Department of Water Resources

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

**Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000**

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

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

1. Water right number: 36-07490

2. Name: William G. Neibaur

Address: Rt 2 Box 2530
Paul, ID 83347

Weekday Telephone Number: 532-4374

RECEIVED

SEP 28 1992

Department of Water Resources
Boise, Idaho 83720-9000

MICROFILMED

FEB 04 1993

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

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

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

Changing the period of use.

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

Leave at the original - that is from 3-15 to 11-1

5. Describe why you disagree with the proposed recommendation:

There has been times we had to irrigate up crops before 4-1.
Also, we have needed to irrigate sugar beets for harvest.

6. Date: 9-23-92

SIGNATURE William J. Nelson



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

08-Oct-1992

WILLIAM G. NEIBAUR
RT 2 BOX 2530
PAUL ID 83347

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

Dear Mr. Neibaur:

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

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

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

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

Sincerely,

Marci Sterling

Marci Sterling
Engineering Specialist (EIT)

MICROFILMED

FEB 04 1993

Water Right Number - R36-07490

Prefix Translation:

RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

NEIBAUR

WILLIAM G

1 - RT 1 BOX 142

2 -

3 -

City- PAUL

Phone - 208-438-2182

State- ID Zip- 83347

*** O - ORIGINAL OWNER ***

NEIBAUR

WILLIAM G

1 - RT 1 BOX 142

2 -

3 -

City- PAUL

Phone - 208-000-0000

State- ID Zip- 83347

NEIBAUR

DARYL M

1 - RT 1 BOX 1476

2 -

3 -

City- PAUL

Phone - 208-532-4436

State- ID Zip- 83347

+ - - Priority Date - - +
07/30/1974+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

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

+ - - - - - - - - Tributary - - - - - +

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

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

+ - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 4.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.000 0.0+ - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
07S 23E 27 NE NE 38.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 NW NE 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SW NE 40.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SE NE 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 NE NW 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 NW NW 36.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SW NW 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SE NW 40.0 01 IRRIGATION (67) MINIDOKAMICROFILMED
FEB 04 1993

+ - - Audit Fields - - +
10/08/92 SOUTH1

FEB 04 1993

Water right number - R36-07490

Prefix Translation: RESEARCH

+ - - - - 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	- 01/23/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S006137	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	- B

MICROFILMED

FEB 04 1993

R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
FEB 04 1993

Water Right Number - R36-07490

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
NEIBAUR

WILLIAM G.

1 - RT. 1 BOX 142

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-2182

*** O - ORIGINAL OWNER ***
NEIBAUR

DARYL M.

1 - RT. 1 BOX 1476

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-532-4436

NEIBAUR

WILLIAM G.

1 - RT. 1 BOX 142

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-000-0000

+ - - Priority Date - - +
07/30/1974+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
L - LICENSE

+ - - Status - - - - +

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

+ - - - - Tributary - - - - -

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

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

+ - - - - Water Use - - - - -
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 4.000+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.000 0.0+ - - - - Place of Use - - - - -
TwN Rng Sec Tract Lot Acres Code Description County
07S 23E 27 NE NE 38.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 NW NE 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SW NE 40.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SE NE 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 NE NW 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 NW NW 36.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SW NW 39.0 01 IRRIGATION (67) MINIDOKA
07S 23E 27 SE NW 40.0 01 IRRIGATION (67) MINIDOKA

MICROFILMED

FEB 04 1993

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	- 07/17/1992	Old Judicial District	-
Claim Received Date	- 01/23/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S006137	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-

FEB 04 1993

Water right number - R36-07490

Prefix Translation: RESEARCH

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

Notice of Error Flag -

MICROFILMED

FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:47:16
08/17/90

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07490

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

"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.

FILED

FEB 04 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:47:16
08/17/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07490

LAST: NEIBAUR
ADDRESS: RT. 1 BOX 1476
CITY: PAUL
PHONE NUMBER: 208-532-4436

OWNER CODE: C

~~FIRST: DARYL M.~~
STATE: ID ZIP: 83347

LAST: NEIBAUR
ADDRESS: RT. 1 BOX 142
CITY: PAUL
PHONE NUMBER: 208-000-0000

OWNER CODE: C

FIRST: WILLIAM G.
STATE: ID ZIP: 83347

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

MICROFILMED
FEB 04 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 04 1993

A. AJ CLAIM: # A36-07490 PRIORITY DATE: 07-30-1974 ✓ STAGE: L
B. WR RECORD: # 36-07490 PRIORITY DATE: 07-30-1974 ✓ STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER

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

REMARKS:

=====

RECOMMENDED PRIORITY DATE:

07-30-1974

REVIEWED BY

BHS

DATE

7-17-91

RECORDED
FEB 04 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07490	07S	23E	27	NW	NW	NW		MINIDOKA
OTHER AJ CLAIMS WITH SAME AJ POD				WR RECORDS IN SAME 40 ACRE TRACT				
A PREFIX				R PREFIX		NONE		
A36-11012								
A36-11013								

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07490	07S	23E	27	NW	NW	NW		MINIDOKA
OTHER WR RECORDS WITH SAME WR POD				AJ CLAIMS IN SAME 40 ACRE TRACT				
NONE				A PREFIX		R PREFIX		
				A36-11012		NONE		
				A36-11013				

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
OK
N

FIELD
EXAMINER
BHS

REMARKS:

P.O.D NW SW NW

MICROFILMED
FEB 04 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S</u>	<u>23E</u>	<u>27</u>	<u>NW</u>	<u>SW</u>	<u>NW</u>	<u> </u>	<u>MINIDOKA</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: BMS DATE: 2-17-91

RECORDED
FEB 04 1993

A. ROOT WATER RIGHT NUMBERS: A36-07490

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
07S	23E	27	NE	NE		NEIBAUR , DARYL M.	A36-07490 /38.0 ✓	36-07490 /38.0	40.0		
07S	23E	27	NW	NE		NEIBAUR , DARYL M.	A36-07490 /39.0 ✓	36-07490 /39.0	40.0		
07S	23E	27	SW	NE		NEIBAUR , DARYL M. JULION CLAWSON FARMS INC.	A36-07490 /37.0 3440.0	36-07490 /37.0 36-02070C /10.0	39.0		
07S	23E	27	SE	NE		NEIBAUR , DARYL M. JULION CLAWSON FARMS INC.	A36-07490 /39.0 ✓ 39	36-07490 /39.0 36-02070C /10.0	40.0		
07S	23E	27	NE	NW		NEIBAUR , DARYL M.	A36-07490 /39.0 ✓	36-07490 /39.0	39.0		39.0
07S	23E	27	NW	NW		NEIBAUR , DARYL M. NEIBAUR , DARYL M. NEIBAUR , DARYL M.	A36-07490 /33.0 ✓ A36-11012 /36. ✓ A36-11013 /	36-07490 /33.0 - / - /	41.0		
07S	23E	27	SW	NW		NEIBAUR , DARYL M. JULION CLAWSON FARMS INC.	A36-07490 /35.0 ✓ 39	36-07490 /35.0 36-02070C /10.0	40.0		
07S	23E	27	SE	NW		NEIBAUR , DARYL M. JULION CLAWSON FARMS INC.	A36-07490 /40.0 ✓	36-07490 /40.0 36-02070C /20.0	39.0		
TOTAL ACRES						A36-07490	300.00 310.00	300.00	318.00		

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

EXPANSION CLAIM # A36-15213 SUBMITTED
FOR ADDITIONAL ACREAGE. WILL GIVE
P.R.Q. FOR ALL 310 AC. BHS

310 AC
REC.

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PRESUMPTION FLAG:

REMARKS:

RIGHT NO. A36-15213 IS AN EXPANSION OF THIS RIGHT.

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RECOMMENDATIONS:

TOTAL ACRES: 310 P.P. Qu.

REVIEWED BY: BHS

DATE: 7-17-91

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY		DIVERSION QUANTITY
A36-07490 IRRIGATION	FROM 03-15 TO 11-01	4.000 CFS	1200.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.000 CFS	1200.00 AF/A

B. WR RECORDED USES:

PURPOSES	MONTH/DAY		DIVERSION QUANTITY
36-07490 IRRIGATION	FROM 03-15 TO 11-01	4.000 CFS	1200.00 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		4.000 CFS	1200.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(✓) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(✓) Explain in remarks, below.

REMARKS:

WATER RIGHT IS LIMITED TO 3-15 TO 11-01

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 4.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.000 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
DATABASE EXAMINER

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

Y
OK

BTS

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

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

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 300 x 0.02 CFS/ACRE = 6 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 = 900.0 AF/A

ACRES 300 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =
310
TOTAL CONSUMPTIVE USE 900 AF/A
930

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1200.00 AF/A

ACRES 300 x DIVERSION VOL. AF/A FOR AREA 4 =
310
TOTAL DIVERSION VOLUME 1200 AF/A
1240

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

EXPANSION CLAIM FOR ADDITIONAL 10 AC RAISES

Cons. Use Vol = 930 AF Div. Vol = 1240 AF

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	<u>03-15</u> <u>11-01</u>	DATABASE EXAMINER 4.000 <u>BHS</u>	DATABASE EXAMINER 1200.00 <u>BHS</u>	DATABASE EXAMINER 900.0 <u>BHS</u>
TOTAL FOR THIS RIGHT		4.000	1200.00	900.0

REVIEWED BY: BHS DATE: 7-17-91

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
(<input checked="" style="vertical-align: middle;" type="checkbox"/>)	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07490

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 4.000	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A36-07490	4.000	-		36-07490	4.000
TOTAL CFS		4.000				4.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
Y	<u>BKS</u>

REMARKS:

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AUTHENTICATION:

SIGNATURE: Burke H. Scholer

DATE: 7-17-91

NAME OF FIELD EXAMINER: BURKE H. SCHOLER

TITLE: WATER RESOURCE AGENT

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