

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: A36-07603
Date Received: 1/27/1989
Receipt No: S006173
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE TORIX
Address: RT. 2 BOX 2358
PAUL, ID 83347
208-438-8284

2. Date of Priority: JAN 29, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	21E	2	SE	SW	SE		JEROME

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.800		360.00

7. Total Quantity Appropriated is:
1.800 C.F.S. (and/or) 360.00 A.F.A.

8. Total consumptive use is 270.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	21E	2	NE	SW		IRR	10.0
			NW	SW		IRR	20.0
			SW	SW		IRR	40.0
			SE	SW		IRR	20.0

Section Acres 90.0

A36-07603

Page 1

Date: 01/27/89

MICROFILMED

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10. Place of Use: Continued

Total Acres 90.0

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:
A36-07408

14. Remarks:

THE MAXIMUM RATE OF DIVERSION UNDER THIS LICENSE WHEN COMBINED
WITH LICENSE NO. 36-7408 SHALL NOT EXCEED 2.06 CFS.

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.

FEB 04 1993

QS.
21E.

20 10
40 20

PU.

RP.

MICROFILMED
FEB 04 1993

A36-07603

OF CLAIMS IN POLYGON 2
 AIM NUMBERS 36-07408 36-6 103
 DATE 8/7/97
 AGENT JR

TRANSFER NUMBER _____
 OBJECTION FILED no
 TOTAL ACRES FROM RECOMMENDATION 180
 GEOGRAPHIC INFO SYSTEM 171.17

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	095	21E	02									20	18	40	31		08	40	23
GIS												1731	16.11	41.48	28.73		6.31	39.68	21.79
												-3	-2	+1	-2		-2		-1
RECOM																			
GIS																			
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED
 B36-DBPOU.DBF 313 ✓
 B36-DBPOD.DBF 280 ✓
 POLYGON #
 ATTRIBUTES OF B36-POU.SHP 313
 ATTRIBUTES OF B36-POD.SHP 280 SESWSE -2

5% under recommendation... OK

P/U CONFLICT yes () no (✓)
 P/D CONFLICT yes () no (✓)
 SENT FOR DECREE yes (✓) no ()

COPY

MAY 25 PM 3:04

DISTRICT COURT-378
TWIN FALLS, IDAHO

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

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-07408, 36-07603

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

Steve Torix
Rt 2 Box 2358
Paul ID 83347

Phone: 438-5203

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

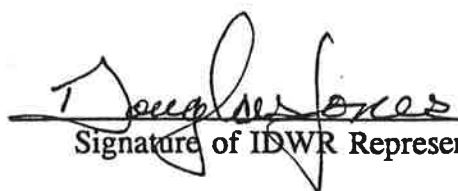
Kenneth L Lebsack
LeAnne H Lebsack
532 E Hwy 81
Burley ID 83318

Phone: 654-9881

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: 4/22/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4-25, 1997, 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/Seller for Substitution of Party or attorney of record:
Steve R Torix
Rt 2 Box 2358
Paul ID 83347
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Lenneth L Lebsack
LeAnne H Lebsack
532 E Hwy 81
Burley ID 83318
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07603

NAME & ADDRESS: KENNETH L LEBSACK
LEANNE H LEBSACK
532 E HWY 81
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 1.76 CFS

PRIORITY DATE: 01/29/1976

POINT OF DIVERSION: T09S R21E S02 SESWSE Within JEROME County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.76 CFS

PLACE OF USE:	IRRIGATION	Within JEROME County			
	T09S R21E S02	NESW 20.0	NWSW 18.0	SWSW 40.0	SESW 31.0
		NWSE 8.0	SWSE 40.0	SESE 23.0	
	180.0 ACRES TOTAL				

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

USE OF THIS RIGHT WITH RIGHT NO. 36-07408 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.06 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 720 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 540 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 180 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-07408 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 88 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

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

AJ0743NP
(OD-124)

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

04/08/97 08:14:44
Page 1

Water Right Number - 36-07603

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
LEBSACK

KENNETH L

1 - 532 E HWY 81

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-654-9881

LEBSACK

LEANNE H

1 - 532 E HWY 81

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-654-9881

*** D - DIR RPT OWNER ***
TORIX

STEVE

1 - RT 2 BOX 2358

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-8284

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
01/29/1976 17 SOUTHERN L - LICENSE

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

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

TwN Rng Sec Tract Lot RFlg County

09S 21E 2 SE SW SE (53) JEROME

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 1.760

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.760 0.0

+ - - - - Place of Use - - - - - +

TwN Rng Sec Tract Lot Acres Code Description County

09S	21E	2	NE SW		20.0	01	IRRIGATION	(53) JEROME
09S	21E	2	NW SW		18.0	01	IRRIGATION	(53) JEROME
09S	21E	2	SW SW		40.0	01	IRRIGATION	(53) JEROME
09S	21E	2	SE SW		31.0	01	IRRIGATION	(53) JEROME
09S	21E	2	NW SE		8.0	01	IRRIGATION	(53) JEROME
09S	21E	2	SW SE		40.0	01	IRRIGATION	(53) JEROME
09S	21E	2	SE SE		23.0	01	IRRIGATION	(53) JEROME

Total Acres: 180.0

"DO NOT FILM"

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

Page 2

Prefix Translation: WATER RIGHT

+ - - Other Rights for Same Use - 36-07408

+ Remarks

GEN USE OF THIS RIGHT WITH RIGHT NO. 36-07408 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 2.06 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 720 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 540 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 180 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-07408 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 88 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

No Old Water Right Numbers Found

+ 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

+ -Comments- +

Date: 04/08/1997 User Id: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED TORIX TO LEBSACK PER WARRANTY DEED.

+ - - Audit Fields - - +

04/08/97 TFAWCETT

+ - - - - - + - - - - - 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 | - 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 | - 01/27/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S006173 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - C |
| | | | | Notice of Error Flag | - |

"DO NOT FILM"



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

April 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH L LEBSACK
LEANNE H LEBSACK
532 E HWY 81
BURLEY ID 83318

RE: SRBA Claim(s) 36-07408, 36-07603

Dear Claimant:

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

/tf

cc: Steve Torix

RECEIVED

FEB 03 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES Department of Water Resources
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right Number(s) 36-7408 and 36-7603
 Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Steve R. Torix and Bonnie J. Torix
Route #2 Box 2358
Paul, Idaho 83347

4. New Owner/Claimant(s) Kenneth L. Lebsack and LeAnne H. Lebsack
 Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
 New Mailing Address 532 East Hwy. 81
 City, State and ZIP Code Burley, Idaho 83318
 New Telephone Number (208) 654-9881

5. Date you acquired the property January 15, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres actually irrigated _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Kenneth L. Lebsack Date 1-15-97
Kenneth L. Lebsack Date _____

8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
 For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

FOR VALUE RECEIVED, STEVE R. TORIX and BONNIE J. TORIX, husband and wife, of Route 2 Box 2358, Paul, Idaho, the Grantors, do hereby grant, bargain, sell and convey unto KENNETH L. LEBSACK and LEANNE H. LEBSACK, husband and wife, the Grantees whose current address is 532 East HWY 81, Burley, Idaho, the following described premises, located in Jerome County, Idaho, to wit:

PARCEL 1:

Township 9 South, Range 21, East of the
Boise Meridian, Jerome County, Idaho

Section 2: Tract M; Tract L

9 7 0 2 1 2

PARCEL 2:

Township 9 South, Range 21, East of the
Boise Meridian, Jerome County, Idaho

Section 2: Tract K

Tract J, EXCEPTING THEREFROM the
following described parcel:

Beginning at the Southwest corner of
Section 2; Thence North 0°01' East along
the Section line 1250.0 feet to the TRUE
POINT OF BEGINNING;
Thence North 0°01' East, 450.00 feet
along the Section line to a point;
Thence East 300.0 feet to a point;
Thence South 0°01' West 450.0 feet to a
point;
Thence West 300.0 feet to the TRUE POINT
OF BEGINNING.

RECORDED AT THE REQUEST
Land Title & Escrow, Inc.

JAN 16 11 35 AM '97

JEROME COUNTY, IDAHO

FEES 6.00 *[Signature]*

Including State of Idaho Water License Nos. 36-7408 & 36-7603.

To have and to hold the said premises with their appurtenances to the said Grantee, their heirs and assigns forever. And the Grantor does hereby covenant to and with the Grantee that Grantor is the owner in fee of the said premises, that said premises are free from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 15th day of January, 1997.

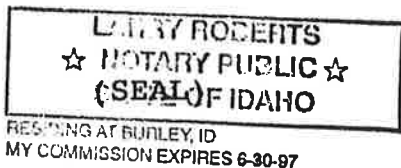

Steve R. Torix


Bonnie J. Torix

STATE OF IDAHO)
) ss.
County of Cassia)

On this 15th day of January, in the year of 1997,
before me the undersigned notary public in and for said state,
personally appeared STEVE R. TORIX and BONNIE J. TORIX,
husband and wife, known or identified to me to be the persons
whose names are subscribed to the within instrument and
acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.




Notary Public
Residing at Burley, Idaho
My Commission expires 6-30-97

CONTINUATION**SCHEDULE A**

Order Number: J-24542

PARCEL NO. 1

TOWNSHIP 9 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 2: Tract M; Tract L;

PARCEL NO. 2

TOWNSHIP 9 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 2: Tract K;

Tract J, EXCEPTING THEREFROM the following described parcel:

Beginning at the Southwest corner of Section 2;

Thence North 0°01' East along the Section line, 1250.0 feet to THE TRUE
POINT OF BEGINNING;

Thence North 0°01' East, 450.00 feet along the Section line to a point;

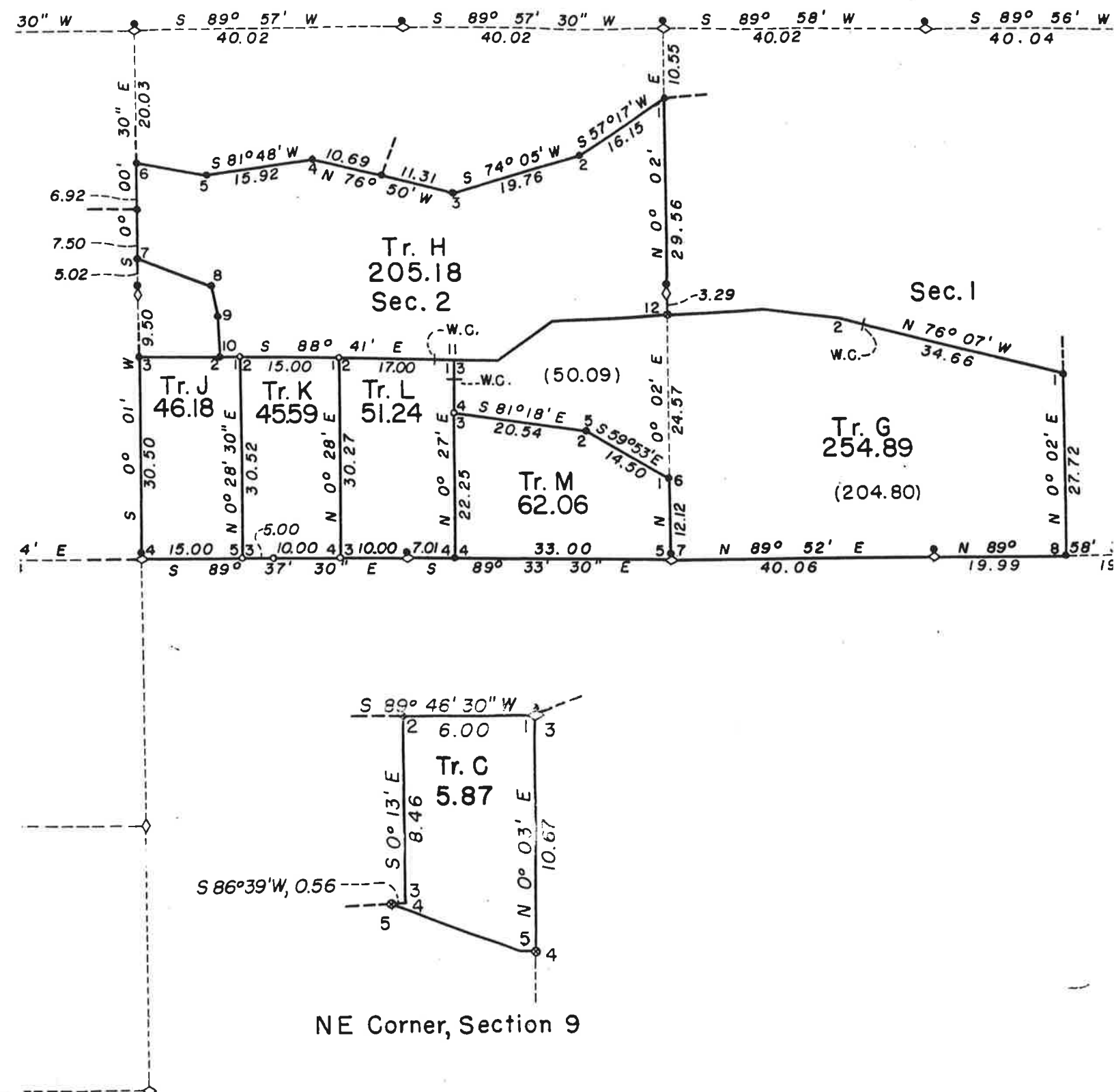
Thence East 300.0 feet to a point;

Thence South 0°01' West, 450.0 feet to a point;

Thence West 300.0 feet to THE TRUE POINT OF BEGINNING.



f Departmental Instructions of October 24, 1906
Survey Completed November 14, 1957



R PROOF



CVR



MAPS



PHOTOS



MISC



MICROFILMED
FEB 04 1993

Water Right Number - 836-07603

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
TORIX

STEVE

1 - RT. 2 BOX 2358

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-438-8284

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
01/29/1976 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

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

Twn Rng Sec Tract Lot RFlg County
09S 21E 2 SE SW SE (53) JEROME+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 03/15 11/15 1.760+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.760 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 21E 2 NE SW 20.0 01 IRRIGATION (53) JEROME
09S 21E 2 NW SW 18.0 01 IRRIGATION (53) JEROME
09S 21E 2 SW SW 40.0 01 IRRIGATION (53) JEROME
09S 21E 2 SE SW 31.0 01 IRRIGATION (53) JEROME
09S 21E 2 NW SE 8.0 01 IRRIGATION (53) JEROME
09S 21E 2 SW SE 40.0 01 IRRIGATION (53) JEROME
09S 21E 2 SE SE 23.0 01 IRRIGATION (53) JEROME

Total Acres: 180.0

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 36-07408

+ - - - - Remarks - - - - - +
USE OF THIS RIGHT WITH RIGHT NO. 36-07408 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.06 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 720 AF, A TOTAL COMBINED ANNUALMICROFILMED
FEB 04 1993

Water right number - R36-07603

Prefix Translation: RESEARCH

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

CONSUMPTIVE USE VOLUME OF 540 AF, AND TO THE IRRIGATION OF A
COMBINED TOTAL OF 180 ACRES IN A SINGLE IRRIGATION SEASON.
RIGHT NO. 36-07408 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 88 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

No Old Water Right Numbers Found

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

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

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

No Comments Found

+ - - Audit Fields - - +

03/13/92 ROBERTSO

+ - - - - 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 | - 03/13/1992 | Old Judicial District | - |
| Claim Received Date | - 01/27/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S006173 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - C |
| | | | | Notice of Error Flag | - |

MICROFILMED
FEB 0 4 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:46
12/14/90

PAGE: 11
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07603

| 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 | | | AP | N | | R.V. 2K | AP | R.V. 2K |
| POINT OF DIV | Y | | | N | 5 | 11/19/91 | | 11/19/91 |
| SOURCE | | | | N | | | | |
| PLACE OF USE | Y | | | Y | 5 | | | |
| DIV. AMOUNT
CFS/VOLUME | | | | Y | | | | |
| CONSUMPTIVE USE | - | | | Y | | | | |
| PURPOSES | | | | N | | | | |
| PERIOD OF USE | | | | N | | | | |
| BASIS OF CLAIM | | | | N | | | | |
| REMARKS | Y | | | N | | | | |

"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

00:00:46
12/14/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07603

LAST: TORIX
ADDRESS: RT. 2 BOX 2358
CITY: PAUL
PHONE NUMBER: 208-438-8284

FIRST: STEVE
STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THE MAXIMUM RATE OF DIVERSION UNDER THIS LICENSE WHEN COMBINED
WITH LICENSE NO. 36-7408 SHALL NOT EXCEED 2.06 CFS.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: 5/31/91

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: # A36-07603 PRIORITY DATE: 01-29-1976 STAGE: L
B. WR RECORD: # 36-07603 PRIORITY DATE: 01-29-1976 STAGE: L

C. FIELD EXAM REQUIRED? DATABASE FIELD
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) N EXAMINER

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

REMARKS:

RECOMMENDED PRIORITY DATE:
01-29-1976

REVIEWED BY AD~

DATE 5/03/91

MICROFILMED
FEB 0 4 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A36-07603 | 09S | 21E | 2 | SE | SW | SE | | JEROME |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-07408 NONE
A36-11050

WR RECORDS IN SAME 40 ACRE TRACT

36-07408

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 36-07603 | 09S | 21E | 2 | | SW | SE | | JEROME |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

36-07408

A36-07408 NONE
A36-11050

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

REMARKS:

Confirmed by field ex2

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FEB 04 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|-----|--------|
| — | — | — | — | OK | — | — | — |
| — | — | — | — | — | — | — | — |

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

AD
6/3/91

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A. ROOT WATER RIGHT NUMBERS: A36-07603

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|--------------------------------|------------------------------------|------------------------------|-----------------|----------------|------------------|
| 09S | 21E | 2 | NE | SW | | TORIX , STEVE
CARNEY , GARY | A36-07603 /10.0
A36-07560 /13.0 | 36-07603 /10.0
36-07560 / | | 20 | |
| 09S | 21E | 2 | NW | SW | | TORIX , STEVE
CARNEY , GARY | A36-07603 /20.0
A36-07560 /15.0 | 36-07603 /20.0
36-07560 / | | 18 | |
| 09S | 21E | 2 | SW | SW | | TORIX , STEVE | A36-07603 /40.0 | 36-07603 /40.0 | | 38 | 40 |
| 09S | 21E | 2 | SE | SW | | TORIX , STEVE | A36-07603 /20.0 | 36-07603 /20.0 | | 31 | 20 |
| TOTAL ACRES | | | | | | | A36-07603 | 90.00 | 90.00 | | |

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

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 88

REVIEWED BY: AD

DATE: 6/3/91

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FEB 04 1993

Artis
to be used

88

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY | |
|-------------------------------------|---------------------|--------------------|-------------|
| A36-07603 IRRIGATION | FROM 03-15 TO 11-15 | 1.800 CFS | 360.00 AF/A |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 1.800 CFS | 360.00 AF/A |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY | |
|-------------------------------------|---------------------|--------------------|-------------|
| 36-07603 IRRIGATION | FROM 03-15 TO 11-15 | 1.800 CFS | 360.00 AF/A |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 1.800 CFS | 360.00 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 | _____ |
| 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:

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FEB 04 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.800 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.800 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
Y ☒

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

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: A36-07408 — same system

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------|---------------|-----------|----------------|-----------|----------------|
| A36-07603 | GROUNDWATER | TORIX , STEVE | 1.800 | 0.020 | 360.00 | 4.00 |
| A36-07560 | GROUNDWATER | CARNEY , GARY | 7.660 | 0.020 | | |

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

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D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 88 x 0.02 CFS/ACRE = 1.76 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(X) N() *Reduce to 1.76*

1b. CALCULATIONS

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 270.0 AF/A

ACRES 88 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 264 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 360.00 AF/A

ACRES 88 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 352 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

Combined with 36-07408

shall not exceed 2.06 cfs

180 acrs

540 Af2 consumptive use vol.

720 Af2 div. vol.

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FEB 04 1993

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|------------------------|--|---|---|
| IRRIGATION | 03-15 11-15 | ~~DATABASE 1.800~~ EXAMINER <u>1.76</u> | ~~DATABASE 360.00~~ EXAMINER <u>2.52</u> | ~~DATABASE 270.0~~ EXAMINER <u>269</u> |
| TOTAL FOR THIS RIGHT | | ~~1.800~~ | ~~360.00~~ | ~~270.0~~ |

REVIEWED BY: AD

DATE: 6/3/91

MICROFILMED

FEB 04 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

| | ACCEPTED
AS CLAIMED | NEEDS
REVIEW |
|------------------------------|---|-----------------|
| OWNERSHIP _____ | (☒) | () |
| FORFEIT/ABANDON _____ | (☒) | () |
| ADDITIONAL DIV. AMOUNT _____ | (☒) | () |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07603

TOTAL DIVERSION RATE OF WR SPLITS DATABASE
1.800

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A36-07603 | 1.800 | - | | 36-07603 | 1.800 |
| TOTAL CFS | | 1.800 | | | | 1.800 |

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: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

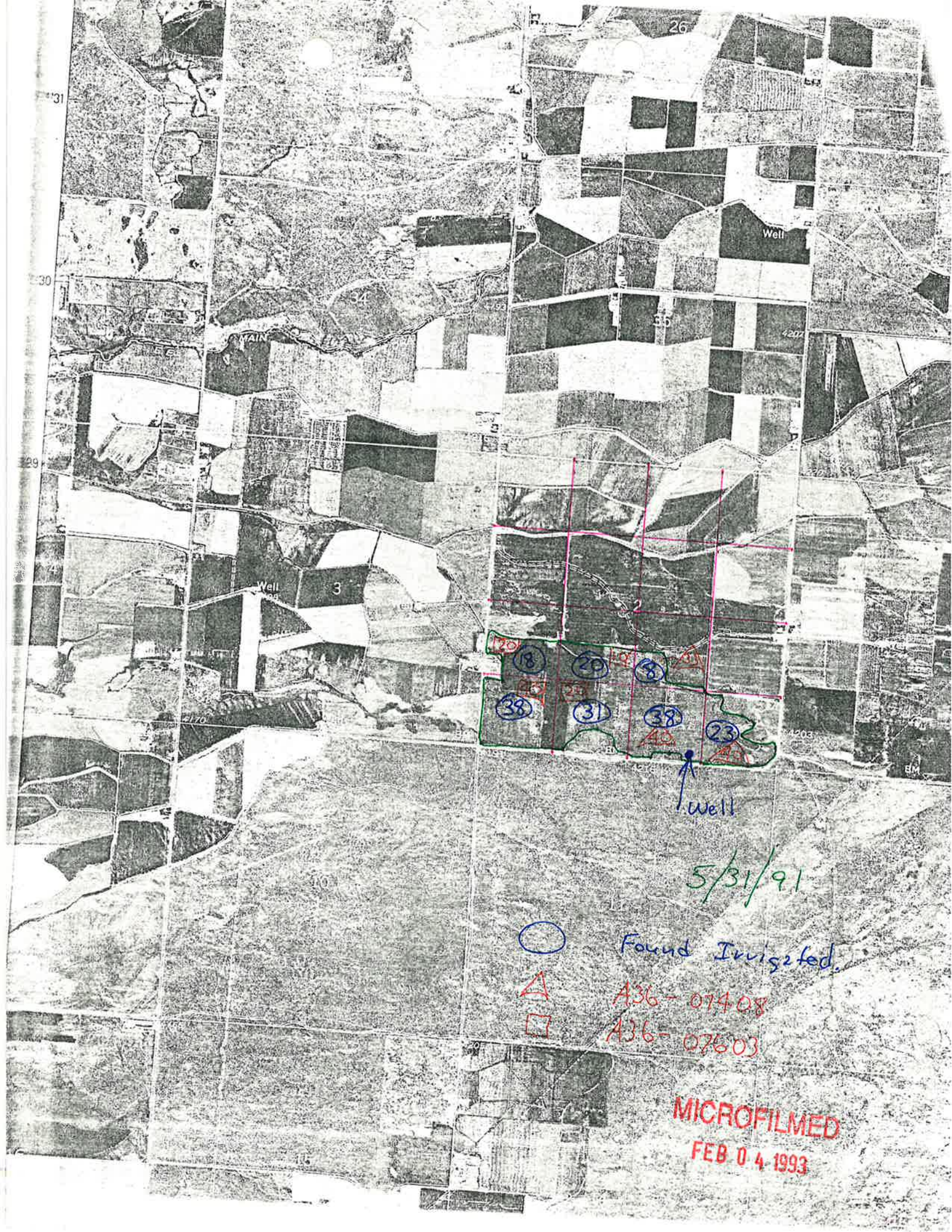
TITLE: _____

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FEB 04 1993

Chris Martin

6/3/91

G.V.W. 11/18/91



5/31/91



Found Investigated



A36-07408



A36-07603

MICROFILMED

FEB 04 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-7603 Priority January 29, 1976 Amount 1.80 cfs

THIS IS TO CERTIFY, that Jeffrey A. Bergstrom

of Paul, Idaho, has complied with the terms and conditions of Permit No. 36-7603 issued pursuant to Application for Permit dated January 29, 1976 and has submitted proof to the Department of Water Resources on November 24, 1976 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 2.06 cfs of water from a ground water source tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

| Beneficial Use | Period of Use | Rate of Diversion | Annual Volume |
|----------------|--|---------------------|----------------------|
| Irrigation | from <u>March 15</u> to <u>November 15</u> | <u>1.80</u> cfs and | <u>360</u> acre feet |
| | from _____ | _____ cfs and | _____ |
| | from _____ | _____ cfs and | _____ |
| | (both dates inclusive) | _____ cfs and | _____ |

Subject, however, to the condition that no more than 1.80 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 360 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, Twp. 9S, Rgo. 21E, B.M. in the County of Jerome

Description and location of place of use:

| Twp. | Range | Sec. | NEW | | | | MWW | | | | SWW | | | | Totals |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|----|--|--------|
| | | | NEW | SWW | NEW | SWW | NEW | SWW | NEW | SWW | NEW | SWW | | | |
| 9S | 21E | 2 | | | | | | | | 10 | 20 | 40 | 20 | | 90 |
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Total number of acres irrigated 90

CONDITION:

The maximum rate of diversion under this license when combined with License No. 36-7408 shall not exceed 2.06 cubic feet per second.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right in the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of March, 19 79.

Director

MICROFILMED
FEB 04 1993