

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: A36-07690A
Date Received: 3/03/1989
Receipt No: 5006452
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL ROBERTSON 208-532-4172
Address: RT. 2 BOX 2572
PAUL, ID 83347

2. Date of Priority: MAY 05, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	21E	29	SW	SW	NW		LINCOLN
			SE	SE	SW		LINCOLN
		30	SE	SW	SW	11	LINCOLN

5. Description of diverting works:
THREE WELLS & PUMPS DELIVERING TO COMMON MAINLINE SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.240		

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

8. Total consumptive use is 336.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	21E	31	NW	NW	2	IRR	40.0

A36-07690A

Page 1

Date: 03/03/89

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: (See Maps A36-02407)

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): Paul Robinson Date: 3-3-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of March 19 89 Paul D. Manner
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/94

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: NOV-2-1992
PAGE: A-3129

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
36-07690A	PAUL ROBERTSON RT 2 BOX 2572 PAUL ID 83347	04/06/1978	IRRIGATION	04-01 10-31	2.24 448.0	CFS AFY LICENSE
					TOTAL QUANTITY:	2.24 448.0 CFS AFY
					CONSUMPTIVE USE:	336.0 AFY
POINT OF DIVERSION:						
T06S R21E S31 SESWSE						
T07S R21E S04 LOT 3 (NENE)						
PLACE OF USE: IRRIGATION						
T06S R21E S31 Lot 2 (NWNW)40.0 Lot 3 (NWNW)16.0 Lot 4 (SWNW)16.0 Lot 5 (SWNW)40.0 112.0 ACRES TOTAL						
REMARKS: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 36-07690B, 36-15379, AND LICENSE 36-07446.						
USE OF THIS RIGHT WITH THE RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.82 CFS.						
36-07690B	JERRY GILLETTE PERRY GILLETTE RANDY GILLETTE 3G'S PO BOX 868 PAUL ID 83347	04/06/1978	IRRIGATION	04-01 10-31	.64 128.0	CFS AFY LICENSE
					TOTAL QUANTITY:	.64 128.0 CFS AFY
					CONSUMPTIVE USE:	96.0 AFY
POINT OF DIVERSION:						
T06S R21E S31 SESWSE						
T07S R21E S04 LOT 3 (NENW)						
PLACE OF USE: IRRIGATION						
T06S R21E S31 Lot 9 (NWSW)16.0 Lot 10 (SWSW)16.0 32.0 ACRES TOTAL						
REMARKS: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF DIVERSION DESCRIBED ABOVE: 36-07690A, 36-15379, AND LICENSE 36-07446.						
USE OF THIS RIGHT WITH THE RIGHTS LISTED ABOVE IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.82 CFS.						

Water Right Number - 36-07690A

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
ROBERTSON

PAUL

1 - RT 2 BOX 2572

2 -

3 -

City- PAUL

State- ID Zip- 83347

Phone - 208-532-4172

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
04/06/1978 ERROR IN REGION L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name
06S	21E	31	SE SW SE			(63)	LINCOLN	
07S	21E	4	NE NE	3		(63)	LINCOLN	

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31	2.240	448.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
2.240 448.00 336.0

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	21E	31	NW NW	2	40.0	01	IRRIGATION	(63) LINCOLN
06S	21E	31	NW NW	3	16.0	01	IRRIGATION	(63) LINCOLN
06S	21E	31	SW NW	4	16.0	01	IRRIGATION	(63) LINCOLN
06S	21E	31	SW NW	5	40.0	01	IRRIGATION	(63) LINCOLN

Total Acres: 112.0

+ - - Diversion Means - TWO WELLS & PUMPS DELIVERING TO COMMON MAINLINE SYSTEM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

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

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 36-07690B, 36-15379, AND LICENSE
36-07446.USE OF THIS RIGHT WITH THE RIGHTS LISTED ABOVE IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 9.82 CFS.

Water right number - 36-07690A

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +
+ - - - - Old Water Right Numbers - - - - - +
A3607690
+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.
+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000
+ - - Audit Fields - 04/22/92 KEEN 07/18/92 POST-STD 08/07/92 KEEN 08/10/92 KEEN 08/28/92 PR-PRODM
09/14/92 SCHULTZ 10/19/92 SOUTH3 11/02/92 CPSHAW 12/05/92 ADT-SHAW 06/16/93 CMDATFIX
08/25/93 UPD-SCHU
+ - - Certified Numbers & Date Mailed - 00257797 08/24/92
+ - - - - Comments - - - - - +
Date: 04/22/1992 User Id: KEEN Subject: COPIED FROM REMARKS
112/144 PORTION OF PERMIT 36-07690.
Date: 04/22/1992 User Id: KEEN Subject: POINTS OF DIVERSION
THIS LAND NOW APPEARS TO BE IRRIGATED FROM THE WELLS AT THE CLAIMED POINTS OF DIVERSION. THE LICENSE FIELD EXAMINATION, DONE
IN 1989, SHOWS THE ORIGINAL POINTS OF DIVERSION, AND SO DOES THE LICENSE. THEREFORE, THE POINT OF DIVERSION TRANSFER APPEARS TO
HAVE OCCURRED AFTER THE SRBA COMMENCEMENT DATE. FOR THAT REASON, IT CANNOT BE RECOMMENDED. PAGE 53 OF THE CLAIM INVESTIGATION
MANUAL STATES THAT THE LICENSED POINTS OF DIVERSION SHOULD BE RECOMMENDED IN THIS SITUATION.
Date: 04/22/1992 User Id: KEEN Subject: CLAIM REVIEW
DESKTOP REVIEW, RECOMMENDATIONS, AND DATA ENTRY BY S.W. KEEN.
Date: 09/14/1992 User Id: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 8/10/92. DID NOT REVERIFY ANY PART OF CLAIM.
Date: 10/19/1992 User Id: SOUTH3 Subject: NO CHANGE TO RECOMMENDATION
MR. ROBERTSON INDICATED A DESIRE TO MEET WITH KKC BUT DID NOT FOLLOW THROUGH. RMC
+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 11/02/1992 Field Inspection Made - 07/23/1992 Civil Case Number - 39576
Objection Filed Date - 04/30/1993 Field Inspection Flag - Old Case Number -
Response Filed Date - 08/24/1993 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 03/03/1989 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 - S006452 Federal/State Indicator - S
Claims Tape Error Flg - POU Ownership Flag - Y Presumption Flag -
Fee Exempt Flag - Name Connector - 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: A36-07690A
Date Received: 3/03/1989
Receipt No: 5006452
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL ROBERTSON 208-532-4172
Address: RT. 2 BOX 2572
PAUL, ID 83347

2. Date of Priority: MAY 05, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	21E	29	SW	SW	NW		LINCOLN
			SE	SE	SW		LINCOLN
		30	SE	SW	SW	11	LINCOLN

5. Description of diverting works:
THREE WELLS & PUMPS DELIVERING TO COMMON MAINLINE SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.240		

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

8. Total consumptive use is 336.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	21E	31	NW	NW	2	IRR	40.0

A36-07690A

Page 1

Date: 03/03/89

FEB 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	21E	31	NW	NW	3	IRR	16.0
			SW	NW	4	IRR	16.0
			SW	NW	5	IRR	40.0
Section Acres							112.0
Total Acres							112.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:
THIS IS BASED ON 112/144 PORTION OF PERMIT 36-07690.

15. Basis of Claim: PERMIT

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: (See Mps A36-02407)

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): Paul Robertson Date: 3-3-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of March 19 89 Paul D. Manner
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/94

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: AUG-18-1993
PAGE: A-1

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
36-07690A	PAUL ROBERTSON RT 2 BOX 2572 PAUL ID 83347	04/06/1978	IRRIGATION	04-01 10-31	2.24 448.0	CFS AFY LICENSE
TOTAL QUANTITY:					2.24 448.0	CFS AFY
CONSUMPTIVE USE:					336.0	AFY

POINT OF DIVERSION:

T06S R21E S31

SESWS

T07S R21E S04

LOT 3 (~~NENE~~) (NENW)

PLACE OF USE: IRRIGATION

T06S R21E S31 Lot 2 (NWNW)40.0 Lot 3 (NWNW)16.0 Lot 4 (SWNW)16.0 Lot 5 (SWNW)40.0
112.0 ACRES TOTALREMARKS: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 36-07690B, 36-15379, AND LICENSE
36-07446.USE OF THIS RIGHT WITH THE RIGHTS LISTED ABOVE IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 9.82 CFS.



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

August 9, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

PAUL ROBERTSON
RT 1 BOX 1589
PAUL ID 83347

00 13 15 15 11 11 11 11

AUG 11 1994

Department of Water Resources
Northern Region Office

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim No. 36-07690A
Change of Address

Dear Claimants,

IDWR has been notified by the Post Office the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim can be sent only to the address on your claim or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. That action will suffice to change our records, but not those of the SRBA court. SRBA Judge Hurlbutt issued an Order June 17, 1993 requiring claimants like yourself identified in a Director's Report to use Standard Form 3 for change of address. I have enclosed Standard Form 3 for your use. Please contact us or the Court (208/736-3011) if you have any questions.

Thank you for your help to make sure you receive the future notices we intend to send to you that will keep you notified about SRBA matters.

If the ownership of the property to which this water right applies has changed, please call this office toll-free at 1-800/451-4291 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:region
Enclosure:
Standard Form 3

#####

The address is correct as shown above or as otherwise changed.

Claimant

MICROFILMED

107 100

HOFSTETTER LAW OFFICE

608 West Franklin Street
Boise, Idaho 83702

Dana@IdahoWaterLaw.com

Dana L. Hofstetter
Attorney at Law

Telephone: (208) 424-7800
Facsimile: (208) 424-8774

June 13, 2002

Glen Saxton
Idaho Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706

RECEIVED
JUN 17 2002
Department of Water Resources

Re: Transfer No. 4312

Dear Mr. Saxton:

I write on behalf of Paul Robertson in connection with Transfer No. 4312 and water right nos. 36-04058A and 36-07690A. In particular, it appears that the approval of Transfer No. 4312 did not take into account certain pending Snake River Basin Adjudication ("SRBA") proceedings regarding the quantity elements of water right nos. 36-04058A and 36-07690A. After discussing this matter with Nick Spencer and Roxanne Brown, I understand that a correction of the Transfer Approval is necessary to finalize these subcases in the SRBA.

Water right nos. 36-04058 and 36-07690 were split between Paul Robertson and Rusty Gillette, with Mr. Robertson obtaining the "A" portions and Mr. Gillette obtaining the "B" portions. In connection with review of Mr. Gillette's "B" portions, errors were identified in the field examinations for these water rights that also affected the "A" portions. Accordingly, in early 1998, on behalf of Mr. Robertson, I asked the SRBA Court to set aside the partial decrees for water right nos. 36-04058A and 36-07690A to address these matters. The SRBA Court granted this motion in February 1998. I enclose a copy of the Order for your reference.

As indicated in the enclosed Affidavit of David Tuthill, which was submitted to the SRBA Court in support of the motion to set aside the partial decrees, the combined use quantity limit with respect to 36-07690A and the identified quantity for water right

Glen Saxton
June 13, 2002
Page 2

no. 36-04058A did not reflect the actual well capacities of the original diversion system. The Court was asked to set aside the partial decrees so that the combined use limit for water right no. 36-07690A would be removed so that a full 2.24 cubic feet per second ("cfs") would be designated for that water right. Further, an increase from 0.70 cfs to 1.24 cfs was sought for water right no. 36-04058A.

At the time of the setting aside of the partial decrees, Transfer No. 4312 was pending. However, when the Transfer was approved in late 1998, it did not reflect the changes sought through the SRBA proceedings. The Transfer, as approved, identified a quantity of 0.70 cfs for water right no. 36-04058A and a quantity of 1.83 cfs for 36-07690A. If the pending SRBA proceedings had been incorporated in the Transfer Approval, the quantity for water right no. 36-04058A would be 1.24 cfs and the quantity for water right no. 36-07690A would be 2.24 cfs. It appears that when Transfer No. 4312 originally was processed, the Idaho Department of Water Resources staff processing the Transfer may not have been aware of the pending SRBA proceedings. I learned that the pending Transfer No. 4312 had been approved only recently, in April 2002, when the Notice of Completed Administrative Proceeding was filed in the SRBA.

Thank you for your attention to this matter. Please let me know if you need any additional information.

Sincerely,

HOFSTETTER LAW OFFICE, LLC

A handwritten signature in black ink, appearing to read "Dana Hofstetter", with a long horizontal flourish extending to the right.

Dana L. Hofstetter

Enclosures

cc: Roxanne Brown w/o enclosures

Nick Spencer w/o enclosures

Paul Robertson w/o enclosures

E:/2090.1/5286

COPY

200 NOV 17 PM 1:16

TY-SRBA
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

Water Rights: 36-04058A, 36-07690A

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding affecting the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

☒ I.C. § 42-222 transfer 5184

☒ point of diversion ☒ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than: October 26, 2001.

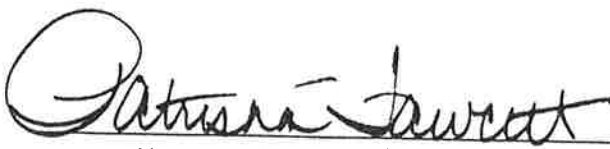
Dated 11/3/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/17, 2000, 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
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant or attorney of record:
Dana Hofstetter
Beeman & Hofstetter
PO Box 1427
Boise ID 83701-1427
3. One copy to:
Claimant or attorney of record:
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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

November 16, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DANA HOFSTETTER
BEEMAN & HOFSTETTER
PO BOX 1427
BOISE ID 83701-1427

RE: SRBA Claim(s) 36-04058A, 36-07690A

Dear Counselor:

Please find the enclosed copy of the Notice of 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.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4312
WATER RIGHT NO(S). 36-04058A/36-07690A/36-07056
36-11124/36-15363

This is to certify that: PAUL ROBERTSON
RT 1 BOX 1589
PAUL ID 83347

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-07056 :			
IRRIGATION	04/01 to 10/31	6.40 CFS	1740.0 AF
Priority: 05/07/1969			
Right No. 36-11124 :			
IRRIGATION	04/01 to 10/31	0.52 CFS	219.7 AF
Priority: 05/01/1972			
Right No. 36-15363 :			
IRRIGATION	04/01 to 10/31	10.17 CFS	2072.0 AF
Priority: 04/17/1960			
	SUBTOTAL:	* 16.57 CFS	* 3916.0 AF
Right No. 36-04058A :			
IRRIGATION	04/01 to 10/31	0.70 CFS	248.0 AF
Priority: 06/01/1962			
Right No. 36-07690A :			
IRRIGATION	04/01 to 10/31	** 1.83 CFS	448.0 AF
Priority: 04/06/1978			
	TOTAL:	*** 19.10 CFS	*** 4560.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 29, Township 06S, Range 21E
SESW , Sec. 29, Township 06S, Range 21E
Lot 11(SWSW), Sec. 30, Township 06S, Range 21E
LINCOLN County

TRANSFER NO. 4312
WATER RIGHT NO(S). 36-04058A/36-07690A/36-07056
36-11124/36-15363

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	21E	19	SWSE 40	SESE 40		80
		29	NWNW 40	SWNW 40	NWSW 40	
			SWSW 40	SESW 40		200
		30	NENE 40	NWNE 40	SWNE 40	
			SENE 40	Lot 1(NENW) 40	Lot 5(SWNW) 35	
			Lot 6(SENW) 40	Lot 7(NESW) 40	Lot 8(NWSW) 40	
			Lot 9(NWSW) 12	Lot 10(SWSW) 16	Lot 11(SWSW) 34	
			Lot 12(SESW) 40	NWSE 40	SWSE 40	
			SESE 40			577
		31	NENE 40	NWNE 40	Lot 1(NENW) 40	
			Lot 2(NWNW) 40	Lot 3(NWNW) 16	Lot 4(SWNW) 16	
			Lot 5(SWNW) 40	Lot 6(SENW) 11		243
		32	NWNW 40			40
Total number of acres irrigated: ****						1140

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Transfer 4312 shall not exceed 19.10 cfs, nor a total combined annual volume of 4560.0 af.
- **** 8. Right 36-04058A is limited to the irrigation of 62.0 acres in the place of use described above in a single irrigation season.
- **** 9. Right 36-07690A is limited to the irrigation of 112.0 acres in the place of use described above in a single irrigation season.
- **** 10. Right 36-07056 is limited to the irrigation of 435.0 acres in the place of use described above in a single irrigation season.

TRANSFER NO. 4312
WATER RIGHT NO(S). 36-04058A/36-07690A/36-07056
36-11124/36-15363

CONDITIONS OF APPROVAL AND REMARKS

- **** 11. Right 36-11124 is limited to the irrigation of 979.0 acres in the place of use described above in a single irrigation season.
- **** 12. Right 36-15363 is limited to the irrigation of 518.0 acres in the place of use described above in a single irrigation season.
- * 13. Rights 36-07056, 36-11124 and 36-15363 when combined shall not
**** exceed a total diversion rate of 16.57 cfs, a total annual diversion volume of 3916.0 af at the field headgate and the irrigation of 979.0 acres.
- *** 14. Rights 36-04058A, 36-07056, 36-07690A, 36-11124 and 36-15363 when
**** combined shall not exceed a total diversion rate of 19.10 cfs, a total annual diversion volume of 4560.0 af at the field headgate and the irrigation of 1140.0 acres.
- **** 15. The right holder shall cease irrigation of 13.0 acres previously authorized under these rights, and consolidate use of water on the remaining 1140.0 acres.
- ** 16. The portion of Right 36-07690A in the amount of 0.41 cfs shall be considered abandoned through approval of Transfer 4312.
- 17. Right 36-11124 is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
- 18. Right 36-11124 is based upon an enlargement of Rights 36-07056 and 36-15363 pursuant to Section 42-1426, Idaho Code.

Dated this 13th day of November, 1998.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILES 36-04058A, 36-07056, 36-07690A, 36-11124 &
36-15363 (Combined Rts.36-02406/2407 & Part 2423)

FROM: PAM SKAGGS/STATE OFFICE

SUBJECT: TRANSFER 4312

DATE: January 29, 1998

=====

Transfer 4312 adds points of diversion and combines/changes the place of use under Rights 36-04058A, 36-07056, 36-07690A, 36-11124 & 36-15363 (Combined Rts.36-02406/2407 & Part 2423). The applicant is combining these rights into a single permissible place of use system using three existing points of diversion.

The transfer approval was processed on the rights as currently recommended by SRBA reformatted records, while the application identified the original water rights records and numbers, resulting in different right numbers appearing on the transfer approval.

These five (5) rights include an unencumbered water right (36-04058A), three (3) combined rights (36-07056/11124/15363), and a right (36-07690A) with a point of diversion overlap with rights under a separate owner and system. In order to separate Right 36-7690A from the p/d overlap rights, a reduction of 0.41 cfs was made. The effect on the entire system is negligible with the rate per acre remaining at 0.016 cfs per acre within a piped sprinkler system.

<u>36-07690A</u>	<u>Combined Rights</u>	<u>Percent</u>	<u>Capacity Limit</u>	<u>Transfer Portion</u>
2.24 cfs	/ 11.99 cfs	= 0.18682	x 9.82 cfs	= 1.83 cfs

2.24 cfs - 1.83 cfs = 0.41 cfs abandoned thru transfer.

The p/d overlap condition on the non-transferred rights (36-07446/7690B/15379) should be modified to reflect the transfer, reducing the combined total to 7.99 cfs. (9.82 cfs - 1.83 cfs = 7.99 cfs)

Recommended conditions include measuring & annual reporting, irrigation overlap, multiple points of diversion/measuring devices, permissible place of use, combined limits, consolidate use on reduced acres, abandoned portion, expansion right conditions and standard transfer conditions.

RECEIVED

APR 15 1998

Department of Water Resources
Southern Region

RECEIVED

APR 10 1998

Department of Water Resources
Adjudication Bureau

1998 APR -7 PM 2:01

DISTRICT COURT - SRBA
TWIN FALLS CO., 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

PD
r/b 4/57
Subcase No. 36-04058A and 36-07690A

ORDER OF REFERENCE
RETURNING SUBCASES TO SPECIAL
MASTER DOLAN

On February 23, 1998 this court issued an *Order Granting Motion To Set Aside Judgments* in these subcases. Therefore, these subcases are referenced back to Special Master Dolan for further proceedings.

IT IS SO ORDERED.

DATED ~~March~~ 7, 1998.
APRIL


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

ORDER OF REFERENCE RETURNING
SUBCASES TO SPECIAL MASTER
DOLAN

CERTIFICATE OF MAILING

I certify that true and correct copies of the **ORDER OF REFERENCE RETURNING SUBCASES TO SPECIAL MASTER DOLAN** were mailed on April 7, 1998, by first-class mail to the following:

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 & Natural Resources Division
550 West Fort Street, M.C. 033
Boise, ID 83724

Dana Hofstetter
Beeman & Hofstetter, P.C.
PO Box 1427
Boise, ID 83701-1427



Deputy Clerk

AJ0749NP
No. A36-07690A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/22/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL ROBERTSON RT 1 BOX 1589 PAUL ID 83347 (208) 438-5959	05/05/1977	IRRIGATION	03-15 11-15	2.24 CFS	
TOTAL DIVERSION:					2.24 CFS	
CONSUMPTIVE USE:						336.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T06S R21E S29 SWSWNW SESESW
S30 Lot11(SESWSW)

LINCOLN County
LINCOLN County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
06S	21E	31	:									02-40	04-16							:	112.0
06S	21E	31	:									03-16	05-40							:	
TOTAL ACRES																				112.0	

POU County: LINCOLN

Other Rights: NONE

Remarks: 112/144 PORTION OF PERMIT 36-07690.
SF3 ADDRESS CHANGE 2/22/95.

Dates: Exam Made Date: Verified Date:

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

MICROFILMED
DEC 5 1996

AJ0749NP
No. 36-07690A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/22/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL ROBERTSON RT 1 BOX 1589 PAUL ID 83347 (208) 438-5959	04/06/1978	IRRIGATION	04-01 10-31	2.24 CFS	448.00 AFA
					TOTAL DIVERSION:	2.24 CFS
					CONSUMPTIVE USE:	448.00 AFA 336.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06S R21E S31 SESWSE
T07S R21E S04 Lot03(NENE)

LINCOLN County
LINCOLN County

Place of use Legal Description for: IRRIGATION
NE

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
06S	21E	31	:							02-40	04-16									112.0
06S	21E	31	:							03-16	05-40									
																			TOTAL ACRES	112.0

POU County: LINCOLN

Other Rights: NONE

Remarks: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 36-07690B, 36-15379, AND LICENSE
36-07446.
USE OF THIS RIGHT WITH THE RIGHTS LISTED ABOVE IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 9.82 CFS.

Dates: Exam Made Date: 07/23/1992 Verified Date:

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

Comments: Date: 04/22/1992 User-ID: KEEN Subject: COPIED FROM REMARKS
112/144 PORTION OF PERMIT 36-07690.

Date: 04/22/1992 User-ID: KEEN Subject: POINTS OF DIVERSION

MICROFILMED
DEC 5 1996

AJ0749NP
No. 36-07690A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/22/95
PAGE: 2

Comments: Date: 04/22/1992 User-ID: KEEN Subject: POINTS OF DIVERSION
THIS LAND NOW APPEARS TO BE IRRIGATED FROM THE WELLS AT THE
CLAIMED POINTS OF DIVERSION. THE LICENSE FIELD EXAMINATION, DONE
IN 1989, SHOWS THE ORIGINAL POINTS OF DIVERSION, AND SO DOES THE
LICENSE. THEREFORE, THE POINT OF DIVERSION TRANSFER APPEARS TO
HAVE OCCURRED AFTER THE SRBA COMMENCEMENT DATE. FOR THAT REASON,
IT CANNOT BE RECOMMENDED. PAGE 53 OF THE CLAIM INVESTIGATION
MANUAL STATES THAT THE LICENSED POINTS OF DIVERSION SHOULD BE
RECOMMENDED IN THIS SITUATION.

Date: 04/22/1992 User-ID: KEEN Subject: CLAIM REVIEW
DESKTOP REVIEW, RECOMMENDATIONS, AND DATA ENTRY BY S.W. KEEN.

Date: 09/14/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/14/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 8/10/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/19/1992 User-ID: SOUTH3 Subject: NO CHANGE TO RECOMMENDATION
MR. ROBERTSON INDICATED A DESIRE TO MEET WITH KKC BUT DID NOT
FOLLOW THROUGH. RMC

Date: 02/22/1995 User-ID: SSHERMAN Subject: SF3 ADDRESS CHANGE
SF3 ADDRESS CHANGE.

Audit: 02/22/95 SSHERMAN

MICROFILMED
DEC 5 1996

RECEIVED

FEB 24 1995

Department of Water Resources
Southern Region

RECEIVED

FEB 15 1995

OFFICE OF THE
ATTORNEY GENERAL

RECEIVED

FEB 16 1995

Department of Water Resources
Adjudication Bureau

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

In Re the General Adjudication of Rights
to the Use of Water From the Snake River
Basin Water System.

Case No. 39576

STANDARD FORM 3

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

STANDARD FORM FOR NOTICE
OF CHANGE IN ADDRESS

OR

Petitioner,

CONSENT TO SUBSTITUTION OF
PARTY

vs.

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

Respondents.

*all records modified
2-22-95. -ss*

INSTRUCTIONS FOR USE

This form must be used to provide notice of change in address or to substitute a party whose water right recommendation is in a director's report which has been filed with the court. The filing of Standard Form 3 cannot result in a contested matter. A hearing will not be scheduled.

This form has been adopted by the court in *SRBA Administrative Order 1* (amended June 21, 1993), Section 4A, which may be consulted for further information.

Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) where a water right recommendation is not before the court.

As used in this form, the term "prior claimant/seller" means any person who, pursuant to I.C. § 42-1409(2), (3) and (6), filed a notice of claim asserting the right to the use of water or on whose behalf the right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of a "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

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

Check either the *Change in Address* or *Consent to Substitution of Party* box and fill in the requested information. A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here.

Follow the instructions on the form or the court will not accept it for filing. The Verification and the Certificate of Mailing must be completed.

The standard form may be obtained from the Idaho Department of Water Resources and the court. You must provide a copy of this form to each party, or to their legal counsel, in any subcase in which you are a party.

☐ CHANGE IN ADDRESS

My name is Paul Robertson

I am the claimant of 36-07690A 36-04058A 36-0705L
(Insert each water right number) 36-11124 36-15363

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is Rt. 1 Box 1589
Paul Ed 83347

My phone number is: Work 678-0248-1344 Home 438-5959

☐ **CONSENT TO SUBSTITUTION OF PARTY**

My name is _____

My address is _____

My phone number is: Work _____ Home _____

The name and address of the party who I wish to be substituted for are:

I am the new claimant/purchaser of _____ and
(Insert each water right number)

I am submitting proof of acquisition of the interest of the prior claimant/seller, *which is required by the court* to support my *Substitution*. Proof must contain a legal description of the property, including the water right numbers conveyed. You must describe the documents you are submitting.

X _____
(Signature of prior claimant/seller) (Signature of new claimant/purchaser)

☐ **ATTORNEY OF RECORD COMPLETING FORM**

My name is _____

I am the attorney of record for _____
(Identify party/claimant)

My address and phone number are _____

VERIFICATION

(Must be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of Idaho

County of Twin Falls

Paul Robertson, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10); and that I have read this form, know its contents and that the statements are true to the best of my knowledge and belief.

Paul Robertson
Signature of person filing form

By: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on Feb 13, 1995
(Insert Date)

[Signature]
Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 6/24/98

INSTRUCTIONS FOR MAILING

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

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

CERTIFICATE OF MAILING

I certify that on 2/13, 1995, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. A *Change of Address* must be served on each party, or their attorney, in each subcase in which you are a party at the following address(es):

3. A *Consent to Substitution of Party* must be served on the prior claimant/seller or their attorney at the following address:

4. A *Consent to Substitution of Party* must be served on each party, or their attorney, to each subcase in which the prior claimant/seller is a party at the following address(es):

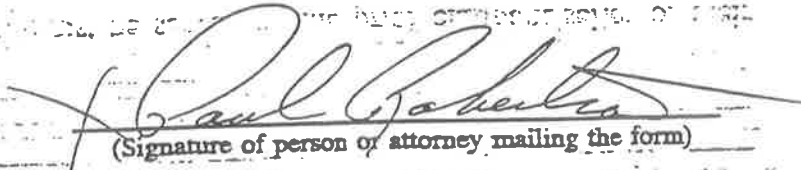
USOI - BLM

4. One copy to:

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

5. One copy to:

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


(Signature of person or attorney mailing the form)



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

PHILIP E. BATT
GOVERNOR

February 22, 1995

R. KEITH HIGGINSON
DIRECTOR

PAUL ROBERTSON
RT 1 BOX 1589
PAUL ID 83347

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim No. 36-07690A, 36-04058A, 36-07056,
36-11124 & 36-15363
Change of Address Notification

Dear Claimant:

IDWR has received your notice of the change of address of the water rights claims referenced above. Our records have been changed accordingly.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region

MICROFILMED

DEC 5 1996

R PROOF

CVR

MAPS

PHOTOS

MISC

MICROFILMED

OCT 19 1994

RECEIVED

APR 30 1993

Department of Water Resources
Adjudication Bureau

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

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

Case No. 36-07690A
(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,

36-07690A -0001/
93-04-0348

vs.

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

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.

(Over)

.OBJECTION - 1

MICROFILMED

OCT 19 1994

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.

I. GENERAL INFORMATION

Please fill in the following information:

1. Person objecting: United States of America
Bureau of Land Management
Name: U.S. Department of the Interior
Address: 3380 Americana Terrace
Boise, Idaho 83706

Briefly describe your interest in this water right:

The United States, through the Bureau of
Land Management, owns the land claimed as
as the Point of Diversion.

2. Owner of the water right:

Name: claimant PAUL ROBERTSON
Address: RT 2 BOX 2572
PAUL, IDAHO 83347

3. If this objection is filed by an attorney:

Attorney Name: K. Jack Haugrud
Daria J. Zane
Attorney Address: U. S. Department of Justice
500 West Fort Street
Box 33
Boise, Idaho 83734
Attorney Phone No.: 202-272-4134/8351

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

II. STATEMENT OF THE OBJECTION

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

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. ☐ Quantity: I object to:
 - a. ☐ the total quantity of water used in cubic feet per second; or
 - b. ☐ the total quantity of water stored in acre-feet per year; or
 - c. ☐ the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☒ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. ☐ Place of Use: I object to:
 - a. ☐ the legal description of the place of use; or
 - b. ☐ the number of irrigated acres within each 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.

Box 5 was checked because the Point of Diversion of this
water right is located on federal land. It appears the
legal description, Lot 3 (NENE), is improper according to
the Master Title Plat.

CHANGES TO THE DIRECTOR'S REPORT

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

The Directors report should be changed to correct the legal
description for the Point of Diversion to Lot 3 (NE NW).

If the legal description of the Point of Diversion is not
corrected, the Directors report should be changed to
recommend disallowance of this claim.

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. _____

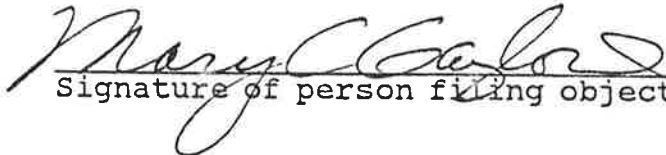
VERIFICATION (Must be Completed)

State of Idaho

County of Lincoln

MARY C. GAYLORD, SHOSHONE DIST. MANAGER, being first duly
(Name of person filing objection)
sworn, upon oath, deposes and says:

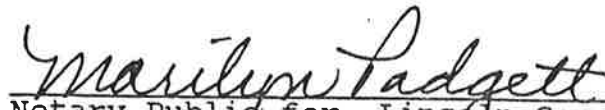
That I am the person or entity filing this objection, that I am a water claimant or party in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and that I have read the foregoing objection, know its contents and that the statements contained therein are true to the best of my knowledge and belief.


Signature of person filing objection

By: _____

(Attorney signing in
representative capacity)

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


Notary Public for Lincoln County
Residing at: Shoshone, Idaho
My Commission expires: July 1, 1994

MICROFILMED

DEC 13 1994

(Over)

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 30 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: PAUL ROBERTSON

Owner's address: RT 2 BOX 2572

PAUL, IDAHO 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
500 West Fort Street
Box 33
Boise, Idaho 83734



Signature of Objector or attorney
mailing on Objector'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 the Rights to the Use of Water)
from the Snake River Basin)
Water System)
_____)

Case No. 36-07690A -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)

MICROFILMED

2. Person who filed objection:

Name: US BUREAU OF LAND MANAGEMENT
Address: DEPT OF INTERIOR "
3380 AMERICANA TERRACE
BOISE ID 83706

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

5. ☒ Points of Diversion: I respond to the objection concerning the legal description of the point(s) of diversion.

REASONS SUPPORTING EACH BOX CHECKED

In response to Statement of the Objection item 5 and all allegations of the objection regarding this item, IDWR responds as follows.

There is an error in the description of one of the points of diversion of this right in the director's report. The recommendation should be corrected as shown in the attachment entitled "Recommended Water Rights Acquired Under State Law." IDWR denies the objection and all allegations of the objection except as expressly admitted herein.

CHANGES TO THE DIRECTOR'S REPORT

See attached List of Recommended Water Rights Acquired under State Law.

☒ 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:

	No. of Pages
Notice of Claim A36-07690A	3
Recommended Water Rights Acquired under State Law	1

(Over)

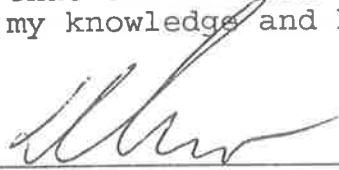
VERIFICATION (Must be Completed)

State of IDAHO

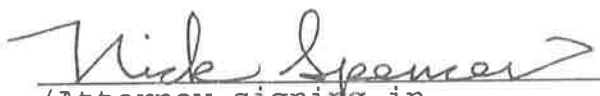
County of ADA

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 23rd 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

CERTIFICATE OF MAILING

I hereby certify that on the 24th 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:

Name: PAUL ROBERTSON
Address: ROUTE 2 BOX 2572
PAUL ID 83347

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: US DEPT OF JUSTICE
Address: ENVT & NAT RESOURCES DIV
550 WEST FORT ST BOX 33
BOISE ID 83734


Signature of Respondent or attorney
mailing on Respondent's behalf

(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:

All of it.

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

5. Describe why you disagree with the proposed recommendation:

6. Date: *Sept 10-92*

SIGNATURE

Paul Robertson

NOTICE OF ERROR FORM

RECEIVED

SEP 14 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:

1. Water right number: *36-07690A*

2. Name: *Paul Robertson*

Address: *RT 1 Box 1589*

Paul ID 83347

Weekday Telephone Number: *438-5959*

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF



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

October 19, 1992

PAUL ROBERTSON
RT 1 BOX 1589
PAUL ID 83347

Re: Snake River Basin Adjudication (SRBA)
Notice of Error Response
Recommended Right Nos. 36-07690A, 36-07056, 36-15363,
36-11124 and 36-04058A

Dear Mr. Robertson,

You recently filed a Notice of Error with IDWR concerning the water rights referenced above. No change to our recommendation has been made at this time.

During the Notice of Error procedure, we hope to find and correct errors in our recommendations of your rights. Although you had indicated a desire to meet with our personnel, no appointment was made. We are now at the end of the Notice of Error procedure and without specific information about your concerns we can not make any changes.

Please contact this office if you have other questions or concerns.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:rm

CONVERSATION MEMO

FILE: 36-7056, 15363, 11124

AGENT: KKC 4058A & 7690A

DATE: 10-2-92

RE:

Robertson - NOE on 5 ADJ CLAIMS

NAME OF PARTY:

Paul Robertson

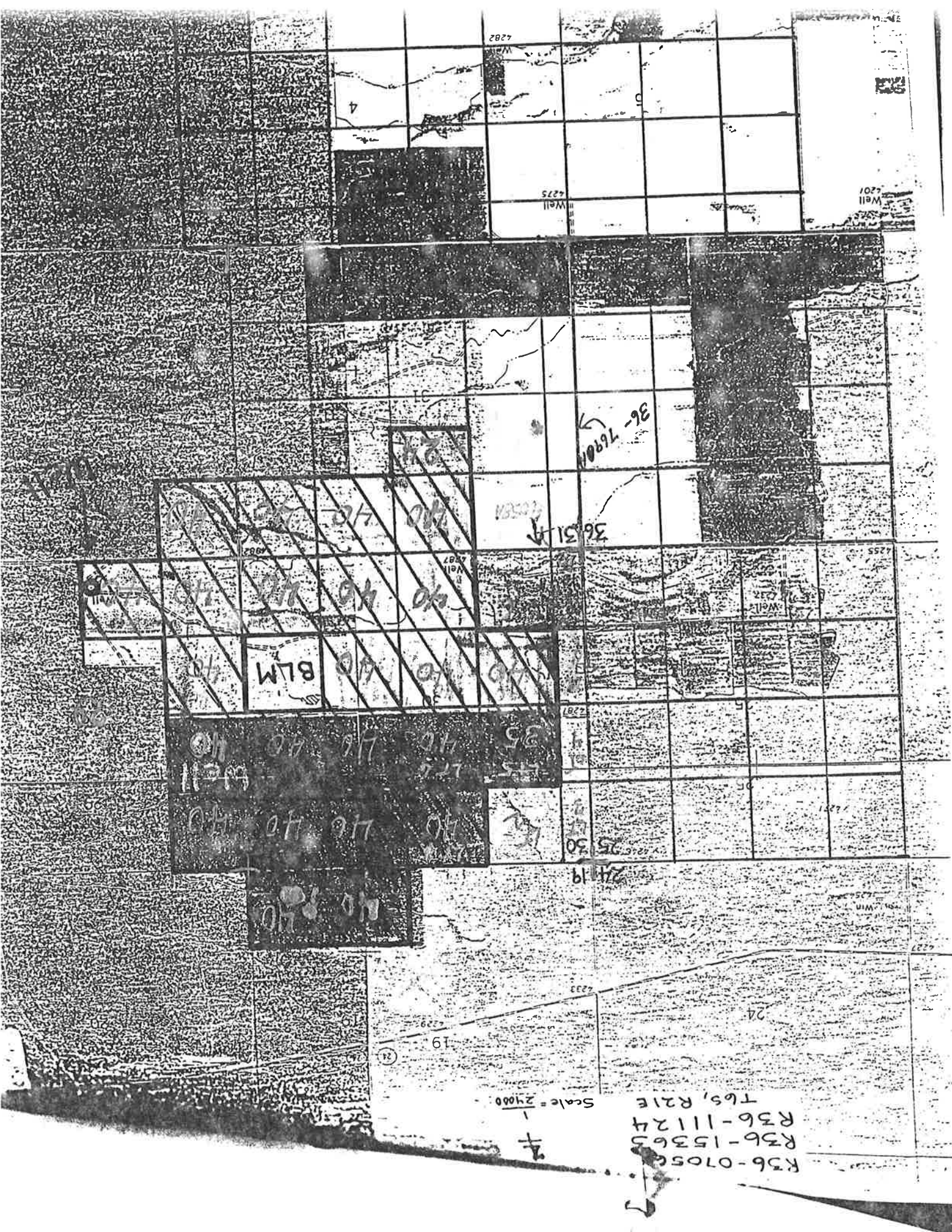
Phone conversation on 10-2-92 (mobile # 678-0248; 1344)

Major complaint is season of use reduces
right by 27%.

He also wants the cfs rates converted to
GPM during an office visit so he can compare
the licensed rates with what he is doing.

He stated that he plans on setting up
an appointment in approx 10 days when harvest
is over.

FEB 04 1993



R36-07056
R36-15365
R36-11124
T65, R21E

Scale = 24000

1/4

R PROOF

CVR

MAPS

PHOTOS

MISC

2011-01-03

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL ROBERTSON RT 2 BOX 2572 PAUL ID 83347 (208) 532-4172	04/06/1978	IRRIGATION	04-01 10-31	2.24 CFS	448.0 AFA
TOTAL DIVERSION:					2.24 CFS	448.0 AFA
CONSUMPTIVE USE:						336.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06S R21E S31 SESWSE
T07S R21E S04 Lot03(NENE)

LINCOLN County
LINCOLN County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
06S	21E	31	:					:			02-40	04-16	:					:					:	112.0
06S	21E	31	:					:			03-16	05-40	:					:					:	
TOTAL ACRES																							112.0	

POU County: LINCOLN

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion and Source:
A36-02423 A36-07690B R36-02423 R36-07690B R36-15379

Remarks: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE POINTS OF
DIVERSION DESCRIBED ABOVE: 36-07690B, 36-15379, AND LICENSE
36-07446.
USE OF THIS RIGHT WITH THE RIGHTS LISTED ABOVE IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 9.82 CFS.

Dates: Exam Made Date: 07/23/1992 Verified Date: 08/10/1992

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

Verified by S.W. Keen
on 8/10/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:15:22
02/27/92

CLAIM NUMBER: A36-07690A

PAGE: 11
QUICKLOOK INFORMATION

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		S.W. Keen 4-22-92	Yes	6	S.W. Keen 4-22-92	S.W. Keen 4-22-92	S.W. Keen 8-10-92
POINT OF DIV	Y		S	Yes	6	S	S	S
SOURCE				No	6			
PLACE OF USE	Y			No	6, 4, 1, 2			
DIV. AMOUNT CFS/VOLUME	Y			No	6			
CONSUMPTIVE USE	-			No	6			
PURPOSES				No	6			
PERIOD OF USE				Yes	6			
BASIS OF CLAIM	Y			Yes	6			
REMARKS	Y			Yes	6			

"VERIFIED BY" CODES

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

Licensed 8-28-1991

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

Flag = None
Cond. Code = None
Remarks = F05: 36-07690B, 36-15379, 36-07446

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:15:22
02/27/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07690A

LAST: ROBERTSON
ADDRESS: RT. 2 BOX 2572
CITY: PAUL
PHONE NUMBER: 208-532-4172

FIRST: PAUL

STATE: ID ZIP: 83347

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: 112/144 PORTION OF PERMIT 36-07690. } *Copy to comments field in the R-record.*

FIELD EXAMINATION INFORMATION

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:

A. AJ CLAIM: # A36-07690A PRIORITY DATE: 05-05-1977 STAGE: P
B. WR RECORD: # 36-07690 PRIORITY DATE: 04-06-1978 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE Y FIELD EXAMINER NO

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

REMARKS: Change basis of claim - licensed on 8-28-91.

- Priority date is 4-6-1978. Priority date was advanced 336 days because of late
Exam fee/Info sheet. (See license file memo dated 10-10-89.)

=====

RECOMMENDED PRIORITY DATE:

4-6-1978

REVIEWED BY S.W. Keen

DATE 4-14-92

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-07690A	06S	21E	29	SW	SW	NW		LINCOLN
A36-07690A	06S	21E	29	SE	SE	SW		LINCOLN
A36-07690A	06S	21E	30	SE	SW	SW	11	LINCOLN

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A36-02407 NONE
A36-04058A
A36-07056
A36-11124

WR RECORDS IN SAME 40 ACRE TRACT

36-02406
36-02407
36-04058
36-07056

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-07690	07S	21E	4		NE	NE	3	LINCOLN
36-07690	06S	21E	31		SW	SE		LINCOLN

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

36-07446

A36-02423 NONE
A36-07690B

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER
No
No

REMARKS:

This right was examined in July, 1989 and licensed in August, 1991. I consider this strong evidence that the licensed points of diversion, not the claimed points of diversion, were in effect at the time of commencement. On p.53 of the CIM it says: "If the evidence would support a finding that the change occurred after Nov. 19, 1987, then the PD shown on the license or decree should be recommended."

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>7S</u>	<u>21E</u>	<u>4</u>			<u>NW</u>	<u>3</u>	<u>Lincoln</u>
<u>6S</u>	<u>21E</u>	<u>31</u>		<u>NE</u>	<u>SE</u>	<u>3</u>	<u>Lincoln</u>

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY: S.W. Keen

DATE: 4-21-92

Lot 3 is the NENW. see
memo in the license file.
(14-APR-1992)

These points of diversion
were verified by field exam
on 7-23-1992. SW Keen

A. ROOT WATER RIGHT NUMBERS: A36-07690A
A36-07690B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
06S	21E	31	NW	NW	2	ROBERTSON, PAUL	A36-07690A /40.0	-	40.0		40
			NW	NW	3	WINDY ACRES INC.		36-07690 /16.6		lot 2	
06S	21E	31	NW	NW	3	ROBERTSON, PAUL	A36-07690A /16.0	-	19.0		
			NW	NW	3	WINDY ACRES INC.		36-07690 /16.6		lot 3	16
06S	21E	31	SW	NW	4	ROBERTSON, PAUL	A36-07690A /16.0	-	21.0		
			SW	NW	4	WINDY ACRES INC.		36-07690 /16.6		lot 4	16
06S	21E	31	SW	NW	5	ROBERTSON, PAUL	A36-07690A /40.0	-	38.0		
			SW	NW	4	WINDY ACRES INC.		36-07690 /16.6		lot 5	40
TOTAL ACRES							A36-07690A	112.00	118.00		112

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
No

POU COUNTY: LINCOLN

PRESUMPTION FLAG:

REMARKS:

1991 License = 113.2 acres in these tracts. 112 acres claimed. NAPP photo AA77NW confirms that these tracts are irrigated to this extent.

RECOMMENDATIONS:

TOTAL ACRES:

112

REVIEWED BY:

S.W. Keen

DATE:

4-14-92

A. AJ CLAIMED USES:

PURPOSES
A36-07690A IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

DIVERSION QUANTITY
2.240 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.240 CFS

B. WR RECORDED USES:

PURPOSES
36-07690 IRRIGATION

MONTH/DAY
FROM 03-15 TO 11-15

DIVERSION QUANTITY
2.920 CFS 584.00 AF/A

TOTAL DIVERSION RATE/VOLUME CLAIMED

2.920 CFS 584.00 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

DATABASE
N
Y
N

FIELD
EXAMINER
No
Y
No

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N(Y)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(Y) N() Explain in remarks, below.

REMARKS:

New standard season for this area is 4-1 to 10-31.

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 2.240 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.920 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

*This part claims 2.24 cfs and
A36-07690B claims .64 cfs,
for a total of 2.88 cfs.
a total of 144 acres are
claimed, making the total
diversion rate = 1"/acre.*

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

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

*No rights overlap the place of use, but R36-07690B, R36-15379,
and 36-07446 should be conditioned for the same points of diversion.
In actuality, this right is no longer diverted from the recommended
wells, but the change ~~was~~ occurred after commencement
and no transfer has been processed.
36-07446 is a license that did not have to be claimed
in the SRBA. The B/u exam for 36-07446 and 36-07690
measured the combined capacity of the two wells as 9.82 cfs.*

RATE/VOLUME CALCULATIONS: (IRRIGATION)

D.

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 112 x 0.02 CFS/ACRE = 2.24 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() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 336.0 AF/A

ACRES 112 x CONSUMPTIVE VOL. AF/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 336 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 112 x DIVERSION VOL. AF/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 448 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

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

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	03-15 4-1 11-15 10-31	2.240 2.24	448	336.0 336 336
TOTAL FOR THIS RIGHT		2.240		336.0

REVIEWED BY: S.W. Keen DATE: 4-22-92

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED	NEEDS REVIEW
()	()
()	()
()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07690

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.920

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
			-		36-07690	2.920
A36-07690	A36-07690A	2.240	-		36-07690	2.920
A36-07690	A36-07690B	0.640				
	TOTAL CFS	2.880				2.920

DIVERSION RATE REVIEW

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

DATABASE
N

FIELD
EXAMINER
NO
NO

REMARKS:

The license is for 146.4 acres. $146.4 \times .02 \text{ cfs} = 2.928 \text{ cfs}$ Only 144 acres are claimed. The discrepancy involves four 16.6 acre govt. lots. On the license, 16.6 acres are allowed in each. On the SRBA claims, however, only 16.0 acres are claimed in each of the four lots. $144 \times .02 \text{ cfs} = 2.88 \text{ cfs}$.

AUTHENTICATION:

SIGNATURE:

Shelley Walter Keen

DATE:

8-10-92

NAME OF FIELD EXAMINER:

Shelley Walter Keen

TITLE:

Sr. W.R. Agent

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:18:49
02/27/92

PAGE: 12
PROFILE REPORT

CLAIM NUMBER: A36-07690A

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PAUL ROBERTSON RT. 2 BOX 2572 PAUL ID 83347 (208) 532-4172	05/05/1977	IRRIGATION	03-15 11-15	2.24 CFS	
					TOTAL DIVERSION:	2.24 CFS
					CONSUMPTIVE USE:	336.0 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T06S R21E S29

SWSWNW

SESESW

LINCOLN County
LINCOLN County

S30 Lot11(SESWSW)

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
06S	21E	31	:					:			02-40	04-16	:					:					:	112.0
06S	21E	31	:					:			03-16	05-40	:					:					:	
																							TOTAL ACRES	112.0

POU County: LINCOLN

Other Rights: NONE

Remarks: 112/144 PORTION OF PERMIT 36-07690.

Dates: Exam Made Date:

Verified Date:

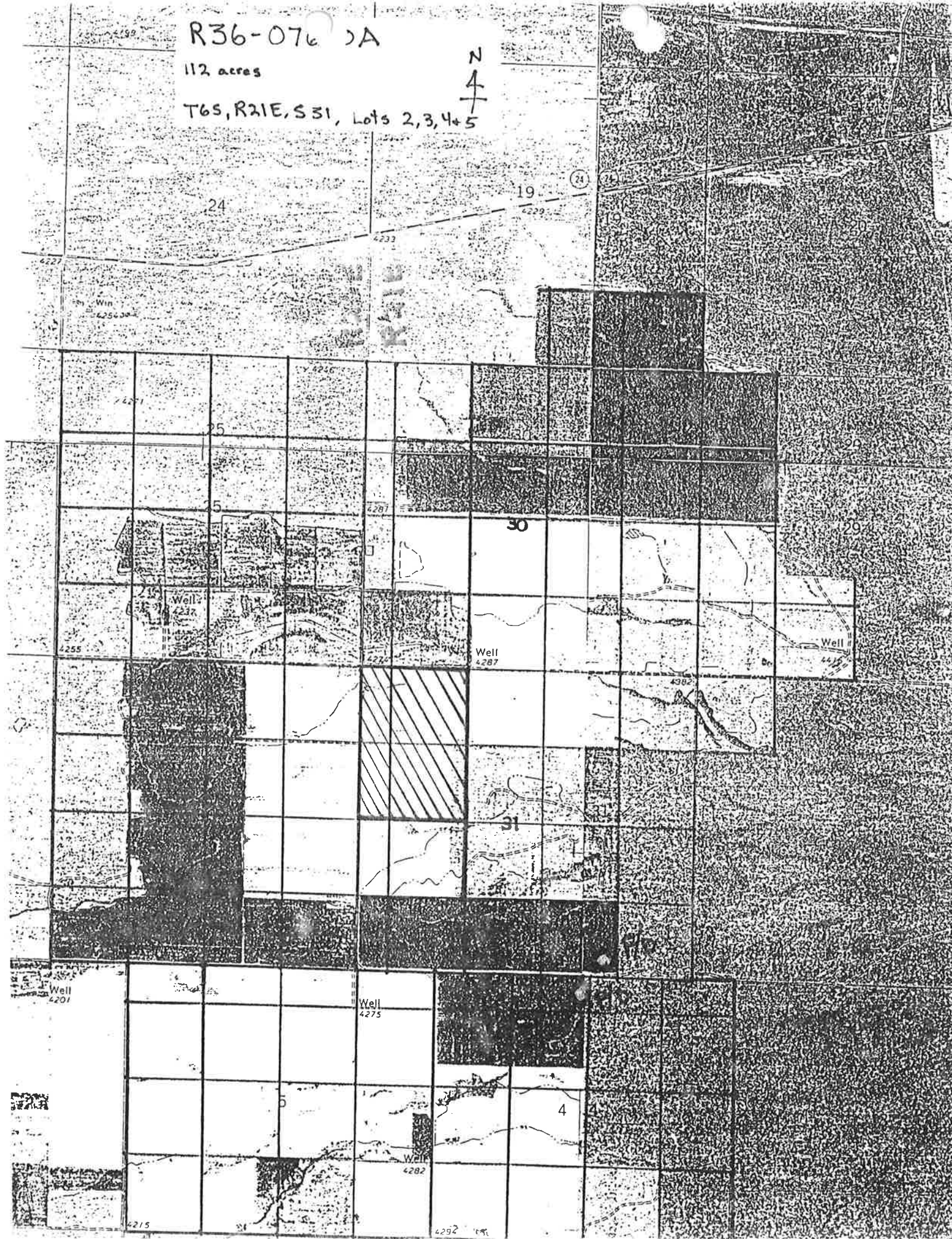
Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

R36-076 DA

112 acres

T6S, R21E, S31, Lots 2, 3, 4 & 5





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 24, 1992

Paul Robertson
Rt. 2 Box 2572
Paul, ID 83347

RE: Snake River Basin Adjudication (SRBA)
Lincoln County - #A36-04058A and #A36-07690A

Dear Mr. Robertson:

The SRBA will define water rights as they existed on November 19, 1987, which was the commencement date of the SRBA. If your use of water has changed since the commencement date and an Application for Transfer of a Water Right has not been approved, then your water right will be recommended as it existed prior to the commencement, instead of how it is currently used.

You and Rusty Gillette have apparently changed the points of diversion for water right #36-04058 (formerly Blincoe property) in 1988. Each of you has claimed a portion of #36-04058 in the SRBA. In addition, it appears that you and 3Gs Farms have split water right license #36-07690 and that you have recently changed the points of diversion for your portion.

These changes appear to have been made after the commencement of the SRBA, and no transfer applications have been received by IDWR. Therefore, the changes cannot be included in our recommendations to the court until an approved transfer application is on file with IDWR.

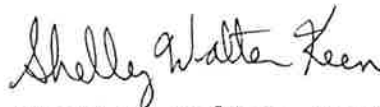
In order to legally change or add points of diversion, you should file Applications for Transfer of a Water Right with IDWR. I have enclosed two application forms (and instructions) for you to complete and return as soon as possible. You will notice that I have taken liberty to fill in most of the application forms for you. If you do not agree with any of the entries I have made, please line through the incorrect information and insert the correct information. Finally, please complete the sections I have marked with "*" and return the application to IDWR right away.

For your reference, I have enclosed a copy of license #36-07690 and a copy of claim #36-04058.

Paul Robertson
July 24, 1992
Page 2 - Lincoln County

If you have any questions, please contact me at 327-7934 in Boise.

Sincerely,



Shelley Walter Keen
Senior Water Resource Agent

SWK:state

Enclosures:

Two Application for Transfer and Instructions
Copy of License #36-07690
Copy of Claim #36-04058